# Property : Excavated Remains of *Nalanda Mahavihara*

**Submitted by –**

**State Party: India**

**Agency : Archaeological Survey of India**

प्रत्नकीर्तिमपावृणु

**Nomination Dossier**

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Advisory Committee for World Heritage Matters, (Under the aegis of Ministry of Culture, Government of India)

## Executive Summary

- **State Party:** *India*
- **State, Province or Region:** *Bihar (State), Nalanda (District), Bargaon (Village)*
- **Name of Property:** *The Excavated remains of Nalanda Mahavihara*
- **Geographical coordinates to the nearest second:** *25°08'12"N*
  *85°26'38"E*
- **Textual description of the boundary (ies) of the nominated property**

***Description of the Property boundaries***

The 23 HA property-limits of the Property enclose all surviving remains of *Nalanda Mahavihara.* These demonstrate amply the attributes of planning and layout, architectural development and iconographic development unique to Nalanda. The ensemble comprising of chaityas (temple), viharas (residential-cum-educational structures), stupa were the seats where principles of Yogachara and Madhyamika developed, Indian systems of Logic and Philosophy formed as distinct disciplines and debate matured into a tool for higher learning.

The Buffer Zone which lies at a distance of 5 to 400 meters from the Property consists primarily of agricultural land and water bodies. Apart from aiding in re-imaging the original setting to Nalanda Mahavihara, it protects the site against impact of rising pollution, unplanned development or transformation which could negatively impact the property. It also has facilities like site museum and an interpretation centre (owned by the State Government of Bihar) and other institutional buildings.

Both the Property and its Buffer Zone are protected by The Ancient Monuments and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010), a national-level law. This implies that at all instance; the values of the Excavated area and its surrounding remain protected from incompatible development. In addition to being monitored by Archaeological Survey of India, the Buffer Zone is also monitored by the National Monument Authority (national level) and office of the District Commissioner, State Government of Bihar (local level).

- **Map of the nominated property, showing boundaries and buffer zone**


Figure 01: Nalanda District Survey Map showing location of Property and Buffer Zone — Page 08
Figure 02: Map showing Property and Buffer Zone limits — Page 09
Figure 03: Location of Excavated Remains of Nalanda Mahavihara — Page 10


- **Criteria under which property is nominated (itemize criteria)**

***Criteria IV:*** As the first *planned* university of the Indian subcontinent, Nalanda`s built remains exemplify its extraordinary contribution to institution-building, pedagogy, architecture, art and pan-Asian culture. It represents maturing of ancient Indian pedagogy that influenced early medieval Buddhist art, architecture and belief system. It's built ensemble show processes of assimilation and developments of prototypes of planning, architecture and art that influenced large parts of Asia. The planning system and architectural forms evolved here were followed by later mahavihara in the region. Its art show development that finalized Vajrayana pantheon and influenced art and social life of Malayan archipelago, Nepal, Burma and Tibet.

***Criteria VI:*** Nalanda, as a centre for higher learning marks the zenith in evolution of sangharama into the oldest university of early medieval India. Sustained scholarship here crystallized Indian systems of Logic and Philosophy, principles of Yogachara and Madhyamika Schools and debate as a tool for learning. While principles of Yogachara and Madhyamika enabled transition from Mahayana to Vajrayana, the principles influenced culture of Asia survives till date in the form of several sects and social customs.

Nalanda`s systems enabled establishment of later Mahaviharas and continues to be practiced in Tibetan monasteries. Till date Nalanda is an inspiration for universities across Asia.

- **Draft Statement of Outstanding Universal Value**

***a. Brief synthesis***

Archaeological site of Nalanda Mahavihara are remains of a great monastic-cum-scholastic establishment spanning 3rd century BCE to 13th century CE. Located near present-day Rajgir, Bihar, Nalanda is a rare combination of outstanding achievements in institution-building, site-planning, art and architecture. Nalanda symbolized the multiplicity of knowledge production, the innovative processes of the organized transmission of ideas through education, and a shared heritage of people living in multiple regions of Asia.

A major Mahavihara by the 5th century CE, Nalanda drew patronage of rulers from beyond the Indian subcontinent and attracted scholars from far-flung corners of Asia. Consistent scholarship at Nalanda led to developments in systems of learning, logic, philosophy and Schools of Buddhism that influenced contemporary Asian culture.

Nalanda`s excavated remains provide evidence for development of architecture and evolution of artistic traditions of South Asia. While Nalanda`s site plan show a linear planned organization of a campus, its Site no. 03 show a five-fold temple form both of which were borrowed by later Mahaviharas. The temple-like form of Site no. 03 and the sculptural art contribute to development of Buddhism and Buddhist art and architecture in large parts of Asia

***b. Justification of criteria***

***i. Criteria iv***

*Excavated Remains of Nalanda Mahavihara*' represents maturing of ancient Indian pedagogy and the related philosophical discourses that influenced early medieval Buddhist art, architecture and belief system. It's built ensemble show processes of assimilation and developments of prototypes of planning, architecture and art that influenced large parts of Asia.

Nalanda`s remains marks the advent of systematic planning for a pedagogic establishment. Application of the order enabled its seamless expansion and imparted Nalanda with a visual identity. Reminiscent of modern day universities, this order was

followed by monastic-cities like Paharpur (Bangladesh, World Heritage Site) and influenced Tibetan monasteries.

Standardisation of architecture of viharas and evolution of temple-like chaitya (sacred structure) into prototypes here are evidences of sustained interchange. The quadrangular free-standing *vihara* of Gandhara evolved into a complete residential-cum-educational infrastructure borrowed by monastic-city.

Nalanda shows emergence and mainstreaming of a quincuxial (five-fold) temple-like sacred architecture. As a reflection and representation of changing religious practices, this new form replaced the traditionally dominant stupa and influenced Buddhist temples in East, South and Southeast Asia.

Stucco, stone and metal art shows thematic and iconographic assimilation of features from major art-centres of India and finalized iconography of Vajrayana pantheon. Nalanda stucco influenced those of Thailand and its metal art influenced art and social life of Malayan archipelago, Nepal, Burma and Tibet.

Defining standards for contemporary mahaviharas Nalanda distinguished itself as the first planned university of the Indian subcontinent. Nalanda`s built remains exemplify its extraordinary contribution to institution-building, pedagogy, architecture, art and pan-Asian culture. Its tradition continues to live Tibet.

***ii. Criteria VI***

Nalanda Mahavihara, as a centre for higher learning marks the zenith in the evolution of sangharama (monastic establishment) into the earliest university of early medieval India. Its merit-based approach embraced all contemporary sources of knowledge and systems of learning practiced in the Indian subcontinent. The sustained scholarship in Nalanda`s viharas crystallised the fundamentals of Indian systems of Logic and Philosophy, principles of Yogachara and Madhyamika Schools and debate as a tool for learning. While Logic and Philosophy are integral part of Indian culture, the principles of Yogachara and Madhyamika enabled transition from Mahayana to Vajrayana. Dispersed through its scholars, the principles influenced culture of Asia survives till date in the form of several sects and social customs.

Nalanda remains an extraordinary institution-builder. Its systems of pedagogy, administration, planning and architecture were the basis on which later Mahaviharas were established. The continuity of its systems are still evident in monasteries of Tibet and Nepal. While many like Nalanda, Matale in Sri Lanka share its name, Nalanda continues to inspire modern establishments like Nava Nalanda Mahavihara, Nalanda University and many others across Asia.

***c. Statement of integrity***

Archaeological remains of *Nalanda Mahavihara* were systematically unearthed and preserved simultaneously. These are the most significant part of the property that shows developments in planning, architecture and artistic tradition of Nalanda. As evinced by the surviving antiquities, the site is explicit of a scholar`s life recorded in the "University".

All surviving remains of *Nalanda Mahavihara* in the proposed property area demonstrate amply the attributes of the property such as its planning and layout, its architectural manifestation and extant building materials and applied ornamental embellishments. Preserved in-situ is structural remains of viharas (residential-cum-scholastic structure) and chaityas (temple-like structure) whose layers of construction show evolution of the respective forms. The positioning of these structures over the length of the site shows the planned layout unique to Nalanda. The site also retains a corpus of moveable and immoveable artefacts and artistic embellishment that shows iconographic development reflecting changes in Buddhist belief system.

Archaeological remains including the entire protected area of the proposed property are maintained by Patna Circle of the Archaeological Survey of India. Its material and fabric preservation is undertaken by Science Branch while open spaces are maintained by the Horticulture Branch of ASI. Buffer Zone of the proposed property is sparsely populated with agricultural land and dried water bodies and thus poses no threat to property. The Property and the Buffer Zone are protected by a national-level law - Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010) and is monitored by the National Monument

Authority (national level) and office of the District Commissioner, State Government of Bihar (local level).

### *d. Statement of authenticity*

In subsurface condition for over seven centuries the archaeological remains of *Nalanda Mahavihara* were unearthed and conserved in-situ. Its layers of construction, iconography and records testify these remains to be its oldest surviving parts. The spatial organisations evident in the excavated remains demonstrate its systematic planning. Temple-like form of chaityas and quadrangular-form of viharas replete with infrastructure, authenticate Nalanda`s contribution in developing sacred architecture of the Buddhists and residential-cum-scholastic facilities. Its stucco, stone and metal art retain iconographic features that enabled changes in Buddhist belief system and transition of Mahayana to Vajrayana. The conserved remains also retain the original systems, non-perishable and fragments of perishable materials of construction.

Nalanda`s contributions to pedagogy survive as socio-cultural practices. Zen and Pure land Buddhism in Japan, Chan and its sub-sects, Wei-shi-siang-kiau, Fa-siang-tsung and Avatamsaka in China and Bkah-gdams-pa and its sub-sects Karma-pa and Hbrug-pa, Sa-skya-pa, tradition of spiritual succession in Tibet trace its roots to *Madhyamika* and *Yogachara* developed at *Nalanda*.

Ceasing functionally as a 'university' (13$^{th}$ century CE) *Nalanda*`s role as an institution-builder is testified by the borrowing of its system of administration by later Mahaviharas of the 8$^{th}$ century CE. *Nalanda*`s system of pedagogy is best preserved in Tibetan monasteries where discourses are conducted through debate and dialectics. Furthermore, universities across Asia consider *Nalanda* the landmark of academic excellence.

### *e. Requirements for protection and management*

The Property is owned, protected, maintained and managed by Archaeological Survey of India vide national level laws - the Ancient Monuments and Sites Remains Act of 1958 (amended in 2010) and the Ancient Monuments and Sites Remains Rules of 1959 and The Antiquities and Art Treasures Act 1972. Decisions pertaining to its

conservation and management are governed by National Conservation Policy for Monuments, Archaeological Sites and Remains Protected by Archaeological Survey of India.

Conservation and management of property is ordained by a perspective plan revised every 5$^{th}$year. An in-house Committee of the Archaeological Survey of India monitors its state of conservation and conducts need-analysis. This apart, a plan for visitor management and risk preparedness is under preparation.

The Buffer Zone is also managed by the Archaeological Survey of India videAncient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010) in consultation with the State Government of Bihar. Development proposals in this area are vetted by The Competent Authority, Archaeological Survey of India, Nalanda's District Collectorate's Office and State Government of Bihar. Buffer Zone also has facilities to augment visitor`s experience.

- **Name and contact information of official local institution/agency**

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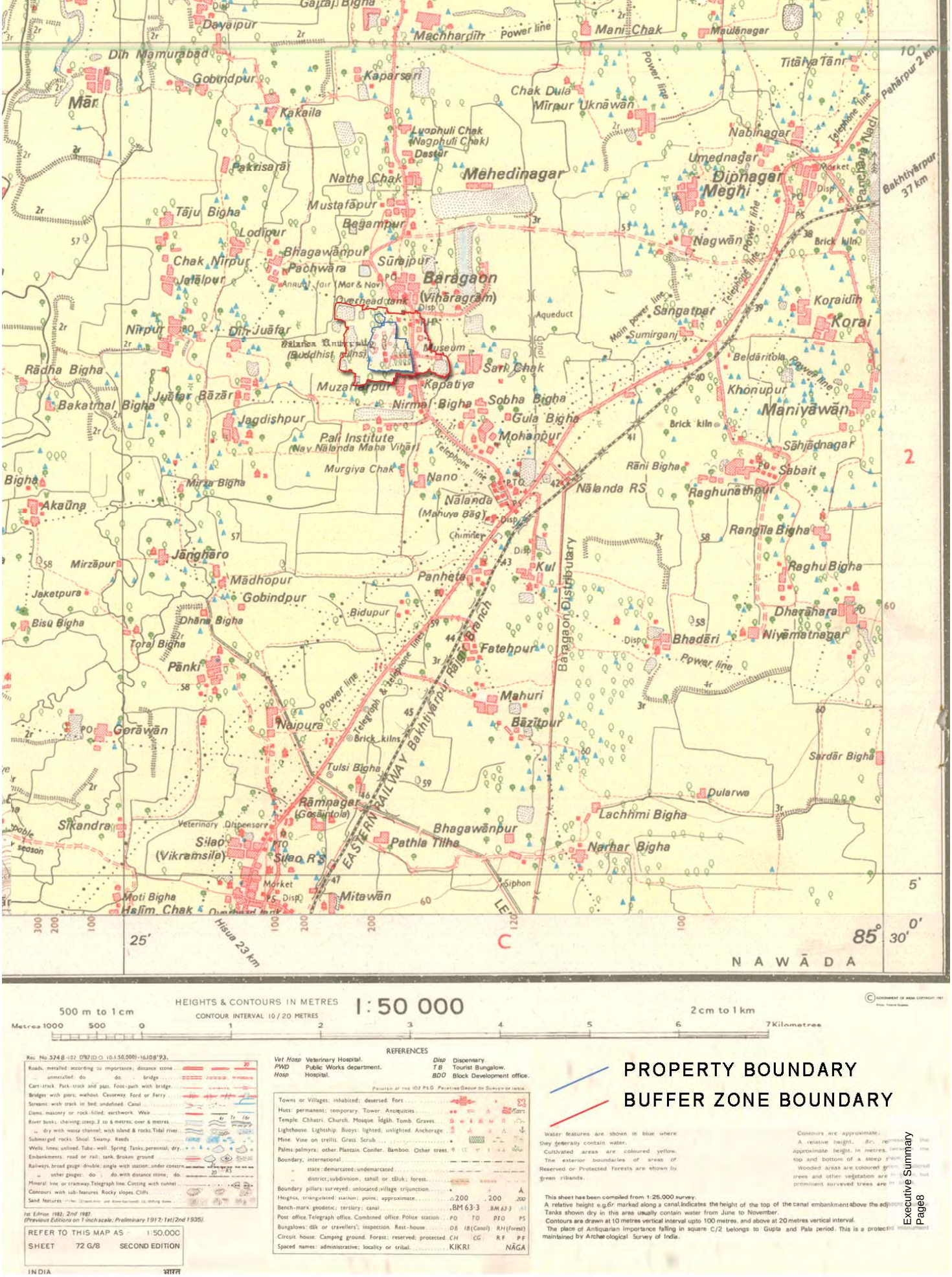
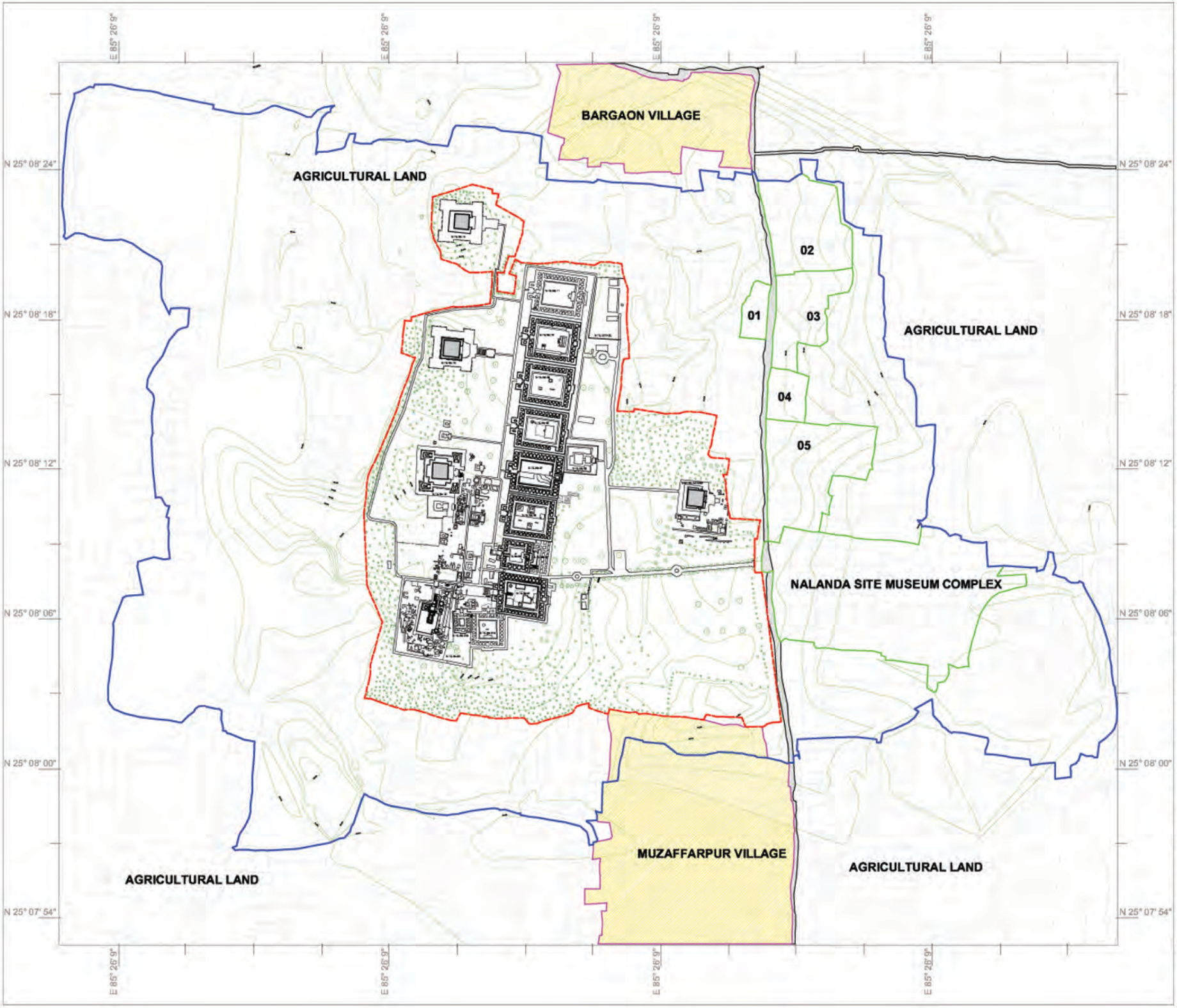



Figure 01: Nalanda District Survey Map showing location of Property and Buffer Zone




# Map showing Property and Buffer Zone

## Legend

- Buffer Zone
- *Nominated* Property
- Area under institutional Landuse
- Extent of settlement
- Inhabited area
- Contours
- Revenue (Plot) Boundary

| | |
|---|---|
| 01 | Health care centre |
| 02 | Interpretation Centre |
| 03 | Bus Stand |
| 04 | Primary School |
| 05 | Secondery School |

## Note

- Nomenclature 'Site no. 01/2/3' indicates the chronology of excavation.
- Sites 03, 02, 12, 13, 14 and Shrine Mound have 'temple-like' chaityas, votive stupas and shrines Sites 01, 1A, 1B, 04, 05, 06, 07, 08, 09, 10 and 11 are vihara (residential-cum-educational structures)

# Excavated Remains of *Nalanda Mahavihara*

## Scale:

All dimensions in millimeter

0 100 200 Mts.

0 200 500 Feet

**Submitted by:**
**State Party** - *India*

**Archaeological Survey of India**

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**Issued on:** *15th Jan'15*

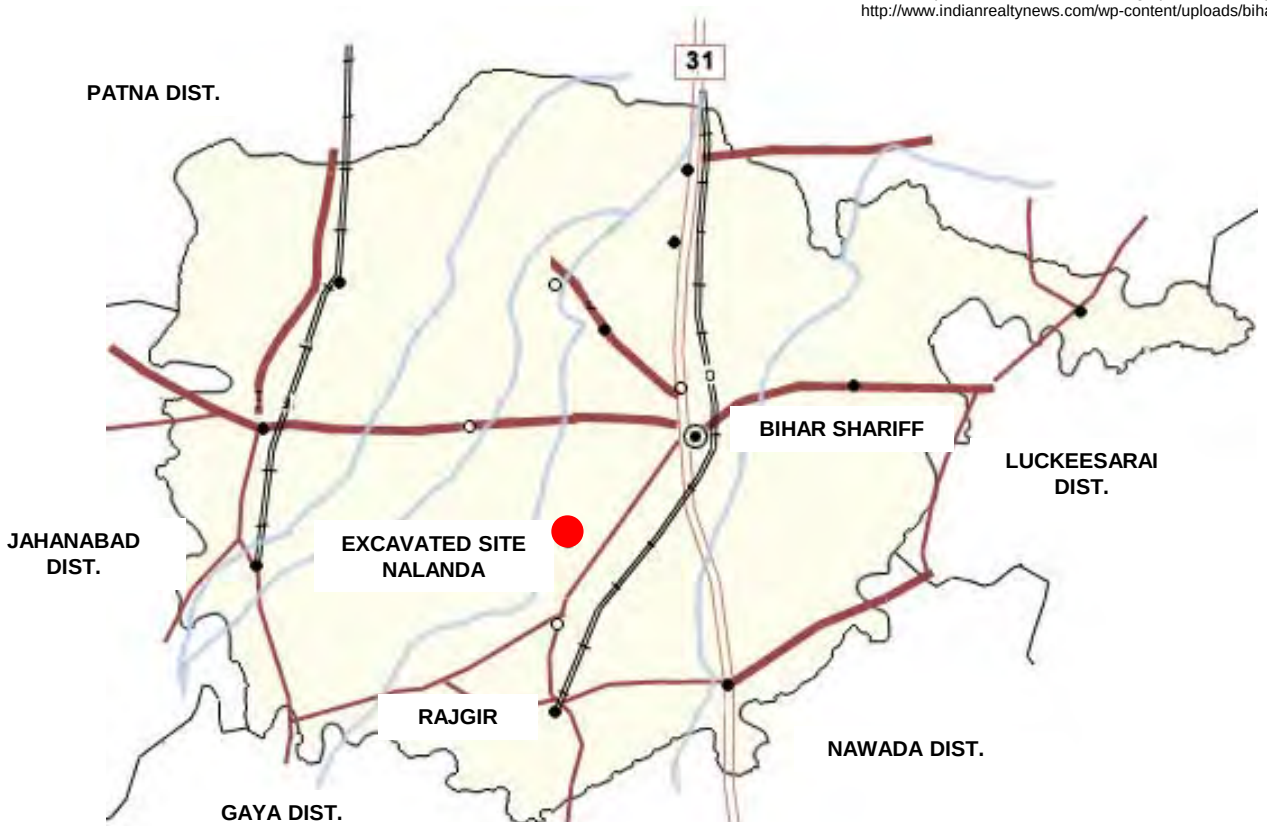
**Executive Summary**
*Figure -02*

MAP OF INDIA SHOWING STATE OF BIHAR

Source: http://www.coachingindians.com/i/india_political.jpg

MAP OF BIHARSHOWING LOCATION OF NALANDA DIST. AND OTHER IMPORTANT HISTORIC CITIES

Source:http://www.indtravel.com/bihar/graphic23/biharA.gif
http://www.indianrealtynews.com/wp-content/uploads/bihar_map.gif




MAP OF NALANDA DIST. SHOWING LOCATION OF PROPERTY

Source:http://nalanda.bih.nic.in/images/nalanda-district.jpg

Figure 03: Location of Excavated Remains of Nalanda Mahavihara

## Chapter 01: Identification of the Property

| | | | | |
|---|---|---|---|---|
| **1. a.** | **Country/ State Party :** | *India* | | |
| **1. b.** | **State, Province or Region:** | *Bihar (State), Nalanda District, Bargaon (Village)* | | |
| **1. c.** | **Name of Property:** | *Excavated remains of Nalanda Mahavihara* | | |
| **1. d.** | **Geographical coordinates to the nearest second:** | *25°08'12"N* *85°26'38"E* | | |
| **1.e.** | **Maps and plans, showing the boundaries of the nominated property and buffer zone** | Figure 01: | Nalanda District Survey Map showing location of Property and Buffer Zone | Page 12 |
| | | Figure 02: | Map showing Property and Buffer Zone limits | Page 13 |
| | | Figure 03: | Location of Excavated Remains of Nalanda Mahavihara | Page 14 |
| **1.f.** | **Area of nominated property (ha.) and proposed buffer zone (ha.)** | *Property* | *23.00 HA* | |
| | | *Buffer Zone* | *57.88 HA* | |
| | | *Total* | *80.88 HA* | |

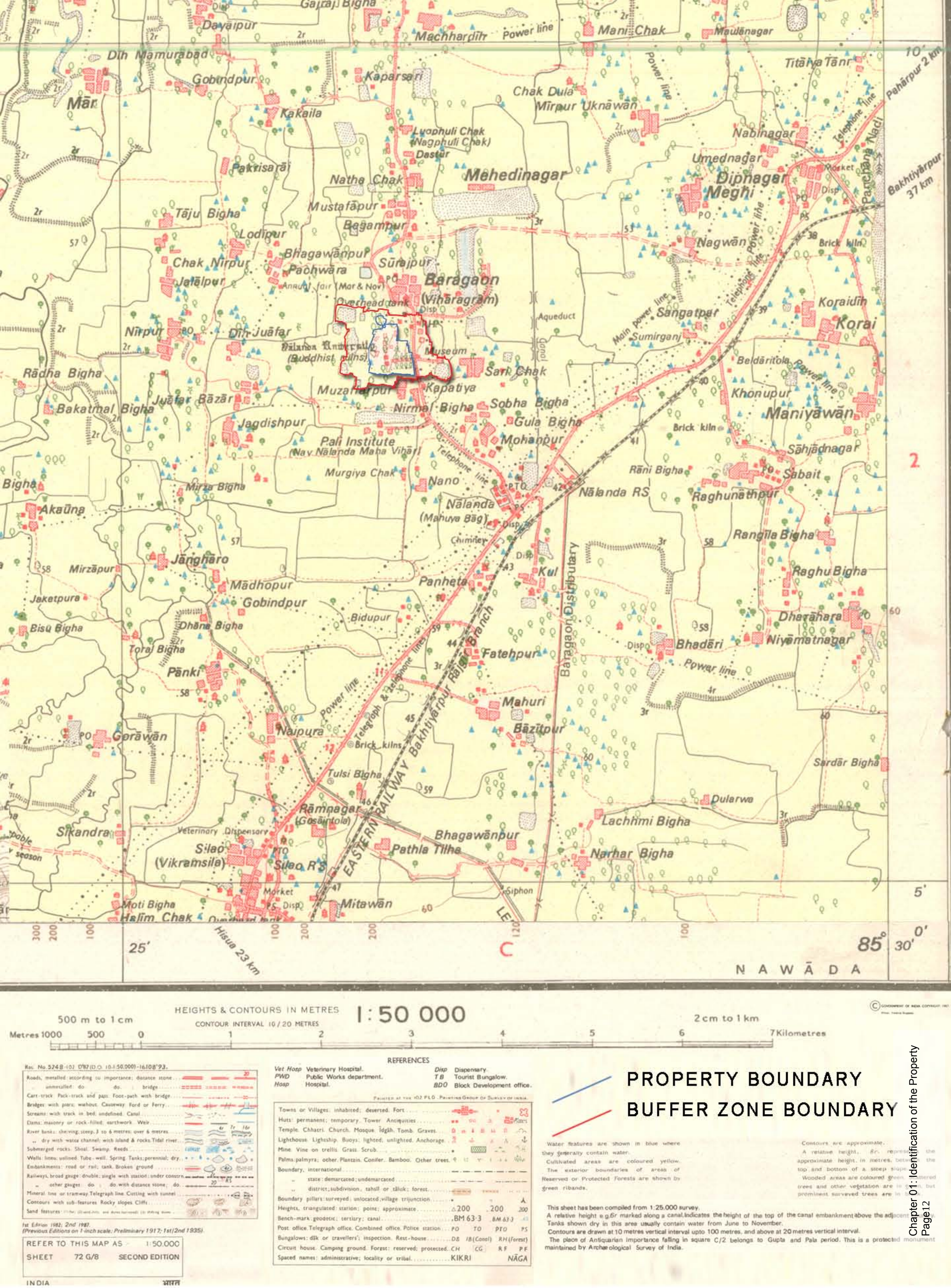
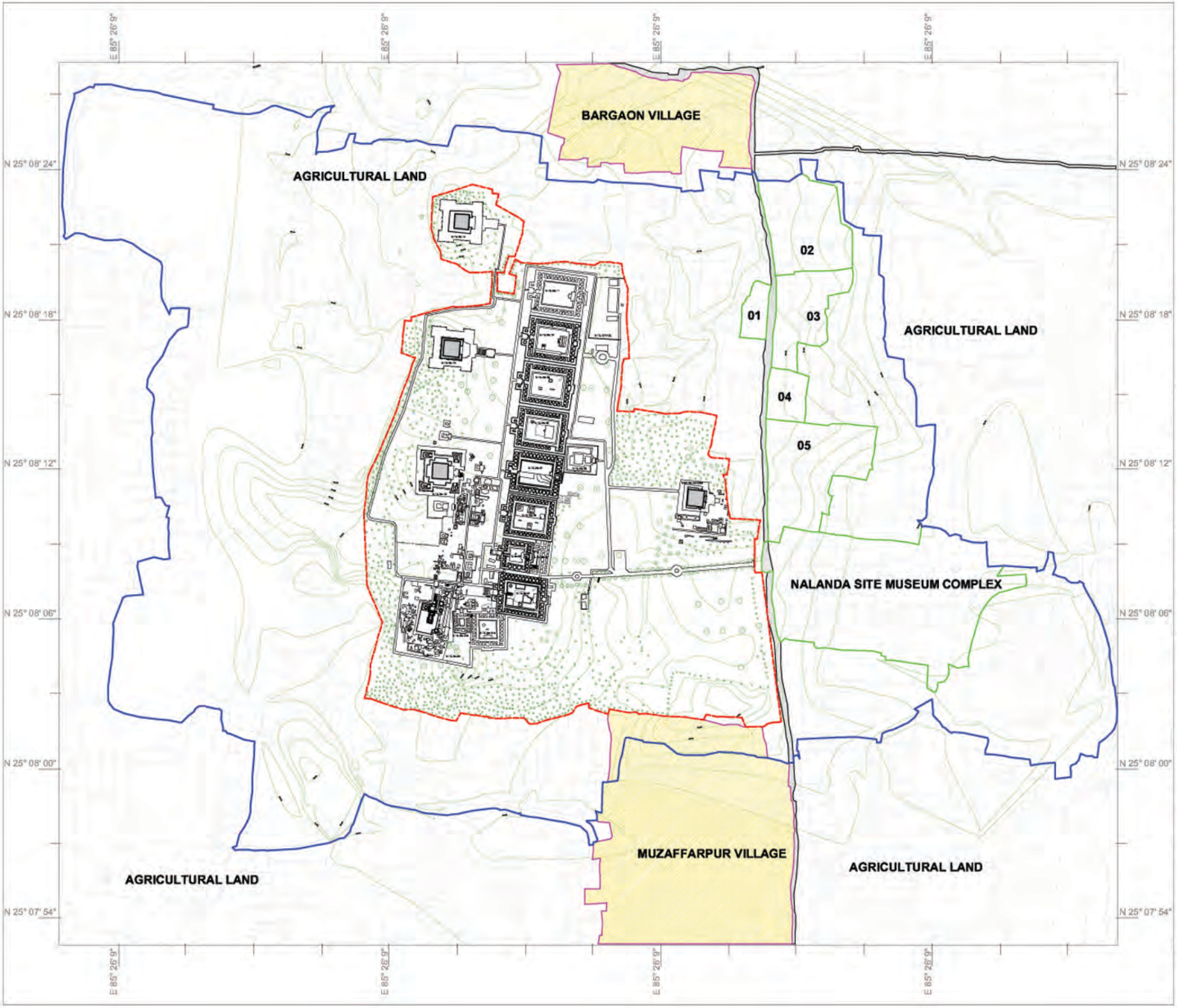




Figure 01: Nalanda District Survey Map showing location of Property and Buffer Zone




# Map showing Property and Buffer Zone

## Legend

- Buffer Zone
- *Nominated* Property
- Area under institutional Landuse
- Extent of settlement
- Inhabited area
- Contours
- Revenue (Plot) Boundary

| | |
|---|---|
| 01 | Health care centre |
| 02 | Interpretation Centre |
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| 05 | Secondery School |

## Note

- Nomenclature 'Site no. 01/2/3' indicates the chronology of excavation.
- Sites 03, 02, 12, 13, 14 and Shrine Mound have 'temple-like' chaityas, votive stupas and shrines Sites 01, 1A, 1B, 04, 05, 06, 07, 08, 09, 10 and 11 are vihara (residential-cum-educational structures)

## Excavated Remains of *Nalanda Mahavihara*

## Scale:

All dimensions in millimeter

0 100 200 Mts.

0 200 500 Feet

## Submitted by:

**State Party** - *India*

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**Issued on:**
*15th Jan'15*

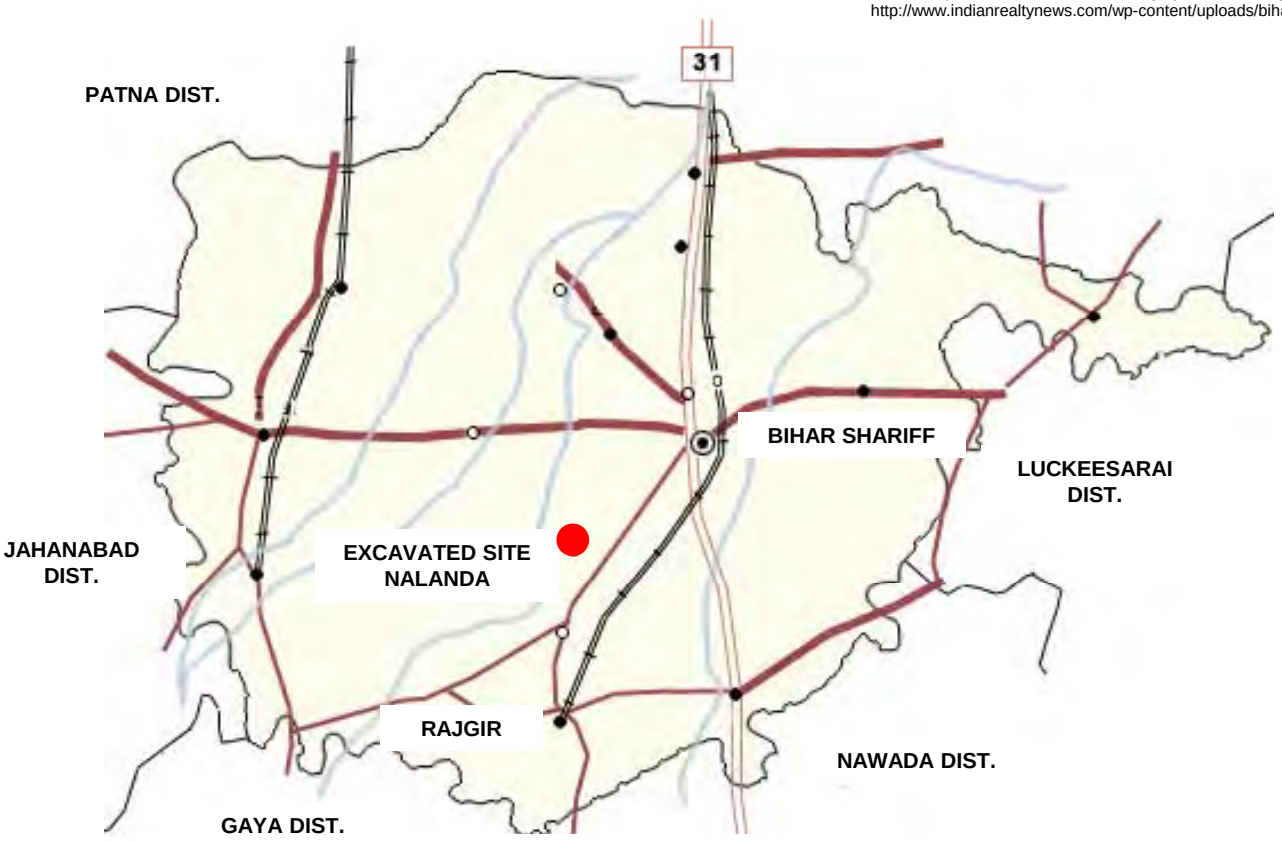
Identification of the Property
*Figure - 02*

MAP OF INDIA SHOWING STATE OF BIHAR

Source: http://www.coachingindians.com/i/india_political.jpg

MAP OF BIHARSHOWING LOCATION OF NALANDA DIST. AND OTHER IMPORTANT HISTORIC CITIES

Source:http://www.indtravel.com/bihar/graphic23/biharA.gif
http://www.indianrealtynews.com/wp-content/uploads/bihar_map.gif




MAP OF NALANDA DIST. SHOWING LOCATION OF PROPERTY

Source:http://nalanda.bih.nic.in/images/nalanda-district.jpg



Figure 03: Location of Excavated Remains of Nalanda Mahavihara

## 2.A. Description of Property

What is seen as Nalanda today is only the core of the Mahavihara whose development spans over 1600 years. Nalanda`s initiations can be traced as early as 3rd century BCE[1] with Emperor Ashoka, which by 13th century CE bore the brunt of repeated attacks and abandoned thereon. While the physical infrastructure of Nalanda was reduced to mounds, its contributions in the field of epistemology, dispersal and associated art and architecture of Buddhism was immortalised by the works, chronicles, records left by generations of scholars and by the art and architectural influences evident in major Buddhist sites in large parts of Asia.

The vivid description of Nalanda left by scholars inspired British administrators to rediscover the Mahavihara. In late 19th and early 20thcentury CE as many as three expeditions were undertaken through which the location of Nalanda was ascertained. Routine excavation between 1916-1938 revealed what was eulogised as the nuclei of the Mahavihara i.e. Site no 03[2] apart from a number of viharas, chaityas, votive stupas which were integral parts of the Mahavihara (Cunningham, 2000). The excavated area together with other subsurface remains, the dried and expanded water bodies, water channels, fertile land and cultivated areas help recreate the bounty of natural resources which was described by its scholars. (Misra, 2008).

Literary sources play a crucial role in substantiating the comprehension of Nalanda. Much of our understanding of the landscape abutting Nalanda, the architecture of its built envelopes, daily-life, education and internal management systems, quality of scholarship and eventual description is substantiated by records left in the form of epigraphs, chronicles, travel records, compilations and manuscripts(Loizzo)(Misra, 2008).

[1] Based on size of bricks the oldest structure (first layer of Site No 3) is dateable to Mauryan period. (Mani D. B., 2005-2006)
[2] Numbering as per archaeological excavation

### *2.a.i. Nalanda Mahavihara from literary accounts*

Nalanda Mahavihara was set amidst a Pavarikavana (mango grove) in a landscape with abundant trees and water bodies. This landscape was recognised for its sanctity by the Buddhists, Jains and Ajjivikas and was the epicentre of Buddhism since its inception. Its importance was further reinforced in the 3rdcentury BCE when Emperor Ashoka consecrated the corporal remains of Sariputta, one of the foremost disciples of the Buddha, with construction of a stupa which became the nuclei of Nalanda Mahavihara (Loizzo). With the passage of time and consistent royal patronage, Nalanda Mahavihara became an expansive prestigious educational facility by the turn of the millennia.

The accounts left by generations of scholars provide an impressionist`s sketch of Nalanda from elucidating the form, fame and facilities that characterised Nalanda. One of the first descriptions is dateable to 7thcentury CE provided by Chinese scholars like Hui Li and Xuanzang. Their description details a lush landscape abundant in flowers, trees and water bodies as an immediate setting for the Mahavihara, beyond which were large tracts of agricultural land[3]. Both mention Nalanda to have eight 'halls' (possibly viharas), 'outside courts' where there were priest chambers having four stages with dragon-like projections and red eaves along and richly adorned 'towers' and fairytale-like turrets enclosed within a gated brick wall(Loizzo). As per Munisri (Sung-Kao-Seng-Chuan, Vol 3), another Chinese Monk of Nalanda, who returned to China in 793 CE, the size of the establishment was 48 *li* in circumference and in it were 9 *viharas*, enclosed by a gated wall within which as many as 10,000 students resided(Misra, 2008).

> '*The whole establishment is surrounded by a brick wall, which encloses the entire convent from without. One gate opens into the Great College, from which are separated eight other halls, standing in the middle of the (saṃghārama). The richly adorned towers, and the fairy like turrets, like pointed hill-tops, are congregated together. The observatories seem to be lost in the vapour (of the morning), and the upper rooms tower above the clouds. From the windows one may see how the winds and the clouds (produce new forms), and above the soaring eaves the conjunctions of the sun and moon may be observed. And then we may add how the deep,*

[3]Xuanzang was received in one such farmland, outside the main campus which could have been the one managed by Candrakīrti. (Loizzo)

*translucent ponds, bear on their surface the blue lotus, intermingled with Kie-ni (Kanaka, Butea Frondosa) flower, of deep red colour, and at intervals the Āmra groves spread, over all, their shade. All the outside courts, in which are the priests' Chambers, are of four stages. The stages have dragon projections and colored eaves, the pearl-red pillars, carved and ornamented, the richly adorned balustrades, and roofs covered with tiles that reflect the light in a thousand shades, these things add to the beauty of the scene.'*– Hui Li, 7th century CE

*'[They] are constructed with extraordinary skill. A three-storied tower is erected at each of the four angles. The beams and projecting heads are carved with great skill in different shapes. The doors, windows and low walls are painted profusely; the monks' cells are ornamental on the inside and plain on the outside. In the very middle of the building is the hall, high and wide.'*– Xuanzang, 637 CE

The description of the Chinese scholar was further supported by an inscription dateable to 8th century CE recording the construction of a 'temple' or *prasaada* a apart from the rows of vihara that were a part of the Mahavihara. The structure had gleaming white surfaces[4] and built in appreciable scale, as if it was a city of a king.

*`Bālāditya, the great king of irresistible valour, after having vanquished all the foes and enjoyed the entire earth, erected as if with a view to see the Kailāsa mountain surpassed, a great and extraordinary temple (prāsāda) of the illustrious son of Śuddhodana (i.e. the Buddha) here at Nālandā. Nālandā had scholars, well-known for their (knowledge of the) sacred texts and arts, and (was full of the) beams of the rays of the chaityas shining and bright like white clouds. She was (consequently) mocking, as it were, at all the cities of the kings who had acquired wealth by tearing asunder the temples of the great elephants surrounded by the shining black bees which were maddened by drinking the rut in hostile lands. She had a row of vihāras, the line of whose tops touched the clouds. That (row of vihāras) was, so to say, the beautiful festoon of the earth, made by the Creator, which looked resplendent in going upwards. Nālandā had temples which were brilliant on account of the network of the rays of various jewels set in them and was the pleasant abode of the learned and virtuous*

*Saṃgha and resembled Sumeru, the charming residence of the noble Vidyādharas. (The prāsāda) stands aloft, as if it were a column of the great fame it had won, scoffing at the lustre of the moon, disregarding the beauty of the summits of the Snow-mountains (Himālaya), soiling (i.e. throwing into the shade) the white Ganges of the sky, and then turning dumb the streams of*

[4] The gleaming white described is due to the fact that brick structures were coated with a layer of lime, traces of which is evident today(India, 1916-2001)(Misra, 2008)(Phuoc, 2010). The tradition of whitewashing (Buddhist) structures is prevalent till date.

*disputants....As long as the moon shines and the sun, lamp of the world...so long let this glory (kīrti), which is pure like the moon (candra), whiten the circle of (all) the quarters.' – Sourced from an Epigraph dating from the mid-eighth century, recording a donation made by Mālāda, son of Tikina, minister of Yaśovarman of Kanauj, found at the Barāgon site.*

By 1235 CE the Nalanda Mahavihara had been ravaged at least thrice and the 13th century CE account of Dharmasvamin, a Tibetan Monk remains the last description of the Mahavihara under use. He notes that Nalanda had seven lofty pinnacles in its centre, two of which were erected by Rajas, two by Acharyas. On the periphery, towards the north stood fourteen lofty pinnacles and beyond these were eighty viharas called A-Ri-Kha which were mostly built by Rajas, while some by queens. The Dha-na-ba and Ghu-na-bha were still in a useable condition. One of the royal *Viharas* had an image of *Avalokiteshwara* with an image of Tara painted on the eastern side of the same *vihara*.

For more than 700 years no mention of the site was made until the 19th century CE when British administrators undertook extensive survey covering the length and breadth of the country. Buchanon-Hamilton and thereon Major Markham Kittoe were the first to identify extensive mounds (in Bargaon) to be the remains of the Nalanda Mahavihara. Finally, the survey of Sir Alexander Cunningham helped in ascertaining that the mounds indeed formed a part of Nalanda Mahavihara. In 1904, Government of India acquired 48 acres of land to protect the area and excavated the site between 1916 and 1938 to unearth remains that supported the description of Fa Hein, Xuanzang, Yi Ying among others (Cunningham, 2000)(Refer to *Figure No 04: Excavation and consolidation of Nalanda*). (Refer to *Figure 05-Map showing component parts of the Excavated Site*).

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Figure 04i: Photograph taken from north towards the principle Site no. 03 to the south during excavation

Figure 04ii: Photograph taken from the principle Site no. 03 during excavation

Figure 04: Excavation and consolidation of Nalanda remains

Figure 04iii: Photograph of the mound of Site no. 03

Figure 04iv: Photograph taken during excavation of the Site no. 03

Figure 04v: Photograph taken during excavation of the Site no. 03

Figure 04vi: Photograph of conserved Site no. 03

Figure 04vii: Photograph taken during excavation of Viharas

Figure 04vii: Photograph taken during excavation of Viharas

Figure 04ix: Photograph taken during excavation of Site no. 01

Figure 04x: Photograph taken after conservation of excavated Vihara

Figure 04xi: Photograph of the excavated granary of Site no. 01

Figure 04xii: Photograph of the conserved granary of Site no. 01

Figure 04xiii: Photograph showing work in progress  at Shrine Mound

Figure 04xiv: Photograph showing work in progress  at Shrine Mound

Figure 04xv: Evidence (conserved) of conflagration of Nalanda

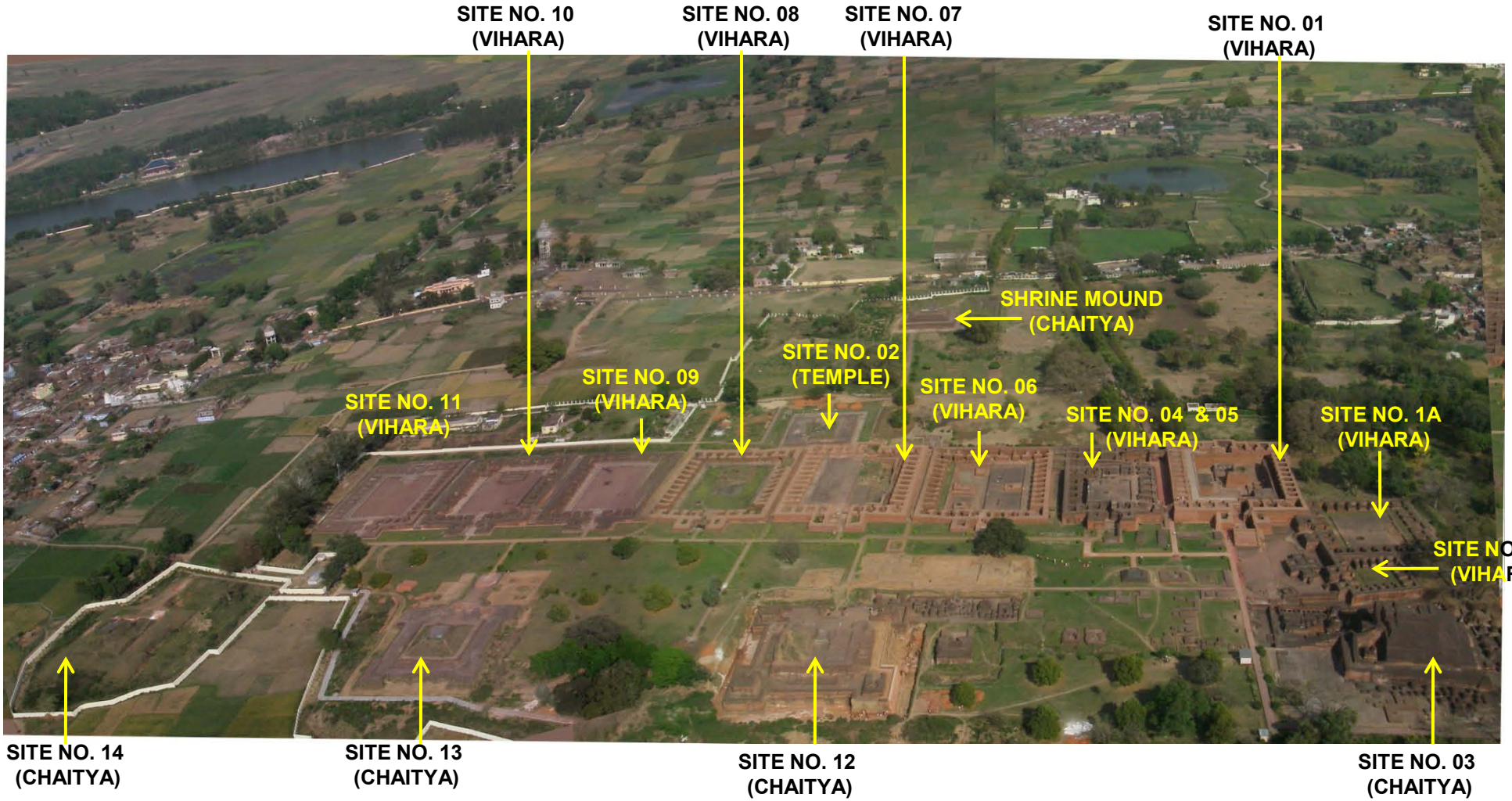


Figure no 05: Map showing component parts of the Excavated Site

Archaeological Survey of India
Ministry of Culture, Government of India

### *2a.ii. Site Planning and layout*

*(Refer to Appendix 02: Documentation of planning and architecture evident in archaeological remains of Nalanda Mahavihara)*

### *A. Descriptions of Excavated Remains*

Nalanda Mahavihara was set in a wooded landscape and prior to its destruction covered an area not less than 2 km square[5]. While the exact extent and features like the gates, boundary wall or its libraries (Ratnasagara, Ratnadodhi and Ratnaranjak) remain debatable in the lack of physical evidence[6], the Archaeological Survey of India has unearthed its most significant core since 1915. The property consists of viharas, chaityas, stupas and shrines set in a primarily agricultural landscape, reminiscent of the original setting[7].

The excavated area is the nuclei of Nalanda Mahavihara with structures dateable[8] between 3rd century BCE to 13th century CE and which were elaborately described by its resident scholars like Xuanzang. While invasion and arson have destroyed a major part of the physical infrastructure and delicate details like stucco elements, what remains is a comprehensive physical manifestation of the spectrum of changes in art, architecture, site-layout and rites and rituals associated with Buddhism. Today, what remains is the principle stupa encased in a chaitya (*stupa-chaitya*), four *chaityas*, eleven *viharas* and innumerable votive stupas and shrines which are dateable to Late-Gupta/pre-Pala, Early and Late Pala period. Fragments of stucco-art can be seen on the eastern facade of the Site no. 03 and in the sanctum of each chaitya in the site.

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[5] Dharmakriti`s description of Nalanda (in 1235 CE) remains the last eye-witness account of the Mahavihara. He noted that the 84 viharas and 14 chaityas of Nalanda were set ablaze by the army of Bakhtiyar Khilji, reducing the site to ruins (Phuoc, Buddhist Architecture , 2010). While a number of mounds, aligned in a particular pattern have been noted to be distributed in an area of about 2km, suggesting that the Nalanda could have had atleast two more columns of viharas and *chaityas*. Even (Al)though the exact extent is unknown, the area bound by uniformly shaped water-bodies is replete with antiquities and possible sub-surface remains (Kamini, Kulkarni, Raghavaswamy, & Roy, 2007)(Archaeological Survey of India, 1916-2001).

[6] Only a fraction of what was possibly Nalanda Mahavihara was recovered from under 8 feet of earth (at greatest depth). The land, from under which the site was excavated, was used for cultivation for atleast 500 years before its archaeological potential was identified. This has caused further damage to the fragmented remains and they have either perished or disturbed from their original location. (This has caused much of the remains already in a fragmented state, have perished or dispersed to distant location over time.)

[7] Nalanda was chronicled as having been (to be) set in an *amra vana* or *pavarika vana* (mango orchard/forest)

[8] Includes those constructed and or repaired.

### *i. Chronology of expansion*

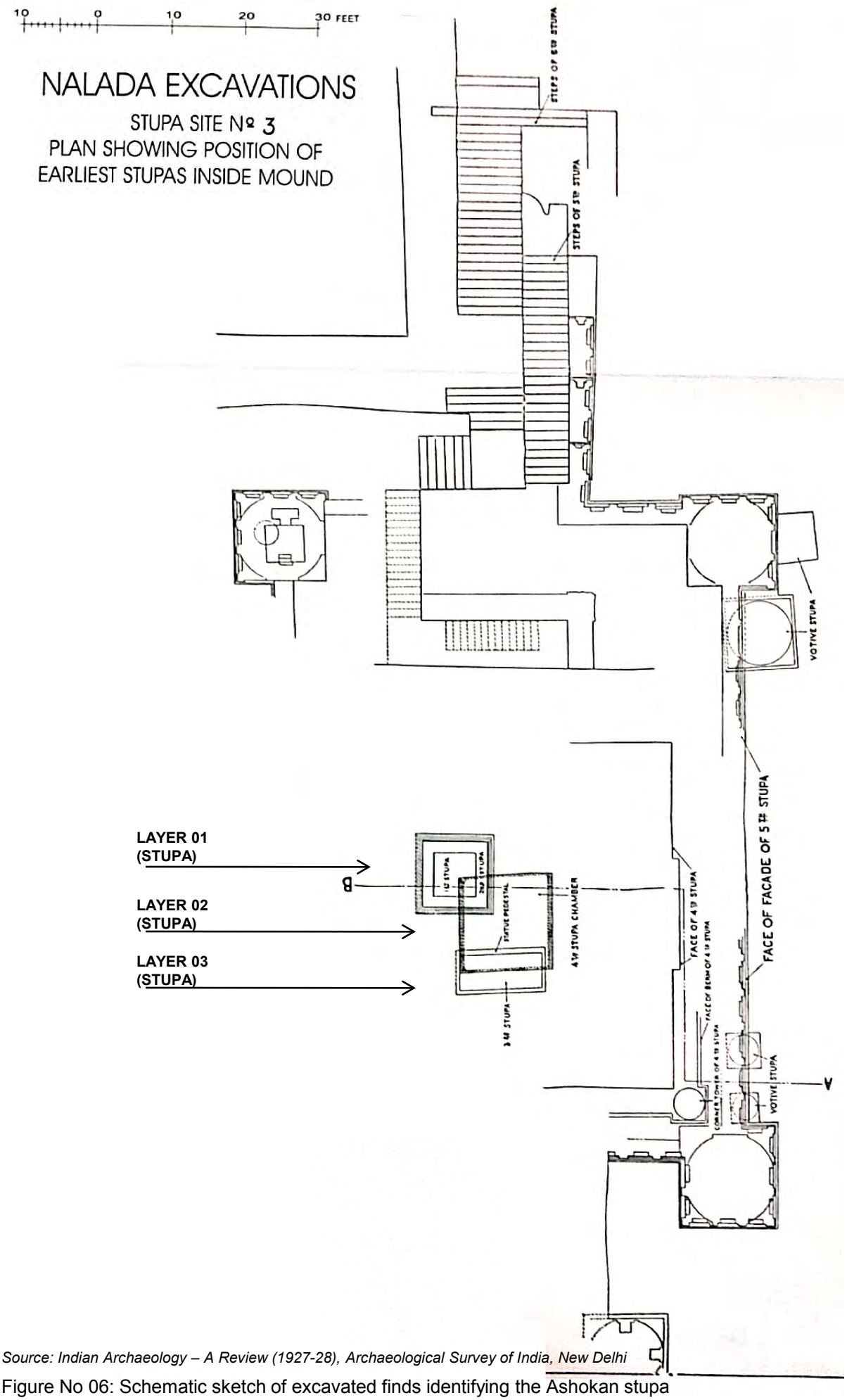
The genesis of Nalanda's institutional status began in the 3rd BCE in the backdrop of Buddhist revivalism[9] when Emperor *Ashoka* enshrined the corporal remains of *Sariputta* in a stupa (core of Site no. 03 today). It is recorded that along with this stupa, the Emperor established a 'college' which with the passage of time became the University of Nalanda. Its physical infrastructure expanded with patronage from wealthy local *shresthis* (merchant`s) like *Suvishnu*. The contributions of the first generation of scholars in teaching the *abhidhamma* made the potential of Nalanda evident to patrons through whose support this Mahavihara assumed a gargantuan form. While scholars point to the lack of physical evidence of the viharas dateable to this phase, excavation at the site of the principle stupa or Site no. 03 has revealed an *Mauryan* stupa (*Refer to Figure No 06: Schematic sketch of excavated finds identifying the Mauryan stupa*) which expanding through 7 successive phases culminated in the construction of chaitya. It must also be mentioned that early viharas were constructed of perishable materials like wood, straw, mud etc. used only during vassavassa. These structures were built of permanent material only later when greater focus of the *Bhikshus*`s life became one of education and in support of which patrons donated facilities, one of which was construction of viharas[10](Loizzo)(Dutt, Buddhist Monks and Monasteries of India , 1962)(Mookerji, 1974)(Phuoc, 2010)( Bapat, Prof. P.V.).

The period between 5thcentury CE to 7thcentury CE remains the golden years of Nalanda when the Mahavihara became the epicenter of scholasticism[11] and expanded through patronage from kings, especially the Gupta and later Guptas and commoners

[9] The sanctity of the land was further reinforced by its association with the founders of Jainism and Ajjivika sects Mahavira and Makkhali Gosala respectively, apart from Buddha`s foremost disciple, Sariputta.

[10] To better comprehend this, the evolution of a vihara needs to be understood. According to the Buddha, a Bhikshu was required to lead a life of a wanderer (wandering) denouncing any attachment to material objects which included permanent residence. However with the passage of time, the period of varsha (vassa in Pali meaning rain) Bhikshus were allowed to seek only shelters in temporary spaces. These were shelters for a single Bhikshu and were called vihara. Gradually with the growth in the number of Bhikshus, these spaces formed an organized cluster for the group which was referred to as a vihara. With further passage of time, the material of construction changed and the quadrangular brick enclosure (as seen in Nalanda) became one of the typical designs of a vihara. Another variant in design werethe cave viharas. ( Bapat, Prof. P.V.) (Dutt, 1962) (Mookerji, 1974)

[11] The service to a *Mahavihara* was not service to Buddhism but that to the cause of education a fact which can be concurred by the inscription of Sakraditya datable to 427 CE. This was evident as early as 3rd-4th CE when Mahaviharas became organised centres of pedagogy. (Dutt, 1962)




*Source: Indian Archaeology – A Review (1927-28), Archaeological Survey of India, New Delhi*

Figure No 06: Schematic sketch of excavated finds identifying the Ashokan stupa

alike[12]. Based on study of archaeological evidences (like occupation levels, material application) and literary sources (like records of Xuanzang) scholars have identified a chronological sequence explaining the expansion of Nalanda.

Between 5th to 7thcentury CE under the patronage of the late Gupta rulers the Mahavihara had started assuming a form similar to what is seen today. The southern-most cluster constituting Viharas numbered 01 to 07 and establishment of chaityas numbered 01 to 04 are dateable to the abovementioned period. The final forms assumed by these Late Gupta structures has been shaped by the periodic reconstruction, repairs, addition and alteration meted to support life in the viharas and the elaboration of the chaityas in response to the changes in Buddhism (Phuoc, 2010). Many of these interventions apart from grants and eulogies were recorded as seals, few inscriptions, stone tablets etc substantiating our understanding of how the site expanded (Sahai, 1983).

The third and last phase of expansion of Nalanda`s physical infrastructure is the phase between mid 8th to 13thcentury CE[13] spanning the reignal years of the Pala Dynasty till its destruction and complete abandonment. During the rule of Gopala, Mahipala, Devapala of the Pala dynasty, apart from expansion of the chaityas and construction of Sites no. 09, 10 and 11, existing viharas were repaired, partially reconstructed and to the central courtyard of Sites no. 01, 04-05, 08 and 10 a shrine was added. The Site no. 03 (Shrine) located to the east of Site no. 07 is also ascribed to the Pala phase of Nalanda[14].

The votive stupas in the property were built to commemorate the presence and contributions of the great acharyas who spent their life dedicated to the cause of the

[12]This period in History was marked by the shift of focus of Buddhism to the region of Magadha from the Gandhara Valley in response to the repeated attacks of the Hepthalitic Huns. Under the Kushanas, the Swat/ Gandhara Valley was the hub of Buddhism and the establishment of Takshashila was the most prestigious educational facility drawing men of letters from as far as Magadha. By the 4th CE, the *Gandhara* valley was reduced to ruins while the *Gangetic* plain, characterized by politico-social stability under powerful rulers became prosperous (Majumdar, Raychaudhuri, & Datta, 1981)(Phuoc, 2010).

[13] It must be mentioned here that in the 14th century CE, Chalaraja and few other locals attempted to keep Nalanda functioning. (Misra, 2008) (Phuoc, Buddhist Architecture , 2010)

[14] There is a divergence in opinion among scholars regarding the religious affiliation and hence the form of Temple no. 02 or Shrine 03. (While) One opinion suggests based on the iconographic themes that the structure would have been a curvilinear (Hindu) temple topped by a tapering *shikhara,* (others) and purely of *Brahmanical* affiliation; (while) others oppose the view. The latter emphasizes the presence of Hindu deities as a part of the Buddhist pantheon and it was not an aberration in the 7th CE. (Phuoc, 2010)

Mahavihara. These belong to two distinct phases – first, the brick and stucco constructions of Late Gupta period and the stone stupas datable to the Pala Dynasty. The votive stupas of the Late Gupta period had a square plinth above which was a superstructure consisting of a drum and a dome having chaitya-arch-shaped niches within which were placed figures of the Buddha. Atop the dome was perhaps a *harmika* and a timber or stone *yashtichhatra*, of which no trace exists today. The stone *stupas* show complete features whose description is similar to the brick ones. (Phuoc, 2010).

*Refer to Table No 01: Chronological sequencing of excavated remains of Nalanda Mahavihara*.

| Old Numbering | Type | Contemporary to |
|---|---|---|
| Site no. 3 | Temple/ Chaitya | Emperor Ashoka – Devapala (3rd century BCE-8th CE) |
| Site in front of 1B | Vihara | Sakraditya (for monk Rajavamsa) |
| Site 1B | Vihara | Buddhagupta (Skandhagupta) |
| Site 1A | Vihara | Tathagatagupta (Purugupta) |
| Site 1 | Vihara | Baladitya (Narasiṃhagupta, c. 500-530) |
| Site 4-5 | Vihara | Vajra (Kumāragupta II) |
| Site 6 | Vihara | Central India King (for Purnavarman) |
| Site 7 | Vihara | Siladitya (Harṣhavardhana of Kanauj, r.606-648) |
| Site 8 | Vihara | From Pre-Pala to Devapala |
| Site 9 | Vihara | |
| Site 10 | Vihara | Reign of Deva pala |
| Site 11 | Vihara | |
| Site 12 | Temple/ Chaitya | 6th – 11thcentury CE |
| Site 13 | Temple/ Chaitya | 6th – 13thcentury CE |
| Site 14 | Temple/ Chaitya | |
| Shrine Mound | Temple/ Chaitya | 6th – 13thcentury CE |
| Shrine (north of site no.12) | Shrine 01 | |
| Site no. 02 | Shrine 03 | Late 7thcenturyCE |
| Votive stupas | Votive stupa type 01 | 5th – 8th century CE (Brick; Pre-Pala) |
| | Votive stupa type 02 | 8th – 10thcentury CE (Stone; Pala) |

*Table No. 01: Chronological sequencing of excavated remains of Nalanda Mahavihara*

After the Palas, Nalanda was ravaged by the Turkish Army and set ablaze. Even after successive attacks Nalanda continued to function with modest patronage from smaller power like Chalaraja with a small community of *bhikshus* till about 14th century CE. During this period of time, no new structures were added while only a few viharas continued to be in use, for example, Site no. 01 shows as many as 9 levels of occupation (Ed- Mani, 2008)(Archaeological Survey of India, 1916-2001).

### *ii. Layout*

The built ensembles shows the conscious shift from a clustered layout to a linear alignment reflecting the design principle adopted to accommodate the changes in rituals and the growing scholarship. The oldest structures dateable between 3rd century BCE to 6th century CE constitute the Site No. 03 and Sites numbered 1A, 1B, 1 and unnamed structure north of 1B[15] which show a clustered formation, reminiscent of the layout evident in earlier educational facilities, like Takshashila (Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, WH Ref: 140), Pakistan. Excavation revealed layers of construction which indicate that the earlier viharas, especially 1A, 1B and 1 were located at a greater proximity to the sacred core i.e. the principle stupa. This clustered alignment accommodated a modest number of bhikshus through whose endearing scholarship Nalanda grew into a gargantuan educational facility. The layout shows initiation of segregating functional spaces for sacred and secular activities. While the clustered planning allowed bhikshus to be proximate to the sacred core, the layout had limited possibility to expand when the studentship and rituals (associated with transformation of teachings of the Buddha into a religion) started growing manifold (by 4th century CE).

The later structures (built post 4th century CE) of Nalanda, in contrast, show a formal and physical segregation of secular and sacred functions. The north-south layout of the later Sites (04, 05, 06, 07, 08, 09, 10 and 11) and Sites (12, 13, 14 and Shrine Mound)

[15] Structures of the Nalanda Mahavihara show (from) 2 to 9 phases of construction. For example, Site no. 01 shows 9 levels of occupation where the (older oldest) layer dates back to Early Later-Gupta times (4th century CE) (Archaeological Survey of India, 1916-2001)

follow the topographical feature[16] and has allowed for the systematic expansion of the Mahavihara unlike the clustered layout formed by the Site no. 03 and early viharas. The later (post 4th century CE) layout reflects a heightened emphasis on sacred structures where each chaitya was provided with an open space and were built in monumental scale (*Figure 06: Schematic sketch of excavated finds identifying the Mauryan stupa*). Chaityas also became the dominant element determining the location and orientation of other structures in the Mahavihara. These were located along the western arm, opening eastwards and commanding the row of viharas overlooking it.

Constituting viharas, chaityas, stupas and shrines the built ensembles shows a combination of alignment, where the oldest structures (3rd century BCE-6th century CE) of the site has a clustered arrangement whereas the later structures (6th -11th century CE) assume a prominent north-south arrangement where the focus is Site no. 03. With the former as focus there is a column of 11 viharas and 3 *chaityas* flank the eastern and western sides of the principle axis –suggesting the layout of the Mahavihara. In addition to these structures which depict an organized site-planning, is the remains of a temple till its plinth-level (Site no. 02), a fourth *chaitya* (referred to as *Shrine* Mound) located further east of the viharas and an unexcavated vihara to the north of Site no. 11.[17] The alignment of mounds, presence of antiquities, the uniform shape of the water bodies and exploration of area beyond the excavated remains suggest Nalanda would have covered an area of atleast 2 square kilometers and perhaps had two more columns of viharas apart from numerous *chaityas* (Cunningham, 2000)(Ghosh, 2006)(Phuoc, 2010)(Kamini, Kulkarni, Raghavaswamy, & Roy, 2007)(Misra, 2008). (Refer to *Figure No 05: Map showing component parts of the Excavated Site*)

[16] The excavated remains of Nalanda are located atop an elevated (300 meters) plane aligned in an approximately north-south direction, tilting slightly towards east. This slightly elevated landform is located in an otherwise flat land, drained by a palaeo-channel of the Ganges. The drying of the channel led to the formation of a fertile (plan plain) with water-bodies (left behind after drying) and covered by wooded area. (While) habitation patterns changed the original landscape by thinning forest cover, reducing the number of water bodies and flattening(flatting) much of the land, the elevated land atop which the Mahavihara was laid out is evident till date.

[17] It needs to be noted that no part of the enclosure or the Gates to Nalanda has as yet been identified. The mound in Begumpur, 2 km north of the excavated site, referred to as the mud-fort of Khamgar Khan is at times considered as the northern gate to the Mahavihara. Scholars like Dr. Stewart mentions that the main gate to the university was in the south, and within it was a large well (Loizzo) – none of which has however been identified (Archaeological Survey of India, 1916-2001). Also, no remains of the famed libraries- Ratnasagara, Ratnadodhi and Ratnaranjak has been found.

The site broadly shows two zones segregated by a pathway of about 100 feet in width where the core i.e. educational-cum-residential and spiritual facilities are located within the protected area, while ancillary facilities like water bodies and other resources were in the periphery, beyond the walls of the Mahavihara. To the east of the pathway are the quadrangular residential-cum-educational facilities (viharas) often being referred to as a college (Xuanzang), each called a vihara. To the west of the pathway were the quincunxial *chaityas* accompanied by votive *stupas*, serving as the spiritual centre (Phuoc, 2010)(Dutt, Buddhist Monks and Monasteries of India , 1962)(Misra, 2008).

The Mahavihara is known to have expanded over a period of 1600 years, where each structure also retains traces of several periods of occupation and reconstructions. The expansion of the site is evident in the alignment and uniform scale that distinguish the older structures from those built later. The former shows a stupa-centric planning where the orientation of the viharas is towards the focal stupa, much like the layout of Takh-i-bahi or Takshashila, Swat Valley. This formation is evident in the organization of the cluster of structures constituting the Site no. 03 and the Site no. 1A, 1B and unnamed vihara to the north of Site no. 1B datable to 3$^{rd}$ century CE. From Site no. 1, the site shows a systematic linear layout where the viharas (numbered 01 to 11) are located on the east and chaityas (numbered 12, 13 and 14) to the west of the central pathway, and dateable from the 5$^{th}$ century CE to 9$^{th}$ century CE (Phuoc, 2010).

## 2a.iii. Architecture and Construction

*(Refer to Appendix 02: Documentation of planning and architecture evident in archaeological remains of Nalanda Mahavihara)*

### *A. Sacred ensembles*

#### *i. Stupa*

There are two types of structures associated with the sacred-life of Nalanda`s scholars – the stupas and the chaityas.

The stupas at Nalanda spans a period between Mauryan Emperor Ashoka to that of the Late Pala rulers, summarising the range of stupa architecture evident in the sub-continent. These can be broadly divided into the relic and votive or commemorative stupas. The oldest and only relic stupa at Nalanda was constructed by Emperor Ashoka in 3rd century BCE to consecrate the corporal remains of Sariputta. It remains encased as the core which was enlarged through seven successive phases of construction to assume the shape of a panchayatan chaitya by the 4thcentury CE.

Concentrated around the Site No. 3 and the Site no. 12 are innumerable votive or commemorative stupas built of brick-and-stucco (Gupta and Early Pala period) and stone (Mature and Late Pala period) respectively. Most stupas had a square plinth with a superstructure of a circular drum and the dome having recessed chaitya-arches containing images of the Buddha and the Bodhisattvas. The brick stupas were constructed between 5th – 8thcentury CE and mostly concentrated around the Site no. 3 were covered with stucco and often painted or gilded. The stone stupas were mostly built between 8th to 12thcentury CE were constructed during the Pala period and are located close to Site no. 12. Many of these votive stupa`s contain corporal remains of famous acharyas and panditas who dedicated their life to Nalanda and were worshipped by generations of scholars.

***ii. Chaityas***

The formation of the *panchayatan chaitya* remains Nalanda`s most important contribution to Buddhist architecture. Buddhist Chaityas are primarily of two forms – the panchayatan (quincuxial form) and the cruciform. Of these, only rare examples of panchayatan chaityas have survived. Of these, the Mahabodhi temple and that of Nalanda are worthy to and it is only the latter which retains the original brick and plastered construction of the 4$^{th}$ -11$^{th}$century CE as opposed to the Mahabodhi temple which was largely reconstructed.

A quincunxial chaitya consists of a quadrilateral base which is a raised platform upon which is centrally placed the principle shrine while on its four corners are subsidiary shrines. The continuous path peripheral to the principle shrine and connecting the subsidiary shrines is the pradakshina patha indicating the changing nature of worship.

This transition is evident only in the built ensembles of Nalanda, where the focal stupa transformed into a chaitya through seven successive phases of construction over a period of seven centuries. The Site no. 03 shows this transition of built form to attain the final quincuxial form which was adopted for all construction which post-dates 6$^{th}$century CE.

a. **Site no. 03 (chaitya)** *(Figure no. 07: Photograph showing 7th, 6th and 5th layer of construction and method of expansion, Figure no. 08: Photograph indicating steps belonging to the 6th and 5th layer of construction, Figure no. 09: Photograph showing part of the compound wall and pavement contemporary to 6th layer of construction and Figure no. 10: Photograph showing votive stupas which were a part of the 5th layer retained as a part of the base of the 6th layer of construction)*

The structure is the oldest structure and dates back to 3rd century BCE. Serving as the reference point for the site, it was initially a stupa and expanded into a chaitya of panchayatan form. Its expansion[18] and innumerable votive stupa constructed in close proximity demonstrates changes in Buddhism with increased number of followers, rituals and elaboration of its pantheon (Misra, 2008).

The structure has 7 levels of construction where the oldest three shows a stupa form which forms the core and is encased in the later 4 phase's panchayatan plan-form. Today, it is only the latter 4 phases and the votive stupas contemporary to the 7th phase of construction[19] or later are partially exposed and can be seen. To protect the *Mauryan* stupa encased in the core from further deterioration, the structure was documented and retained in sub-surface condition.

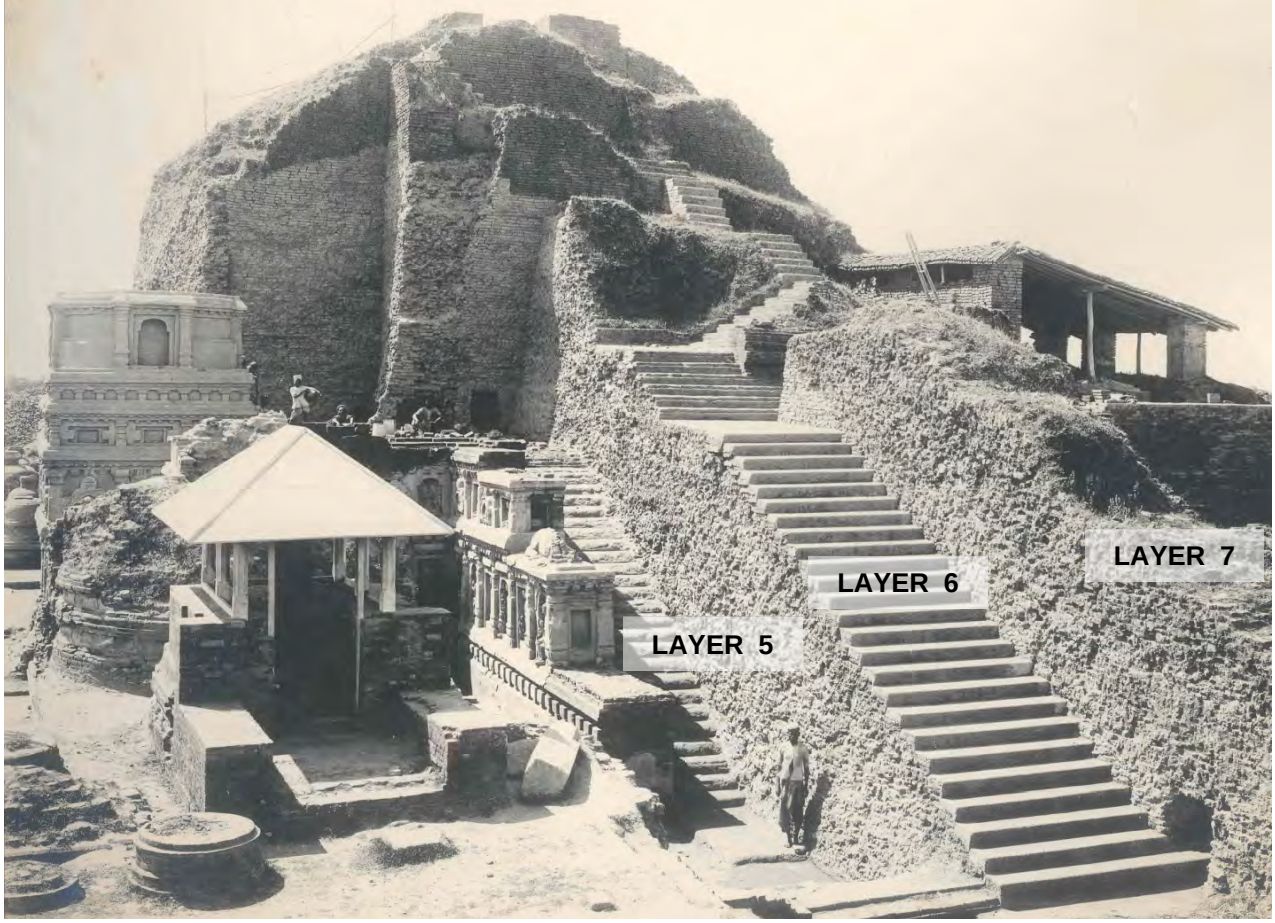
As suggested by the remains, in its final phase the structure would have been a panchayatan chaitya, like the other chaityas in the property. (Phuoc, Buddhist Architecture, 2010) (Archaeological Survey of India, 1916-2001) (Misra, Nalanda (felicitation Volume-I, II, III), 2008)

[18] Excavation was carried out in the north-western side of the stupa. A large number of Stupa surfaced as a result. It also revealed 3 layers of construction of the main structure. (Archaeological Survey of India, 1916-2001)

[19] Votive stupas contemporary to earlier phases of construction was encased and embedded into the next

Figure no 07 - Photograph showing 7th, 6th and 5th layer of construction and method of expansion

Archaeological Survey of India
Ministry of Culture, Government of India




Photograph taken during excavation of the Site no.03 1916 in progress

Photograph taken in 2013

Figure No 08: Photograph indicating steps belonging to the 6th and 5th layer of construction

Figure No 09 - Photograph showing part of the compound wall and pavement contemporary to 6th layer of construction

Figure 10 - Photograph showing votive stupas which were a part of 5th layer retained as a part of base of the 6th layer of construction

***b.*** **Site no. 12 (chaitya)** *(Figure no. 11: Photograph showing Site no. 12 with votive stupa to its south)*

Site no. 12 dates between 6th-11th century CE[20] and shows 2 phases[21] of construction (Misra, Nalanda (felicitation Volume-I, II, III), 2008) and is the largest among the Nalanda`s chaityas. The raised platform-plinth of the principle structure measures 170' by 194' and is set in a concrete courtyard[22] bound by fragments of the original wall. Within the enclosure of this complex are innumerable brick and stone votive stupas dating between 5th to 10th century CE.

The structure has an east-west orientation and is accessed through a flight of steps located on its eastern arm. The steps lead to a platform (80' by 80') with five shrines (1 principle shrine with 4 sub-shrines) laid in a quincuncial form. The platform is bound by a parapet wall showing several layers of construction.

**c. Site no. 13 and 14 (chaitya)**

Both Site no. 13 and 14 were found in a comparatively more fragile state than the Site no. 12. While the form of both is reminiscent of Site no. 12, save the *garbagriha*, the details like subsidiary shrine, porches, ornamental columns, ornamentation etc could not be recovered.

Located to the north and contemporary to the Site no. 12, Site no. 13 was unearthed revealing a few original steps on the eastern side of the raised quadrangular plinth. Upon the platform was a centrally placed *garbagriha* wherein a colossal stucco figure of the Buddha was installed. The thickened walls of the *garbagriha* showed several phases of reconstruction.

Excavation of the area abutting Site no. 13 revealed a series of brick votive stupa and remains of a thick layer of concrete flooring to the eastern corner of the chaitya similar to the one on its south.

[20] The presence of an inscription on the 5th slab of the entrance door dateable to the 11th year of the reign of Mahipala I is a source supporting its year of construction.
[21] Excavation shows that the steps to the sanctum were preceded by a ramp devoid of concrete topping layers. Also, (a) concrete flooring, 8" to 12" deep corbelled drains at the four corners was found at a depth of 20' from the present floor level of the sanctum.
[22] The open area to the west and north of the Chaitya was excavated revealing that it was terraced with thick layers of concrete, traces of which are still discernible.

Figure No 11 - Photograph showing Site No 12 with votive stupas on its south

**d. Shrine Mound**

Shrine Mound referred to as '*Sarai'* mound or *Shrine* Mound is the eastern most structure in the excavated area. Dateable to 7th – 8th century CE it was mentioned in the inscriptions of Purnavarman and in the records of Xuanzang it had an 80 feet tall statue of the Buddha.

Of the entirety, the principle and the subsidiary shrines on the eastern and western corners of Shrine Mound have remained. The 6 meter wide peripheral *pradakshina patha* has a 90 cm lime-surkhi topping and is accessed by a flight of steps along the eastern arm of the high plinth. The latter is ornamented with moulded decorations, pilasters, niches for housing images of deities and figurines and also showed traces of lime-mortar plastering as a finishing coat[23]. In contrast to the plinth, the walls of the principle and subsidiary shrines were coated with lime-mortar and are bereft of ornamentation. Further along south-eastern corner of this plinth is its enclosure wall which shows three structural phases and was finished with lime plaster.

Originally devoid of any roofing[24], the *garbagriha* is a quadrangular structure (104' by 74.5') and shows atleast two phases of construction. The older consists of brick while the latter is an ornamental layer of carved bricks and paintings (Misra, Nalanda (felicitation Volume-I, II, III), 2008). The space was entered through a doorway facing east and was flanked by walls (21.32' X 17.55') which project further east and was separated by a toe-wall placed in north-south alignment. Further west from this wall was a flight of steps which led to into the *garbagriha* through an 8.2' wide doorway whose sil is demarcated by a stone slab.

The *garbagriha* has a semi-circular brick pedestal over which remains of large feet till the ankle was noted. It was possibly a part of the 80'[25] standing figure of Buddha[26] noted by Xuanzang. Made of earth mixed with pieces of pottery and bricks and finished with a thick coat of lime, one of its toes damaged. The pedestal was finished with several coats of

[23]The study of the iconography of the carved bricks and scroll-works for example the *ghata-pallava* at the base of the pilasters suggests that the ornamentation was undertaken in the first half of the 7thcentury CE and followed ones evident in the 5th layer of the Site no. 03 (early 6thCE) and *chaityas* (Site no 12, 13 and 14) (late 6thcentury CE).

[24]A tiled roof was provided as a shed over the sanctum in1979-80 to prevent damage due to moisture.

[25] Based on iconometric principles (of *talamana*), the complete figure would have been 80' in height upholding Xuanzang's descriptions.

[26]The installation of this statue by Prathamasiva or Purnavarman is mentioned in a Sanskrit inscription was found on a stone slab during excavation

lime, ornamented with a double row of lotus petals in stucco with floral designs and human figures in red, black and white, of which only traces remain. The figures in the paintings show a seated lady with a raised hand, perhaps *Hariti* along with an unidentified human and a standing elephant. These are painted on a thin layer of lime-plaster on the northern surface of the pedestal and contemporary to the Pala period (8$^{th}$century CE).

***Area adjacent to the chaitya***

Excavation of the area south and south-west of the chaitya revealed innumerable stone and two brick votive *stupas*, two burial pits *sanyasis* (ascetics)[27](at south) and a brick-lined hearth (south-west). The votive stupas are arranged in rows and show several phases of construction.

To the west of the chaitya is a ring well of 1 meter diameter and 5 meters depth. Its inner surfaces were found to be ornamented with incised floral and geometric patterns.

Area to the north and east unearthed fragments of enclosures from which artefacts like red wares, terracotta seals with legend of Naloksha, balls, stone sculptures and utensils like *lota,* huge earthen jars containing carbonized food articles viz rice, wheat, and barley etc and other vessels were recovered. It also yielded several *prasastis* (inscribed eulogies), figurines of Buddha and other deities of Buddhist pantheon, inscribed shards (NBP and GP) with gold and silver shades, terracotta seals of which one has the image of *Garuda*, terracotta figurines of male and female having elaborate head-dresses, figures of animal (of dogs, elephants, rams, bulls and horses) and stone sculptures. Among the latter the sculpted figurine of a deity mounted on a lion, identified with *Vageshwari* of the Tantrayana worship, a broken image of Surya, a panel with *dhyani* Buddha deserves mention. Other miner objects recovered were terracotta beads, bangles, copper slag, discs etc. These objects of use suggest that the area was an inhabited part of the Mahavihara (Archaeological Survey of India, 1916-2001).

[27] Grave-pits were found to contain the skeletal remains of humans in seated posture with folded arms a system followed for cremating Hindu *sanyasis*. Forensic study suggests that the burial post-dates the shrine.

### *B. Residential-cum-Educational facility*

*(Figure no. 12: Photograph showing typical vihara of Nalanda (Site no. 06))*

The development of the quadrangular vihara and the formation of the panchayatan chaitya remains Nalanda`s foremost contribution to the sphere of architecture. The vihara which graduated from a single cell to a conglomeration of cells attained its quadrangular form for community-level residential-cum-educational facility in the Mahavihara of Takshashila by the 1st century BCE.

At Nalanda, this quadrangular structure attained a regular form and was the hub of scholastic life. Its enclosure measured 10' in length, 175' in breadth with rooms of average dimension of 9'3" by 9'and a clear height of 11', aligned along the four arms of the enclosure and at its south western corner was a staircase leading to the upper floors. Most rooms had provisions for a single scholar and opened onto a continuous verandah which separates the residential spaces from the courtyard. The rooms had niches to house the belongings of its resident and were provided with wooden doors and pad locks. In certain viharas, rooms were provided with berths and at times additional storage space.

Each vihara had a centrally located courtyard which housed community level facility for the conducting of daily classes, debates etc apart from being a stage for religious activities. Scholars have recorded that the courtyard was pulsating with hundreds of pulpits placed for lectures to be conducted and debates be convened. The raised platform on the eastern side of each vihara suggests that the same was a part of the educational facility where a distinguished acharya could assume his seat to conduct lectures or debates. The centrally located brick shrine(s) are contemporary to the reignal period of the Pala dynasty when practice of rituals commenced within the enclosures. The courtyard also shows the presence of brick-lined hearth-like depression which could have been used either for cooking or for dying robes for the scholars and drains to divert rainwater away from the vihara.

The quadrangular form of the vihara crystallized in Nalanda was adopted and further elaborated in scale in the later Mahaviharas of Vikramshila (India), Paharpur and Sompura (Bangladesh)(Phuoc, Buddhist Architecture , 2010).

Figure No 12 - Photograph showing typical vihara of Nalanda (Site no 06)

**a. Site (un-named; north of Site no. 1B) (vihara/ residential-cum-scholastic facility)**

Excavation revealed an oblong vihara to the north of site no. 1B and east of Site no.3 is of cruciform plan and shows multiple levels of occupation (Archaeological Survey of India, 1916-2001). Its principle axis is aligned in a manner that it faces the Site no. 03 and suggests the layout of Nalanda Mahavihara during its earliest phase. Though the outer envelope of the structure is contemporary to Late Gupta era, its location, alignment, scale and layout suggest that its core is older (Phuoc, Buddhist Architecture, 2010).

**b. Site no. 1B (vihara/ residential-cum-scholastic facility)**

Located east of the Site no.3 this vihara measures 71' by 100' and shows of two levels of occupation. Its north-south alignment indicates the fact that the structure is a pre Late Gupta construction and contemporary to Site no. 1A and Site no.1B.

Like other viharas, it consists of a continuous verandah which acts as a transition zone separating the 16 rooms from the courtyard. At its north-eastern corner of the verandah is a brick doglegged staircase suggesting that the vihara had an upper storey. The verandah of the upper storey was supported by columns whose base rested on the raised parapet wall which encloses the courtyard.

**c. Site no. 1A (vihara/ residential-cum-scholastic facility)**

The north-south alignment and the evidence of atleast 5 reconstructions[28] undertaken during its lifetime suggest that this structure existed during the Late Gupta period and occupied till Late-Pala times (Misra, Nalanda (felicitation Volume-I, II, III), 2008).

The gateway leads to a continuous verandah which serves as a transition zone between rooms (27 in number) and the central quadrangular courtyard. The limits of the courtyard are marked by a raised parapet on columns which support overhanging

[28] The southern wall was found to extend to a depth of 6' below ground level showing successive levels of reconstruction.

verandahs of the upper floor rested. Its surface is brick-paved, divided into quarters and had a well, a brick-lined hearth and a shrine located to its south.

The structure was excavated in a fragile state and was consolidated to ensure physical integrity. Excavation also unearthed a well from the foundation of the northern wall.

**d. Site no. 01 (vihara/ residential-cum-scholastic facility)**

This vihara was excavated in a fragile state which was consolidated to ensure physical integrity. The northern, southern and western walls were reinforced, details like niches and openings were retained and to stabilise the superstructure, reinforced concrete lintels were inserted as the original wooden ones had perished. The process of excavation revealed as many as 9[29] (6th - 12th century CE) levels of occupations i.e. from early Late-Gupta period to Late Pala period and stratigraphic analysis shows that it was inhabited for the longest tenure. The layers of ash, pottery shards, metal figures, heavy brick debris, ashes and finally natural earth corroborate its continuous use, its destruction by fire[30] and finally its abandonment. Continuous use is also evidenced by successive expansion and vertical expansion existing wall[31] by consolidating previous layers. Furthermore inscriptions found from the 8th phase of occupation indicate it to be contemporary to 5th century CE and the top-most layer to the reign of Devapala (9th century CE).

The vihara is entered from a centrally located gateway on the western wall which was bound on the north and south by walls having recessed shrines. The inner wall of the entrance was partly removed to access the lower level of the western verandah and partly retained to support the superstructure. The study of this wall revealed the earliest levels of occupation.

The gateway leads onto the continuous verandah which encloses a quadrangular courtyard. At its south-western corner are the remains of a brick staircase dateable to

[29] A Trial Pit was excavated to a depth of 14' below ground level showed 9 levels of occupation. Also 3 layers of habitation levels were identified where each level is demarcated by a drain which channelized water away from the interior when the level was inhabited. The southern wall was also found to extend to a depth of 8 feet below the floor level of the verandah.

[30] The destruction of this structure by fire is evidenced by the remains of vitrified concrete debris and fused bricks.

[31] For example, parts of the shattered walls have been removed to consolidate the base for one above.

9th century CE for accessing the upper level. It must be noted that the earth ramp of the central courtyard was built to reach the lowest level of habitation and retained as an alternate to the original staircase to reach rooms in the upper level hence preventing its damage.

***Rooms***

Opening onto the verandah on ground and upper level are 36 rooms where those in the upper level were provided with an antechamber and had 2 instead of a single berth. The rooms along the western and southern arm of the quadrangle are contemporary to a pre-Devapala period whereas those along the northern arm are 9th century CE (contemporary to Devapala). To support the superstructure, the openings leading to rooms on the eastern, southern and western arm of the quadrangle at the lower level were provided with reinforced concrete lintels.

***Courtyard***

The quadrangular courtyard enclosed by the raised parapet wall shows 3 levels of occupation where the final layer 9th century CE (contemporary to Devapala) is constructed of rammed brick-bats. Corresponding to each level is a brick-lined *pranala* (drainage channel)[32] to divert water away from the courtyard through the north-eastern corner.

Centrally located on the eastern arm of the courtyard is a brick platform affronted by a *chandrashila* which was added during the second phase of occupation. The platform is at a depth of 3' 6" from the level of the courtyard and based on a copper plate inscription its final or third phase of occupation is dateable to 9thcentury CE. The iconography of the bird-bodied human figures revering a lotus plant evident on the panels suggests that the structure is dateable to 6th - 7thcentury CE.

To the west of the platform is a shrine showing 3 phases of occupation. The depth of its plinth was at 3' 6" contemporary to the earliest drain and its final floor was dateable to 9th century CE (contemporary to Devapala). While consolidating its fragile surfaces, traces of a coat of lime finish was noted.

[32]Excavation unearthed drains which were used to divert water away from the courtyard during its occupation. Drains noted in 3 successive levels suggest that the courtyard was occupied thrice and that the site slopes down eastwards.

South west of this structure was a smaller shrine entered from a northern platform. The shrine shows three phases of occupation and use of stone in construction.

Apart from the shrines, a brick twin enclosure dateable to the 4th phase of occupation exists along the northern arm of the courtyard. Entered through corbel-arched doorways it was a granary suggested by the remains of charred rice recovered during excavation.

The courtyard also has a well in its north western corner and a centrally located brick-lined hearth.

**e. Site no. 04 and 05 (vihara/ residential-cum-scholastic facility)[33]**

The plan of Vihara no. 05 is an amalgamation of 2 enclosures, one on the east and an annexe on its west. The western enclosure shows 6 phases of occupation where the final level is dateable to 9th century CE (contemporary to Devapala). Each phase is indicated by a corbelled brick-lined *pranala* to divert water away from the structure at that level and in the northern wall flanking the entrance gateway located on the western arm of the quadrangle. Study of fragmented material recovered as debris also suggests that the vihara was destroyed by fire.

To the east of this structure is vihara no.05, smaller in scale and post-dates western enclosure [34]. It shows 4 levels of occupation and its layout differs from the others in the vihara. Some excavators opine that it was perhaps a '*dharamashala*' or an annexe to accommodate increased number of bhikshus.

***Rooms***

The layout of rooms shows contrasting arrangement in the eastern and western enclosures. The western quadrangle has 17 rooms aligned along the arms of the quadrangle which are a combination of single (6' 9" x 3' 5") or double bedded (6'9" x 3'4")

[33] Sites 04 and 05 are an amalgamation of 2 enclosures placed east and west of each other. That on the west is referred to as Site no. 04 while the one on the east is Site no. 05. The enclosure walls of vihara no. 05 was found 8'6" higher than the lowest level of vihara no. 04

[34] It is interesting to note that the drainage channel of Site 04 leads is discharged through the pranala located on its eastern wall like other viharas suggesting that Site 05 was built later. The earliest two pranala has been found contemporary to Gupta to Late Gupta period while the third is found contemporary to the reign of Devapala (9thcentury CE).

with a clear height of 11'[35] indicated by the presence of beam-sockets in the walls. Excavated in a fragile condition, the wall of the structure was stabilized and extended to a height of 3-4 feet above the upper floor level. During this process details such as sockets or holes that contained beams, corbelled openings, niches were retained. To support the superstructure dateable to 9th century CE (contemporary to Devapala) reinforced concrete lintels above the corbelled opening[36].

The eastern enclosure shows linearly aligned interconnected rooms measuring 7' 8"x 3'6". These were arranged in groups of three entered through a 3' wide corbelled door. The enclosure has double row of rooms, one behind the other, where the row behind is accessed through a corbelled opening in its adjacent room. The first stratum or oldest layer has 7 rooms along the eastern arm and 4 each on the northern and southern arm of the enclosure, respectively.

***Courtyard***

Western enclosure is entered through a centrally located gateway whose fragile remains including details, like running course of the cornice, niches were consolidated. It leads to a continuous verandah which is a transition space onto which rooms open and which inturn encloses a quadrangular courtyard. At the south-western corner of the verandah is a brick staircase dateable to different periods of construction. The western walls had an opening at the level corresponding to that of the landing allowing light and ventilation of the staircase. Charred pieces recovered from the staircase prove that its surfaces were clad with wood.

The quadrangular courtyard is bound by a raised parapet wall and along its eastern arm is a shrine. Centrally located in the courtyard is a hearth and on its north-western corner is a hearth.

[35] The clear height is indicated by the location of the holes or socket where the beams were placed in the wall.

[36] Originally the superstructure was supported by wooden lintel which had perished over time. The reinforced concrete lintel was provided as its replacement.

**f. Site no. 06 (vihara/ residential-cum-scholastic facility)**

Vihara no. 06 shows 2 levels of occupation contemporary to a Late Gupta-Pre Pala to Early Pala periods. Entered through a centrally located gateway on the western arm, it is flanked by vestibules and led onto a continuous verandah. The latter is a transition zone between rooms and the quadrangular courtyard. On its south western corner is a brick dog-legged staircase leading to an upper storey.

***Rooms***

34 rooms along with its details like niche, door jambs and sockets for beams have stood the test of time. The walls of the structure retain fragments of concrete flooring indicative of rooms and the adjoining verandah of the upper level is the northern and southern arms.

***Courtyard***

The brick-paved quadrangular courtyard is enclosed by a raised parapet wall and shows 2 levels of occupation. Remains of bases of columns which supported the overhanging *verandah*, are evident on the parapet wall.

At the north-western corner of the courtyard is a raised octagonal well but is devoid of a brick-lined hearth (chulha) or a *pranala* (drainage channel). Along the northern and southern arms of the courtyard are two subsidiary shrines.

**g. Site no. 07 (vihara/ residential-cum-scholastic facility)**

The structure shows 3 levels of occupation and as per Xuanzang its construction was patronised by Siladitya raja. He also recorded that the structure was cladded with brass plates and had a Golden statue of the Buddha installed in its shrine. While the statue remains no more, Tsang notes that it was sculpted for the Prayaga Assembly to commemorate the victory of Mahayana over Hinayana.

The earliest or late Gupta/Pre-Pala to Early Pala or mid-phase of construction is evident in the southern peripheral wall. The eastern, southern and western parts of this structure shows occupation level and details in the form of door-jambs, slots for the bolt etc contemporary to the Late Gupta to late Pala period i.e. mid to last phase of construction. The northern arm of the vihara together with parts of the gateway, fragments of parapet wall enclosing the courtyard and the shrine shows the final or Late or Post Pala phase of

construction. The courtyard shows three levels of occupation evidenced by greater use of concrete than the larger bricks characteristic of earlier layers. Its layers date between late Gupta/Pre-Pala to late Pala period showing all phases of construction.

The walls of rooms at the upper-level and the enclosure wall of the southern, western and eastern sides were stabilised reusing disintegrated materials. During this process it was noted that the peripheral wall measured 8 feet in depth imparting it the strength to add upper levels.

***Rooms***

35 rooms of the viharas were recovered and each has a berth measuring 6' 3"x 3'7". The walls of the room retain remains of two successive floor levels which were supported by (wooden) beams, now missing. The clear height is indicated by the presence of floor-features like door-jambs, slots for the bolt etc. retained in situ while consolidation.

***Courtyard***

The quadrangular courtyard is enclosed by a raised parapet wall whose foundation is 6' deep. The courtyard is devoid of a well, a centrally located shrine and to its east two brick-lined hearths (chulha) measuring 7'2" in length, 1' width and 1' depth, each. The brick platform of the shrine recovered in a fragile state was consolidated retaining original details and construction system.

**h. Site no. 08 (vihara/ residential-cum-scholastic facility)**

The structure shows 2 levels of occupation, one dateable as a pre-Devapala phase followed by one contemporary to Devapala (9$^{th}$ century CE)[37].

The viharas are entered through a gateway centrally located on the western arm and the opening is flanked by vestibules used as storerooms. It leads onto a continuous verandah which separating the rooms from the courtyard. At the south-western corner of the verandah is a staircase whose lowest step remains. This and the remains of concrete flooring visible in the eastern, western and southern walls corroborate the fact that the viharas was atleast 2 storeys.

[37] The dating is based on (building archaeology) and the iconography of bronze and stone sculptures.

A large quantity of ash and charcoal was noted in the courtyard, verandah and rooms indicating that wood was used for construction and its destruction by fire.

***Rooms***

There are 37 rooms that could be salvaged of this vihara. A section of the wall in the south-east corner shows the original masonry work while the rest had been consolidated to ensure stability. Walls have been extended 8 to 10 feet above the excavated height rendering it stable. To stabilize the superstructure, reinforced concrete lintels were introduced to support walls above the corbelled openings (to rooms) as the original ones were destroyed by conflagration. Dentils were noted as ornamental features in the peripheral walls, which is unique to Nalanda.

***Courtyard***

The quadrangular courtyard of this vihara is provided with a hexagonal well and a shrine located to the eastern quarters. Fragments of a shrine showing two levels of occupation have been unearthed in the eastern section of the courtyard. The northern and eastern surfaces of its plinth are ornamented with a row of alternating squat pillars and brackets. Above this was a simple moulding with lotus flower embossed on it. The shrine was coated with a layer of lime, traces of which was noted on the ornamented panels. Unlike other viharas, no raised pedestal was found on the eastern arm of the courtyard.

***Antiquities***

A number of bronze statues of Buddha and Bodhisattva (6 pieces) from the north-western corner, a figurine associated with Jainism and a 3’9” statue of Avalokiteshwar installed in the shrine was salvaged during excavation. The existence of bronze figures and its iconography prove that the vihara was under continuous habitation.

***i.*** **Site no. *09* (vihara/ residential-cum-scholastic facility)**

This vihara shows a single level of occupation and dateable 9$^{th}$ century CE (contemporary to Devapala). It measures 208’ 1” in length, 171’ 6” in breadth and its foundation has alternate courses of brick and sand (2” to 6” in depth) efficient to prevent differential settlement of walls and rising dampness.

This vihara is entered through a gateway on the western arm and its opening was flanked by store-rooms. The opening was constructed of stone indicated by the fragments recovered during excavation.

The gate leads onto a continuous verandah which encloses a quadrangular courtyard and leads into the rooms. At the south western corner of the verandah is a 7' 10" wide brick-staircase. At the level of the landing, there is a 3'7" wide opening allowing light and ventilation of the staircase. Charred remains from the staircase show that its surfaces were originally recovered with wood.

The verandah in the north-western corner has been sealed to form a room, entered through a corbelled opening, 4' 11" high.

***Rooms***

Vihara has 37 rooms (9'3" by 9') and is entered through corbelled openings. To support the superstructure, reinforced concrete lintels have been inserted replacing the wooden[38] ones. The openings along the southern arm also show features like door-jambs and sockets. The openings of several rooms in the south western and north eastern corners of the vihara were found sealed. Sealing was a technique used to form the base which supported later phases of construction, evident in vihara no.10.

Study of the walls show that floors were constructed of 10 inch thick concrete layer laid over a bed of long bricks which were supported by wooden beams. The sockets where the wooden beams were inserted into the wall are also discernible.

***Courtyard***

The quadrangular brick-paved courtyard measures 19' 5" in length and 14' in breadth and its oldest layer (concrete paving) is at a depth of 3' 3". The courtyard is divided into 20 quadrangles whose limits are marked by a brick-on-edge layer. Each of these segments are paved with square-shaped brick-tiles laid on a bed of concrete.

The limits of the courtyard are marked by a raised parapet wall on which wooden[39] columns supporting the overhanging verandah of the first floor rested.

[38] While original lintels have perished over time, its presence can be ascertained by the 10' gap atop openings which would have accommodated the wooden lintel.

[39] The fact that these columns were made of wood is corroborated by the remains of charred wooden pieces in the site, recovered during excavation.

The courtyard has a shrine (base measures 19' 5" by 14'), located centrally along the northern arm of the courtyard. This apart, the courtyard also has an octagonal well (7' diameter) and 3 sets of *chulhas* (2' 6" length, 1' 5" breadth and 9" in depth). To divert water away from the courtyard a brick-lined *pranala* (drainage channel) covered with stone slab is located at the northwest corner of the courtyard. This channel continues further east, through the verandah and the second room from the north-eastern corner leading outside the vihara.

***Antiquities***

During excavation, 75 bronze and stone images, sealings, terracotta plaques, pottery of different types, iron straps, nails, padlocks, beads and various objects of clay, stone, ivory, iron, bronze, bricks etc. were unearthed. Comparing the properties of the recovered antiquities and the levels of occupation (noted from stratigraphical study of the floor levels) suggest that vihara no. 09 is contemporary to vihara no.06, 07 and 08.

**j. Site no. 10 (vihara/ residential-cum-scholastic facility)**

This vihara (173' 9" in length; 209' 9" in breadth) is dateable 9$^{th}$ century CE (contemporary to Devapala) and shows two levels of occupation and successive reconstruction[40] during its lifetime. The foundation of this structure is a composite one, with alternate layers of sand and brick masonry.

It is entered through stone gateway centrally located on the western arm of the quadrangle. It leads to a continuous *verandah* onto which rooms open and which inturn encloses the courtyard. It shows two levels of construction.

Unlike other viharas where the staircase is located at the south-western corner of the *verandah*, a series of steps rising from the western arm of the courtyard was used to access the upper levels. The latter is contemporary to the later phase of construction.

***Rooms***

This vihara retains 35 rooms (for scholars) of which those on the northern, eastern and southern sides show two layers of construction. This is evidenced by the non-uniform size of openings, the staggering of walls, increase in floor level and infill of older openings to

[40] The concrete flooring of rooms located at the north eastern, north western and south-western corners show multiple layers of construction. The construction of newer levels was enabled by blocking the openings and in-fill of earlier spaces of earlier ones.

serve as foundation for new construction of a superstructure. Also, the new layer replicated the profile and other details like sizes and numbers of openings, niches etc of the earlier one41. The openings of the rooms in this viharas is unique as instead of corbelled-openings the door were constructed of curvilinear bricks in mud mortar set in an arched profile. Its door-jambs are still evident on the walls at some places up to the height of the beam which is a unique feature.

At the south-eastern corner adjoined to the outer surface of the peripheral wall are two cubicles. One of which had a bathing platform with pranala (drainage channel) and was possibly a toilet while the other an outhouse.

***Courtyard***

The limits of the courtyard are defined by a raised parapet wall. At either corners of the southern arm evidence of brick wall which enveloped the earlier verandah is discernable. This shows that the verandah has atleast two layers of construction. On this parapet wall are remains of bases (of stone columns) set at regular intervals supporting overhanging verandah of the upper floor.

The floor of the courtyard is dateable to 9$^{th}$ century CE (contemporary to Devapala) and was continuously used through its lifetime. Its floor is divided into 16 uniform quadrangles whose limits are marked by a brick-on-edge layer. Centrally located along the eastern arm of the courtyard is a brick shrine whose base measures 44' 2" in length and 24' in breadth. It shows 2 phases of construction where an older smaller shrine was encased and expanded into a later one.

The courtyard is devoid of a well and it is possible that water was sourced from neighbouring viharas.

**k. Site no. 11 (vihara/ residential-cum-scholastic facility)**

Prior to excavation, the area was under cultivation till 1929-30. Excavation unearthed a viharas (173' 9" length; 209' 9") in a considerably flattened state and yielded notable amount of charred wooden pieces corroborating the fact that it was destroyed by fire.

[41] The rooms of the south-eastern corner shows multiple phases of construction where rooms having two doors per room, one of which opens onto the verandah while another further to the east, accessed by a flight of steps. Another indication of different levels of occupation is the changes in floor levels of rooms along the four arms of the quadrangle. The brick on edge-concrete flooring on the north were noted considerable higher than others suggesting successive years of addition and habitation.

The structure shows a single phase of occupation and is contemporary to early Pala period. Excavation also shows that its foundation consists of brick masonry footing supported by a layer of sand packing 3-5 feet in depth a technique protecting the structure from earthquake.

It was entered through a stone gateway centrally located on the western arm of the quadrangle, leading onto a continuous verandah. The latter is a transition zone segregating the rooms from the central courtyard. At the south-western corner of the verandah is a staircase leading to an upper levels. At the level of the landing on the western wall is an opening which enabled illumination and ventilation of the staircase. The remains of charred wood recovered from the staircase imply that the steps were covered by wooden planks and were destroyed by fire.

***Room***

Only the profile of 32 rooms remains on the northern, eastern and western arm of the quadrangle due to impact of agriculture. On the southern arm, remains of the original wall show sockets where wooden beams supporting upper floor rested. Unlike others, no remains of niches or berths are discernable in rooms of this vihara.

Centrally located on the eastern arm of this vihara is a shrine affronted by a platform which extends into the courtyard. The platform has a flight of steps accessed from the courtyard.

***Courtyard***

The limits of the courtyard are defined by a raised parapet wall on which are remains of stone columns (7’ tall). These were set at a regular interval of 4’-5’ and supported the verandah of the upper level. The absence of charred wood in the courtyard indicates that stone, instead of wood was used in construction of columns.

Along the eastern arm of the courtyard is a raised platform whose western edge was lined with stone columns. While a pranala was traceable at the north-eastern corner of the quadrangle, no remains of it or any other form of drainage system was identified in the courtyard. Unlike other viharas, this courtyard is also devoid of a well and hearth.

## 2a.iv. Art of Nalanda

*(Refer to Appendix 03: Inventory of sculptures of Nalanda Mahavihara)*

The initiations of Buddhist art in Indian subcontinent is attributed to the Kushans who transformed the Swat Valley into the cradle of Gandhara art. It is here that the Buddha was represented in an anthropomorphic form, departing from the prevalent aniconic or non-anthropomorphic expressions. In the 1st century BCE with the shift of capital from Gandhara Valley to Gangetic plains, Mathura[42] emerged as a prominent centre of art and so did places like Amravati, Ajanta, Sarnath, furthering the anthropomorphic genre of Buddhist art. Among these, Mathura, Amravati and Sarnath emerged as major schools of art that influenced local practices, stimulating the development over a large geo-cultural area.

Like those in Mathura, Amravati and Sarnath on account of the sheer volume and variety of stone, metal (bronze), stucco images and now fading, paintings, the art of Nalanda is also adjudged a School with the Mahavihara at its epicenter (Paul, 1987). It shaped Pala art in the immediate region while influencing the course of art in the Malayan archipelago.

### a. Initiation of the Nalanda School of art

By the 4th century CE the consolidated Gupta Empire disintegrated into fiefdoms of Late Gupta and the power centre reverted to the region of Magadha. Continuing the practices established by the Imperial Guptas, the later Gupta rulers patronized Nalanda which developed into a significant centre for education and art. By the 5th century CE, Nalanda showed subtle synthesis of features of Mathura and Sarnath with local Pre Pala styles and by 8th century CE, under the Pala rulers developed into a new art-form with distinct features from its parent form (Paul, 1987).

### b. Development in Iconography

Nalanda's uninterrupted existence for over centuries as a prominent establishment of Buddhist learning and philosophy gives it a pivotal position amongst

[42] This shift reflected the movement in power centres of Kushan from the Gandhara valley to the Gangetic plains of Mathura responding to the repeated attacks of the marauding Huns.

sites associated with pedagogical, religious and artistic development in Buddhism(Paul, 1987). The stone, metal (bronze), stucco art of Nalanda exhibits the elaboration of the Buddhist pantheon of Mahayana and Vajrayana traditions. This process also enabled development of the features associated with individual deities making them mutually distinct, in-turn establishing the Buddhist pantheon by the 12$^{th}$century CE. For example, the *Ashthamahasthana* panel and image depicting the Buddha in Dhammachakramudra accompanied by the Bodhisattvas - Maitreya and Avalokiteshwara, depiction of Sariputta and Mahamudgalayana are shown as vidyadharas holding floral garlands are unique to Nalanda (Paul, 1987)(Mookerji, 1974).

The large volume of Buddha, Bodhisattvas, Goddesses and other deities of the Mahayana and Vajrayana pantheon show the transition from the Sarnath practices which gave great impetus to stucco art to the stone and metal art of the Pala period by borrowing from local practices. Refer to *Table No 02: Development in iconographic features in Nalanda sculptures*.

| | 5$^{th}$ – 8$^{th}$ cent. CE | 8$^{th}$ – 9$^{th}$ cent. CE | 9$^{th}$ -11$^{th}$ cent. CE | 11$^{th}$ -12$^{th}$ cent. CE |
|---|---|---|---|---|
| **TIME** | **Late Gupta period** | **Pala period** | **Matured Pala period** | **Late Pala period** |
| **ICONOGRAPHY** | Sarnath | Amalgamation of local features with Sarnath | | Emergence of plasticity in features |
| **THEME** | Gandhara | Sarnath | Continuation of Sarnath and addition of Jataka, Stories of the Buddha`s life, his miracles, | |
| **MAJOR MEDIUM** | Stucco | Stucco<br>Stone | Stone<br>Metal (Bronze) | Stone<br>Metal (Bronze) |

Table No 03: Development in iconographic features in Nalanda sculptures
Also refer to *Appendix 02: Inventory of sculptures of Nalanda* and *Table No08: Development in Art associated with Buddhism (Gandhara, Mathura, Sarnath, Nalanda and Pala Art)*

### A. Stucco art at Nalanda

Used for ornamentation, sculpting and as a finishing material, traces of stucco art in Nalanda is evident in Site no. 01, Site no 12 and Site no 13 and most elaborately in the Site no. 03. As an established medium by the 5$^{th}$century CE, stucco-work in Nalanda show a high degree of finesse and syncretism between the iconography developed in the Sarnath School with themes of the Gandhara School. The finest example of such a fusion are the panels in the 5$^{th}$ layer of Site No 3 depicting the

Dipankara Jataka and Rahula's inheritance which show the assimilation of Gandhara themes with Sarnath features in stucco.

Iconographically, the figures of the Buddha in these stucco images show a prominent urna, hair bundled forming an ushnisha (knotted locks), serene expression, smooth delineation of torso, subtly modeled corporeal frame, diaphanous drapery, deeply chiseled waist and fleshy bulge which show prominent Sarnath features while the plain prabhamandala and also a prominent urna depicts Gandhara traditions. Another characteristic development in the stucco art of Nalanda is the initiation of elaboration of the Buddhist pantheon. This can be noted in the increased number of Bodhisattvas accompanying the Buddha with their own retinues. With the gradual elaboration in rituals, these figures (Bodhisattvas and their retinue) received further definition gaining a distinct form during the Mature Pala period ($10^{th}$ -$11^{th}$century CE).

The finest example of stucco-art in Nalanda can be seen adorning the eastern surface of the $5^{th}$ layer of construction of the principle structure and the tall stupa at its south-eastern corner. The main stupa shows scenes from Buddha's life and Jataka Kathas where the Bodhisattvas and their respective retinue show definition of features in individual figures while on the surfaces of the tall tower are images of the Buddha with Bodhisattvas and a standalone figure of Tara set in the chaitya-windowed niches.

Another field of application of stucco art in Nalanda is the colossal stucco image of Buddha installed in the Chaityas, only traces of which remain. Placed on the pedestal of the sanctum, these figures were almost 80' tall, and are elaborately described in records of Xuanzang. Apart from the height, no other feature of this figure can be identified.

**B. Stone art at Nalanda**

Stone art of Nalanda can be divided into two phases i.e. Pre- Pala (late Gupta as well as Post- Gupta phases; $5^{th}$ – $8^{th}$century CE) and Pala period ($8^{th}$ – $11^{th}$ century CE) using black basalt as a medium and can be distinguished based on themes and features.

***a. Pre- Pala (late Gupta as well as Post- Gupta phases; $5^{th}$ – $8^{th}$century CE)***

This period is witnessed the stone sculptures with less finesse in carving but a definite stylistic continuity of the Sarnath School (Paul, 1987). Noted as a flourishing centre of Mahayana, Pre-Pala art of Nalanda witnessed increased production of figurines of the Buddha, the Bodhisattvas, images where the former are accompanied by their retinue as well as emergence of goddesses like Tara and Vajrasharada.

Iconographically, this period is marked by artistic dynamism where features of the local art traditions of Magadha blend with those established in the Sarnath school and details which were till then done in stucco were now replicated in stone. The resultant experimentation with media and iconography show great variance in features where few pieces show more features of Sarnath School while others the mainstreaming of local Magadhan artistic traditions.

For example the unidentified figure of either a Bodhisattva or a Jina with comparatively slender but graceful figure, stylized hair, deeply carved foliage at the base of lotus stem shows pronounced Sarnath influence. Based on the features evident, this figure dates among the earliest groups of Pre-Pala stone sculptures. In contrast to this is an image of a Bodhisattva whose facial features with full lips and droop in upper eyelid suggest closer affiliation with the local Magadhan artistic traditions (Huntington, 1984). The classic example of the Pre-Pala stone art is a figure of the Buddha standing in *Abhay-mudra*.

While the period lacks strict iconographic definitions, most of the stone figures show highly expressive facial features including naturalistic lips, foliate motives (continuation of Classy Gupta trends) beneath the seat. The departure from deeply carved and softly modeled body features which were typically of the Sarnath School to more fuller bodied figures and the floral band marking the profile of the stele suggests the growing influence of local art influences. The figures are refined and crisp, which

distinguishes Nalanda art from local art traditions while showing a gradual blending of the former with Sarnath traditions (Huntington, 1984)(Paul, 1987). The 7th century figure of Bodhisattva Manjushri Kumara and Vajrasharada (a form of Saraswati) are classic examples of pre-Pala stone art.

### *b. Pala period (9th – 11th century CE)*

The mature Pala period is characterized by elaboration of rituals in Buddhism through which Mahayana transitioned into Vajrayana. This transition was evident in the stone sculptures where new deities are added to the Buddhist pantheon and features of the existing figures are further enhanced. Images of this period can be distinguished by the deep and refined carving, especially of the stele which serves as the backdrop for the deity. The figures on the other hand are comparatively less fleshy, slender, sometime covered with a diaphanous drapery, tauter in appearance and stand in a tribhanga posture. This period also ushered in a new representation of the Buddha where his head is diademed or crowned. This is considered an achievement of Nalanda artists (Huntington, 1984).

Dateable[43] to this period are a large number of miniature figures recovered from the rooms of viharas suggesting that these were used for veneration (Archaeological Survey of India, 1916-2001). Many of these images were those of the Buddha, Bodhisattvas and panels depicting Buddha's life where the theme of *Ashthamahasthana* received special focus (Paul, 1987). The latter constitutes a panel where eight figures of the Buddha each depicting major incidents in his life are arranged around a centrally located image of the Sakhamuni. Between each of the eight figures is carved a stupa and the entire panel became a prominent feature of mature Pala Art.

By the 11thcentury CE, stone sculptures of this period began to show dense but distracting detailing and mechanical repetition of abstract forms, which are considered as the declining phase of the Nalanda artistic tradition. Classic examples of mature phase of stone art are the two images of the Khasarpan Avalokiteshwara. Mature phase shows features like sleek bodies standing in a tribhanga posture backed by intricately

[43] Most stone sculptures of the mature Pala period are inscribed and hence are paleographically dateable (Paul, 1987).

carved stele. In contrast to this is another image of the Khasarpana Avalokiteshwara showing plasticity in expression, dominant sleekness in anthropomorphic proportions and overtly profuse intricate ornamentation clearly indicating the declining phase of Nalanda art tradition.

### C. Metal (Bronze) Art at Nalanda *(7th – 12thcentury CE; Early to Late Pala period)*

Metallurgy (bronze) as an art-form was an integral part of the Mahavihara`s curriculum[44]. This is indicated by the presence of a brick-lined smelting furnace to the north of Site no. 13 and a large volume of metal figures recovered during excavation[45]. These figures represent a range of deities of the Buddhist pantheon and show a distinct quality of casting technique and show careful syncretism of stucco and stone practices replicated in metal. Spanning between 7th to 12thcentury CE, metal art of Nalanda reached its zenith in the 12thcentury CE and its pieces carried to distant kingdoms of the Malayan archipelago, Tibet and China[46].

Metal-art of Nalanda lacked gilding but was often studded with semi-precious stone which later became a tradition of Himalayan countries (Paul, 1987). Iconographically it exhibited slender body proportions, elongated limbs as seen in stone images, while facial expressions and manner in which the robe is draped around the neck are reminiscent of the Sarnath School. The heads of the figures were usually larger than the other parts of the body with out-sized facial features, slit eyes, shallow cheeks, jaw-lines and chin. One of the earliest examples of Nalanda metal art is a figure of the Buddha in standing posture. Its elongated proportions, flat cheeks, large facial features and bold expressions give the figure a boyish expression show all classic features of Nalanda metal art dateable to 7th-8thcentury CE.

[44] Metal art was prevalent in Magadha as the region is marked by inexhaustible source of ore contributing to this art-form.
[45] Most metal figures were recovered from the rooms of the viharas, suggesting that these could have belonged to individuals for worship or for votive offerings.
[46] Most scholars who studied at Nalanda carried back with them several pieces of metal figures possibly because compared to stone and stucco images, metal ones were less susceptible to disintegrate (Huntington, 1984) (Paul, 1987).

***a. Early metal-art***

Some of the earliest examples of metal art of Nalanda also include a bronze figure of the Buddha, a figure of the Khaddga Sarvvani and Avalokiteshwara seated on a lotus throne. These figures are slender in proportion with boyish features and are framed by an oval Mandorla whose profile shows a characteristic flame-like ornamentation. The lotus throne and the ornate prabhamandala show influence of Sarnath stucco and Pala stone art and continued to be incorporated in Nalanda metal art as a prominent feature till the 9$^{th}$century CE.

It is also interesting to note that features exhibited in early metal art of Nalanda were gradually absorbed by Nepalese metal art showing the route of transmission of the Mahavihara's art to the Himalayan countries.

***b. Period of transition/ experimentation (7$^{th}$ – 8$^{th}$century CE)***

The period between 7$^{th}$ -8$^{th}$century CE has been noted as a period of experimentation in stucco, stone and metal art of Nalanda (Huntington, 1984). Metal pieces of this phase show the process of maturation of technical proficiency and innovation of design. This transition is evident in a figure of the Buddha seated upon a throne in dhammachakramudra. On both sides of the throne are elements such as leogryphs and the figure is framed by a prabhamandala whose edge is marked by flame-like ornamentation. The compact and uniform composition, presence of a throne and a prabhamandala show continuation of features prevalent prior to the 7$^{th}$-8$^{th}$century CE while the bulbous appearance, over-sized facial features and schematized body suggest experimentation with proportions which ultimately formed the Late Pala features.

Several metal art objects belonging to the transition period were recovered during excavation. Some of these include two identical figures of Bodhisattvas with slightly flattened facial features and slender but compact body and a figure of an unidentified Bodhisattva with six hands and a body comparable to the former – all dateable to 7$^{th}$ -8$^{th}$century CE.

9$^{th}$ century CE marks the completion of the artistic transition where a new motif like a band of chakras was added to the prabhamandala. This can be seen in a 9$^{th}$

century CE figure of the Buddha where the prabhamandala has three clear bands of chakra, bead and flame. It is also interesting to note that the presence of the flaring drapery, curled locks show the features which became standardized in the mature metal art (Huntington, 1984). The 9$^{th}$century CE was also instrumental in dispersion of Nalanda art to distant empires of the Malayan Archipelago[47] through scholars who carried several metal figures to their homeland. This influenced local metal-sculptural art of Java and Indonesia and a new form emerged bearing uncanny similarity of plastic facial expressions, slender bodied boyish figures with profusely carved intricate ornamentation.

***c. Late Pala metal-art***

As per Debjani Paul, an image of Chunda, and one of a Bodhisattva are typical examples of Late Pala metal art of Nalanda. The facial features, head-dress and double strand necklace, the presence of flame, beads and an unidentified motif and with the additional motifs of row of Vajras, all tracing the outer profile of the Prabhamandala are characteristic features of the Devapala period exhibited in the figure of the Chunda seated on a lotus throne (Paul, 1987). The figure of the Bodhisattva on the similarly shows mechanical repetitions of abstract forms, focus on maintaining symmetry in various components, profuse ornamentation leading to a certain plasticity of features. Other figures which are characteristic of this art-form is the figures of Mahavairochana and that of Marici.

[47] Apart from receiving a large number of scholars who came to Nalanda to study Mahayana, generous donations made by Kings like Balaputradeva of Suvarnadvipa who enabled the construction of a vihara in (815-45 CE) and granted the resources of five villages for the functioning of the Mahavihara also show the close cultural (close) relation that the Mahavihara shared with the Malayan Archipelago under the Palas (Dynasty) (Dutt, 1962) (Mookerji, 1974)

### *2.a. v. Education and Internal Management at Nalanda*

### *A. Education System*

Much of the information regarding Nalanda`s systems of tutelage is sourced from the writings of Chinese and Tibetan scholars who flocked to Nalanda since the 6$^{th}$century CE and the scores of compilations, manuscripts and thesis whose content has shaped the disciplines of Indian Philosophy and Logic. The descriptions of I-Tsing, Xuanzang, Hui Li on the life educational framework and internal management system testify the process showing the efficient working of the Mahavihara at the zenith of its fame.

### *a. Education System of Admission and Studentship*

The Gates of Nalanda were guarded by *Dwara pandita* (dean of admissions) who were distinguished scholars themselves, entrusted with the responsibility of identifying a deserving scholar through a vigorous selection system. According to Xuanzang, one who sought admission was required to have an absolute command over the Vedas, Sutras, Sastras apart from Buddhist texts and proficiency in Sanskrit. This thorough process of sifting true scholars ensured admittance to persons with the highest intellectual and moral capability which reflected in the harmonious and productive co-existence of persons belonging to contrasting schools of thought and sectoral affiliation (Mookerji, 1974).

Tsang noted that only a minuscule percentage of aspirants were able to demonstrate sound understanding of the existing forms of knowledge and those that did gain admittance were admired by people of the subcontinent (Mookerji, 1974). It is also interesting to note that unlike other similar establishments of its kind, Nalanda assumed a secular position where knowledge was concerned. Irrespective of religious affiliations, a scholar`s admittance depended only on their intellectual capacity and command over all prevalent sources of knowledge[48].

[48] It must be noted that Mahaviharas whose initiation could be traced to the vassavassa or a monastic system ordained by Buddha, assumed a secular character by the 7$^{th}$ CE and later ( Bapat, Prof. P.V.)(Phuoc, 2010)( Bapat, Prof. P.V.)(Goldstein & Paljor) (Damdul, 2014).

As per I-Tsing, once admitted the names of scholars were listed in a register and studied there for as many as 10 years in the discipline of their choice ( Bapat, Prof. P.V.) Students of two age groups were admitted to Nalanda, first a younger group, Bramhacharis and Manavakas, who were below the age of 20 and studied the *Panchavidya* (the five basic subjects). They were responsible to arrange for requisite resources in support of their studentship. Those above 20 or having had mastered the basic texts, undertook the rigorous test to be admitted in one of Nalanda`s schools of higher learning equivalent to post-graduate degrees and above (Mookerji, 1974). Once admitted scholars[49]would choose a *karmācārya* (preceptor) and a professor to master *pratimokṣa* and *vinayapiṭaka* and thereon the *sūtras and śāstras*. Following this he would become a *dahara* (junior member of the faculty) equivalent to or assistant professor for a period of ten years to be eligible to serve as an *upādhyāya* (professor) or a *karmācārya* (preceptor).

The functioning of the academia was officiated through a democratic process. Here, junior and senior *parisad* (faculty) elected *karmadāna* (dean of affairs), *vihārapāla* (dean of college), *dvarapaṇḍita* (dean of admissions) and the *kulapāti* (chancellor). They also voted on all academic, practical and disciplinary matters including the admission of new students and faculty.

***b. Degrees earned at Nalanda***

Scholars earned degrees at masters and doctoral level at Nalanda where student could specialize in fields such as *cikitsāvidyā* (medicine), *śilpasthānavidyā* (physical science and technology) or fine arts among others. Upon graduation, those admitted to a Master`s degree course earned the title of a *Pandita* while a doctoral scholar became an *Acharya*(Sankalia, 1934)(Loizzo, Candrakīrti and the Moonflower of Nālandā: Objectivity and Self-Correction in the Buddhist Central Philosophy of Language).

[49] Typically a scholar would be admitted as a lay person (*upāsaka*) who observed the fivefold ethics (*pañcaśīla*) and, after a period of instruction and probation, eventually be admitted as a homeless one (*pravrajita*) though a basic ordination ritual. On mastering the ten moral precepts (*śikṣāpadas*), one would be recognized as a wanderer (*śramaṇera*) ready for full ordination (*upasaṃpadā*) (Loizzo).

### *c. Medium of teaching, curriculum and scholastic contributions of Nalanda*

#### *i. Mode of Teaching*

The principle mode of teaching and learning at Nalanda was through *Tarka* (Debate). According to the Dorji Geshe Damdul, Director, Tibet House, New Delhi, this tradition of Nalanda has survived in Tibetan monasteries since the 7$^{th}$century CE. He explains that Tarka or debate is a dialogue-based learning enabling scholars to gain meta-cognitive understanding, ability of applying and thereon elaborating upon a subject. In this system, scholars are paired where one questions and the other answers. While the questions start with a simple identification of the source of the text, it gradually elaborates in concepts and depth. Ultimately answerer is required to assume a position on the subject matter, justify the content or restructure it otherwise. This process is them reversed requiring the answerer to question and where the former fails, the latter repeats the question, pressing for answers. This learning tool is followed for students of all age-group and during graduation an individual is questioned by students, peers, acharyas, pundits and the head abbot himself. The aim here is not rote learning, where the role of memory is passive. The aim is rather the initiation of active memory and conscious learning, where the mind is aware of content and develops the ability to use the information fruitfully. Today, with the better understanding of the complexities of human learning, neurosciences and the increasing consciousness of the psychology of learning, this system of learning is highly reckoned by the world (Damdul, 2014)(Bhatt, 2013)(Goldstein & Paljor). According to the Dalai Lama, the Buddhist mode of thinking of Nalanda can be understood as the '*Science of Mind*'[50] where internalisation of information is the key to knowledge (IGNCA & Behl, 2013).

Linguistic analysis was one of the teaching tools at the Mahavihara whose application was used as a science to develop mnemonic and analytic intellectual powers of its scholar. Apart from the emphasis on grammar and linguistic, Nalanda practiced a system of intertwining psychology and epistemology which focuses on the subjective engagement of the mind (with objects) and is a philosophy that studies the ontological realities of objects. In addition to this, Nalanda also focused on the study of structure of logic which allowed information to be processed, crystallized and

[50] Xuanzang noted that 'memory-training' was emphasized (Holmes, 2007).

internalized hence becoming true knowledge. This process allows creating scholars with a 'scientific' bend of mind, who could rationalize, analyze and apply information allowing later thinking ethical conducts. This psychological approach to learning gave the student of Nalanda an edge which enabled them to delve into their minds so that human follies such as ignorance and other forms of mental obstructions do not bar students from recognizing 'true knowledge' and finally be able to activate the 'subtle mind'. The modern world perceives this approach as a highly sophisticated form of advanced learning by engaging our neocortex (IGNCA & Behl, 2013)(Sankalia, 1934).

The viharas of Nalanda were 'school(s) of discussion' and the central courtyard was a witness to debates and discussion on a wide range of subjects among scholars of distinct schools and affiliation. According to Hui Li, in the courtyard of vihara were arranged with hundreds of chairs or pulpits for formal lecturers and discussions while the rooms witnessed dialogue of a smaller group and meditation (Bapat, Prof. P.V.)(Mookerji, 1974) (Dutt, Buddhist Monks and Monasteries of India , 1962).

***ii. Curriculum of Nalanda***

Nalanda was a centre for research and higher learning with a focus on epistemology, psychology and philosophy. Its curriculum included sacred and secular, practical and theoretical fields of knowledge that existed in early medieval India. The curriculum included the three facets of *prajna*, *sila* and *samadhi,* grammar, mathematics, *jyotisha*, medicine, logic, metaphysics and other branches like alchemy (chemistry)[51], *artharva*, *samkhya*, *nyaya* and a special focus on texts which belonged to the four Buddhist School of thought – Vaibhashika School (Objectivism), Sautrantika School (Subjectivism), Vijnanabad School (Idealism) and Madhyamika (Mid path).

According to Chinese scholars, those enrolled in the masters degree course (or its equivalent) had to study the five sciences, especially logic, linguistics (*śabdavidyā*) and the *adhyātmavidyā* (multidisciplinary science of mind) apart from advanced study of comparative religion and philosophy. The latter included the Buddhist *catur-siddhānta* (four therapeutic philosophies), texts of the Universalist canons, the disciplines of all eighteen Hinayana schools, six *ṣaḍḍarśana* (Vedist philosophies) such as *Sāṃkhya* (Vedist Analysis*)* and the entire Vedic corpus. (Also refer to *Table No. 04: List of*

[51] The remains of what is identified as a smelting furnace has been identified on the north of Site no. 13

*Buddhist Text taught at Nalanda*). These texts in combination with the Vedas, Sutras and Shastras form an integral part of Indian Philosophy and reflecting the country`s world view (Bhatt, 2013)(Mookerji, 1974).

| | | |
|---|---|---|
| **Hinayana texts** | • *Tripitaka*<br>• *Shatpadabhidharmasastra*<br>• *Mahaparinirvanasutra* | • *Jatakamala*<br>• *Abhidharma*<br>• *Abhidharmakosa (of Vasubandhu)* |
| **Mahayana texts** | • *Yogasastra*<br>• *Yogacharya-bhumisastra*<br>• *Nyayanusarasastra*<br>• *Hin-Hiangtui-fa-ming*<br>• *Tsah-liang-sastra*<br>• *Satasastra*<br>• *Mahayana-samparigrahasutra*<br>• *Vidyamatrasiddhisastra*<br>• *Pranymulasastra*<br>• *The sky-flower doctrine* | • *Saddharmapundarika*<br>• *Eight sastras of Asanga*<br>• *Eight sastras of Jains*<br>• *Guru-Pachasika*<br>• *Madhyamika-doctrine*<br>• *Prajnaparamita-sutra*<br>• *Dharmaratnas*<br>• *Ashtasahasrika-Prajnaparamia (6th year of reign of Mahipala)*<br>• *Ashtasahasrika-Prajnaparamia (4th year of reign of Govindpala, 1165 AD)* |

*Table No. 04: List of Buddhist Text taught at Nalanda*(Misra, 2008)

According to Xuanzang who was one of Nalanda`s foremost scholars, as many as a hundred lectures were conducted daily, each demanding a high degree of concentration and intellectual capacity by the most knowledgeable acharyas (Bhatt, 2013)(Mookerji, 1974).

It is interesting to note that secular subjects like study of Kautilya`s Arthasastra also formed a part of the curriculum of Nalanda. While Buddhist monks were barred from politics, they played a crucial role as advisors to kings presiding over matters of governance[52]. Scholars after graduation were appointed as advisors and held other important offices in the courts of Kings in the Sub-continent and beyond (Sankalia, 1934).

[52] This is a practice prevalent since the time of Emperor Ashoka (3rd BCE) where persons known for their knowledge of governance would be inducted into the royal service as an advisor (Loizzo).

### *iii. Studentship and their contribution*

In contrast to other contemporary establishments, Nalanda Mahavihara was hallowed by generations of scholars from the Far East (Tibet, China, Japan, Korea) and the Malayan Archipelago apart from the Indian sub-continent. Scholars who came in the pursuit of knowledge, returned ennobled to their respective countries. They in-turn became the repository of knowledge for their country contributing to various facets of socio-cultural change.

While the register which could have helped identify individual scholars has been destroyed, their contributions in the field of oriental philosophy, psychology and theology survives in the form of manuscripts, language, practices, rituals and art forms of south, east and south-east Asia. The *Table No. 05: Contributions of Nalanda Mahavihara* enlists some of the most foremost contributions of Nalanda that has shaped human history of the oriental world.

| | Name | Date | Contribution |
|---|---|---|---|
| **Scholars from Tibet**<br>Nalanda received a large number of scholars from Tibet and had a college dedicated to students of the land. Scholars translated Buddhist texts in Sanskrit and other language into Tibetan. These manuscripts introduced Buddhism to Tibet and under their King; it became the instrument of socio-cultural change that gave Tibet a new identity. | | | |
| 1 | Arya Deva (4th cent CE) | | Authored works in Tibetan and composed the Madhyamaka-bramaghata-nama on behest of the King Sukhacharya. |
| 2 | Silabhadra (7th cent CE) | | President of Nalanda and a logician, his works was included in the Tibetan Tripitaka and was called Arya-Buddha-Bhumi-vyakhyana. He was also one of the teacher`s of Xuanzang. |
| 3 | Dharmapala (7th cent CE) | | Was the president prior to Silabhadra and wrote a Sanksrit Grammatical commentary called Varna-Sutra-Vritti-nama on the original grammar of Mahacharya Chandragomi and 4 Buddhist works in Sanskrit, which were later translated into Tibetan - Alambana-pratyaya-dyanasastravyakhya, Vidyamtra-siddhi-saastra-vyakhya, Sata-sastra-vaipulya-vyakhya and Vali-tattva-samgraha. |
| 4 | Chandragomin (8th cent CE) | | An eminent scholar, he wrote more than 60 books on Buddhism in Sanksrit, which were translated into Tibetan. |
| 5 | Santarakshita (8th | | Invited as a missionary by the King, he was instrumental in propagation of Buddhism in Tibet, establishing its first |

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| | cent CE) | | Monastery and also authoring 2 works - namely Vada-nyayavritti-vipanchitartha and Tattva-samgraha. |
| | **Name** | **Date** | **Contribution** |
| 6 | Padmasambhava (8th cent CE) | | A professor of Nalanda and invited to propagate Buddhism by the King of Tibet, he introduced the Tantrik element of Buddhism to Tibet. He was one of the proponents of Yogachara school of Tantrik Buddhism and authored Samaya Panchasika, which was later translated to Tibetan. |
| 7 | Kamalasila (8th cent CE) | | Professor at Nalanda, he was invited by the King of Tibet along with Santarakshita and Padmasambhava to propagate Buddhism in Tibet. |
| 8 | Sthiramati (8th cent CE) | | A scholar of Nalanda and a specialist on the Kalapa System of Sanskrit grammar, he translated several Sanskrit and selected Buddhist texts into Tibetan. Apart from introducing several works on Sanksrit grammar, he was known for his compositions which he wrote in Tibet. In Nalanda, he resided at Tarabhattarika - a school of sciences. |
| 9 | Buddhakirti (9th cent CE) | | Proficient in Tibetan and Tantrik Buddhism, he studied in Nalanda and later in Vikramshila and was a invited to Tibet by the King to propagate Buddhism in Tibet. |
| 10 | Kumara Sri (9th cent CE) | | He composed Buddhist work in Sanskrit and together with Suryadhvaja, translated 2 important Sanskrit works into Tibetan. |
| 11 | Karnapati (9th cent CE) | | A scholar who translated Mahayana-lakshana-samuchcharya into Tibetan. |
| 12 | Sumati Sena (9th cent CE) | | A scholar who wrote Karma-sidddhatika, a Sanskrit text at Nalanda. |
| | **Scholars who went to China** | | |
| 1 | Paramartha (5th cent CE) | | Paramartha was one of the greatest translators of Buddhist texts into Chinese. He traveled to China in 546 CE at the request of the Chinese Emperor and began the translation of Buddhist texts of the Yogachara School, the Abhidharmakosa, the Mahayana-Samparigraha, various works of Vasubandu and the Vajrayanasutra into Chinese. All together he translated sixty-four works in 278 volumes which initiated Yogachara Buddhist in China and inspired Xuanzang and several generations of scholars to travel to India. |
| 2 | Subhakara simbha (8th cent CE) | | 4 of his Sankrit works were translated into Chinese. |

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| 3 | Dharmadeva (10th cent CE) | | During the Song Dynasty, he was a Member of the Imperial Bureau of Translators of Buddhist texts in Chinese. He translated as many as 46 works of Taranis and Dharanis into Chinese and other works apart from Mahayana works Sukhavativyuha in Chinese. |
| | **Name** | **Date** | **Contribution** |
| | **Scholars from China and Korea** | | |
| 1 | Hiuan Chao (7th cent CE) | | He came through Tibet and stayed in Jalandhara to study Sanskrit. , Buddhist Sutra, Vinaya and thereon proceeded to Nalanda for higher studies. He stayed in Nalanda for 3 years and thereafter returned to China. He returned to Nalanda again, during the visit of I-tsing. |
| 2 | Tao Hi/Srideva (7th cent CE) | | He came to Nalanda to study Mahayana. He gifted Nalanda with more than 400 Chinese sutra and sastra. |
| 3 | Aryavarma (7th cent CE) | | Korean; He was a student of Vinaya and Abhidhamma and copied many Sutra. |
| 4 | Hwui Yieh (7th cent CE) | | Korean; He was a Doctor of Law and many of his Sanskrit works were preserved in Nalanda. |
| 5 | Bodhidharma (7th cent CE) | | A Tukhara student |
| 6 | Tang (7th cent CE) | | Came via sea-route, mastered Sanskrit at Tamralipti and then came to Nalanda for higher studies. |
| 7 | Tao-Lin/Silaprabha (7th cent CE) | | Came via sea-route, mastered Sanskrit at Tamralipti and then came to Nalanda to study Kosha. |
| 8 | Hwui-Ta (7th cent CE) | | A monk of Kungehow, came via sea and studied here for 10 years |
| 9 | Wou King (7th cent CE) | | Studied Yoga, Kosha and other works and spend his entire life studying at Nalanda. |
| 10 | Xuanzang (7th cent CE) | | Xuanzang learned remains Nalanda`s foremost scholar having spent almost 9 years at the Mahavihara as a student, an acharya as well as a dwara pala. Well versed in Sanskrit he composed and returned with a collection of 657 manuscripts, a number of statues of the Buddha and various relics. In China he translated Mahayana texts, many other |

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| | | | Sanskrit texts into Chinese including the Perfection of Wisdom Sutras, which filled 600 volumes, Asanga's Treatise on the States of Yoga Practice, the Master of Lapis Lazuli Radiance Tathagata which established the practice of the Medicine Buddha in China and the Far East. Cheng Wei Shih Lun (Treatise on the Attainment of Consciousness Only), a compendium outlining Yogachara doctrine, became the standard text for the Consciousness Only schools of China and Japan. |
| 11 | Kuei-Chi (7th cent CE) | | Kuei-Chi was Xuanzang's most prominent Chinese student. He systematized the Yogachara teaching and established Yogachara as a distinct school in China, has called it Fa-hsiang. He also wrote commentaries to Hsuan-Tsang's Yogachara works including the Fa-yuan-i-lin-chang and the Wei-shih-shu-chi. |
| | **Name** | **Date** | **Contribution** |
| 12 | Dosho | | Contemporary to Xuanzang, he shared a room with Kuei-Chi and later left for Japan. He carried sutras, treatises and Yogachara commentaries which helped establish Yogachara in Japan. He also taught at the Bwangoji monastery. |
| 13 | Chiho | | A Korean and contemporary to Xuanzang, after completing at Nalanda went to Japan to teach. |
| | **Scholars from India** | | |
| 1 | Nagarjuna (1st -2nd CE cent CE) | | He applied the insights of the Prajnaparamita to classical Indian philosophy and redefined the nature of reality which forms the core of the Buddhist path. In the Mahayana traditions he is considered the spokesperson of the Pranjaparamita. He introduced at Nalanda Universalist Philosophy and is also attributed to be one of the initiators of the teaching traditions of this Mahaviahara[53].<br>He formalized the concept of Sunyata or 'Emptiness' which works formed the basis of Madhyamika (Middle Path) School of Buddhism and travelled northwards to China, Korea and Japan. |
| 2 | Rahulabhadra | | He held office as a teacher |
| 3 | Dinagga | | He was the impelling force for the development of medieval Indian philosophy apart from being a metaphysician and logician of the first order. He was well versed in Hinayana and Mahayaha School of Buddhism and is known as the founder of Buddhist logic. He wrote over a hundred works on logic and other matters including Arya Prajnaparamita - samgraha-karika (A Verse Compendium of the Noble Perfection of Wisdom), and the Pramanasamucchaya (The Synthesis of All Reasoning). Using his skills at logic, he became famous as a debater and traveled throughout India to establish Mahayana |

[53] Tibetan records associate Nagarjuna as the *Naga* that finds mention in legends (Loizzo).

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| 4 | Dharmakirti | | He belonged to the syncretic phase of the Sautrantika-Yogachara traditions was a master of the teachings of Vasubandhu and Dinaga. Of several works on philosophy composed by him, the Seven Treatises of Logic and the Pramana Vartika are considered his best. Like Dinagga he was a distinguished logician and wrote a famous commentary on the former`s Synthesis of All Reasoning and was the basis for debate training in the Tibetan monasteries. |
| 5 | Asanga (5th cent CE) | | A great master and Abbot of Nalanda, he compiled many important Mahayana texts including The Five Texts of Maitreya- the Abhisamayalamkara (Ornament of Clear Comprehension), the Mahanaya Sutralankara (Ornament of the Mahayana Sutras), the Madhyanta-vibhanga (Discourse on the Middle between the Extremes), the Dharma-dharmata-vibhaga, and the Uttaratantra (The Peerless Continuum). In addition, he also composed the Mahayana-samparigraha (Compendium of the Mahayana), Abhidarma-samuccaya (Compendium of Higher Doctrine), and Yogacharabhumi-shastra (Treatise on the Stages of Yoga Practice) are also famous. He also framed the Maitreya Sadhana and a Prajna-Paramita Sadhana which were a part of Tantric Canons for Tibet. |
| | **Name** | **Date** | **Contribution** |
| 6 | Vasubandhu (5th cent CE) | | The cofounder of Yogachara, he was a monk of the Sarvastivadin school who went to Kashmir to study their teachings like Abhidharma works. He possessed a complete understanding of the Tripitaka and the tenets of all the Hinayana schools.<br>At Nalanda, he wrote Seven Branches of Metaphysics, an encyclopedic work clarifying the main points of teachings of the early Arhats, The Four Oral Traditions of Vinaya on Buddhist discipline, and the most famous compendium of Abhidharma teachings in the Buddhist tradition, the Abhidharma-kosa and a commentary to it called the Abhidharma-kosa-Bhayasa[54].<br>He is also known to systematize the Consciousness Only teachings including On the Three Natures, the Twenty Verses, and the Thirty Verses, perhaps the most famous of the Consciousness Only texts apart from devotional hymns and commentaries on Mahayana texts. He is also credited with being the founder of Pure Land Buddhism.<br>After Asanga, he became abbot of Nalanda and taught 20 classes on various Mahayana Sutras and constantly defeated those who held false views on Buddhism. Many of his debates were with the teachers of Samyka, a school like Yogachara based on yogic experience and proponents of yoga as reflected in Patanjali's famous sutras. He also traveled throughout India and Nepal, establishing the dharma and teaching the Mahayana doctrine. |
| 7 | Gunamati | | Having studied in Nalanda he was instrumental in establishing a Vihara in Vallabhi. He is famous for his mastery of Vinaya, he had studied the Vedic, Hinayana and Mahayana teachings. He composed the Vinaya-Sutra, Basic Teachings of the Vinaya and One Hundred Actions and his Aphorisms of Discipline is one of the "five great books" that |

[54] The Kosa describes the Buddhist path to enlightenment by categorizing and analyzing the basic factors of experience called dharmas.

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| | | form the basis for the twenty year study program in Tibetan monastic colleges. |
| 8 | Sthiramati | A disciple of Vasubandu, he wrote commentaries on Abhidharma and the works of Vasubandu, including the Trimsikabhasya (Commentary on The Thirty Verses). |
| 9 | Vimuktasena | A disciple of Vasubandu, he is famous for his mastery of the Prajna-Paramita sutras. He wrote a text called Twenty Thousand Lights on the Prajna-Paramitas and towards the end of his life he became the spiritual guide of a king in South India and supervised twenty-four temples where he widely taught the Prajna-Paramita Sutras. |
| 10 | Dharmapala | A disciple of and head of Nalanda after Dinaga, he was also the Abbot of Mahabodhi Monastery and wrote a number of original works and commentaries. |
| | **Name** **Date** | **Contribution** |
| 11 | Padmasabhava (8th cent CE) | Spread of Vajrayana Buddhism in Tibet |
| 12 | Santarakshita (8th cent CE) | Spread of Vajrayana Buddhism in Tibet |
| 13 | Silabhadra | Master of debate he was conversant with the teachings of all sects, Buddhist sutras and commentaries. He was the head of Nalanda and taught Consciousness Only doctrine to Xuanzang through his exposition of Asanga's Treatise on the Stages of Yoga Practice |
| 14 | Viradeva | Native of Nagarahara, near Jalalabad |
| 15 | Naropa | Teacher and instrumental in propagation of Vajrayana in Tibet |
| 16 | Vajrabodhi (8th cent CE) | Spread of Vajrayana Buddhism in China |
| 17 | Amoghabhadra (8th cent CE) | Spread of Vajrayana Buddhism in China |

*Table No. 05: Contributions of Nalanda Mahavihara* (Wordpress, 2006)( Bapat, Prof. P.V.)(Mookerji, 1974)(IGNCA & Behl, 2013)

### *iii. a. Influence on Buddhism through structuring of the disciplines of (Indian) Logic and (Indian) Philosophy*[1]

By the 3rd century CE, 4 major schools of thought developed through the pedagogical pursuits of the Buddhists each having distinct definition of metaphysics or reality and epistemology which concerns the knowledge of reality. These included the *Vaibhasika or Bahyapratyakshavadi (Realist)* and *Sautantrik or Bahyanumeyavadi (Representational or Critical Realist)* which were mainly propounded by the Hinayanists while the *Sunyavadi or Madhyamika (Similar to Nihilism*[2] *in Europe)* and *Vijnanavada or Yogacharya (Subjective Idealism)* were followed by the Mahayanist[3]. Of these, the Madhyamika and the Yogacharya School travelled with its scholars to China, Japan, Korea, Tibet, Burma and Nepal and were instrumental in redefining the socio-cultural life and identity of the countries.

In India the Madhyamika and Yogacharya principles maintain the maya-like nature of the world that the world is unreal. This view is shared by the Advaitins, a contemporary faith, who absorbed the non-origination theory (*sunyata*) of the Madhyamika school. Sankaracharya, one of the great proponents of Advaitasim used the illusion theory to fight against Naiyayika and Vaisesikas. These doctrines were borrowed by the Advaitins, a contemporary faith, who also supported the former`s non-origination theory (*sunyata*).

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[1] It is important to note that religion and education in the ancient and early medieval India shared the same fundamentals and aims. This overlap of sacred and secular has caused much of Ancient India`s wisdom to be stored in the form of religious tenets and canons. Hymns, chants and invocations have often found to contain the virtues or properties of natural elements, cyclic phenomena of nature and the human bio-physical systems. The mysticism associated with the sacred is but a medieval and late medieval phenomenon where religion more ritualistic at the backdrop of changing socio-cultural conditions (which includes introduction of new thought through emergence of Jainism, Buddhism, Vaishnavism and contrasting ones like Islam).
The overlap of education and religion in the case of Buddhism is also interesting as pedagogy; especially philosophy has been one of the key elements in it. Many debate that Buddhism is more akin to philosophy than a religion and validate it with the School`s of thought fostered by generations of monk-scholars who followed the Buddha. While there is great diversity in the fundamental principles of the Schools of thought, all agree to the contributions the Buddhists as whole made to the discipline of Indian philosophy and logic. (Chatterjee & Dhirendramohan, 2010) (Mookerji R. K., 1974).

[2] Unlike Nihilism, Sunyavadi or Madhyamika does not deny all reality but only the apparent phenomenal world surrounding us.

[3] Mahayana principles of the 5th CE were based on the philosophies of Sunyavada and Vijnanabad (Nihilism and Idealism respectively) and the Surangama sastra which was propounded and perhaps written in Nalanda by Dharamapala and often referred to as the Sky flower (which denoted worldly phenomenon as unreal or illusion) doctrine (Sankalia H. D., 1934).

- ***Vaibhasika or Bahyapratyakshavadi (Realist)*** – While the Vaibhasika`s, similar to the *Sautantrikas* hold that mental and non mentals state of existence are real, they differ in the manner of our mind`s engagement in acknowledging the actual existence of the object. To this School of thought for an object must be perceived by us to know of its existence i.e. for the mind to acknowledge its existence its image must be present in our mind. This finds base in the theory direct realism and is the fundamental for the Abhidhamma treaties.

- ***Sautantrik or Bahyanumeyavadi (Representational or Critical Realist)*** - Mental and non mental – both state of existence is real and hold that external objects are not perceived but inferred. This Theory is also called the theory of inferability of external objects and its principles resemble the '*representationalism*' and '*copy theory of ideas*'. The arguments used in this school to refute the principles of subjective idealism predate those developed by Western Realists` like Moore to challenge the views of Subject Idealists like Berkely.

  According to this school, objects always exist external to our consciousness and being external the object possesses the capacity to give a form to the different states of consciousness. Our ability to perceive any object depends on four conditions – alambana, samanantara, adhipati and sahakari pratyasas and not our 'state' of mind i.e. consciousness, alone. The image of the object present in the mind is a combination of the following – the object`s existence in its unique form, presence of the required kind of consciousness (tactile, visual, auditory etc) and supporting auxiliary conditions like illumination, convenient posture, perceptible magnitude etc. The existence is hence not perceived but inferred by our conscious mind as the object does not exist in our mind but is external to it. The arguments of this School still continue in a modified form in the philosophies of critical realists, till date.

- ***Sunyavadi or Madhyamika (Similar to Nihilism[4] in Europe)*** - They hold that there is no reality, mental or non-mental and that all is void. It is based on the concept of Sunyata or voidness which is the real, indescribable and indeterminable nature of reality deduced from the fact of being dependent on other things or conditions. This conditional character of any object lends to the factor of constant changeability and its non adherence to either extremes perspective earns it the quality of being the middle path or Madhyamika. Nagarjuna, one of the first scholars of the Nalanda Mahavihara is considered the founder of this school of thought.

This School of thought was carried to China by Bodhidharma, attributed to have established the Chan or Dhyani Buddhism in the 5$^{th}$century CE which bases itself on Nagarjuna`s Mahyamika School formed at Nalanda. Its principles influenced Kau Hwei-Wen who combined the same with the Tai Chi Tu Lun to establish the Nan-ngo and Tsing Yuen Schools which form unique philosophy of institutions. It must be noted that Chan remains one of the two living sects in China, the other being Tien-Tai through which Mahayana continues till date (Chatterjee & Dhirendramohan, 2010)( Bapat, Prof. P.V.).

The Sects of San-lun-tsung, Pan-jo-tsung and Hsing-tsung which bases its fundamental on samavrti-satya (conventional truth) of the Madhyamika School influenced socio-cultural life of the Chinese for more than 8 centuries and today lives have shaped the disciplines of history and philosophy in China apart from forming the crux of Tibetan Lamaism.

In Japan, as many as eight sects (of the thirteen) namely Jodo, Jodo-shin, Yuzunenbutsu, Ji, Rinzi, Soto, Obaku and Nichiren were formed on the principles of the Madhyamika School. Of these, the Jodo, Jodo-shin, Yuzunenbutsu and Ji comprise of the Pure land Buddhism Sect and found great popularity among people of Japan. Of these Jodo became one of the most influential in the country. The Rinzi, Soto and Obaku are the three branches of Zen Buddhism (the word Zen is a transcription of the Sanskrit word Dhyana, meaning contemplation) and was introduced from China based on Madhyamika principles. It found great followers

[4] Unlike Nihilism, Sunyavadi or Madhyamika does not deny all reality but only the apparent phenomenal world surrounding us.

among the Japanese warriors enhancing their capability of controlling the mind. From the monochrome paintings (black and white), tea ceremony and ikebana to the formulation of Bushido (Japanese Chivalry), Zen Buddhism has made significant contributions to the development of Japanese culture.

- ***Vijnanavada or Yogacharya (Subjective Idealism)*** - They hold that only mental is real and all that is non-mental or material is void of reality. The mind here is considered a store-house or home of all impressions and is in a stream of continuously changing state. It is only through culturing and self control can one stop the potential mind to overcome undesirable state and develop into an ideal state of nirvana and hence possess the power to differentiate the 'real'. This is important because, according to this theory, an object perceived is not different from the subject or the perceiving mind and hence is called Subjective Idealism.

  This school adjudges that chitta (conscious mind) cannot be considered unreal otherwise all thoughts and processes of the mind of the Madhyamika would be false. Chitta or conscious mind contains different kinds of ideas and that knowing depends on consciousness of the ideas. This would enable the true realization of the object itself and its component parts. This school of thought admits that there is only one kind of reality which is the nature of consciousness (vijnana) and objects which appear to be material or external to consciousness are only ideas or state of consciousness. It is the state of mind and not a state of will that determines human perception of a subject. Its dependency on conscious cultivation of the mind in developing techniques of thinking have found it to be of great interest among the Yogi`s or those who practice yog[5]. The principles of Vijnanavada were instrumental in shaping Buddhist canons since the early 7$^{th}$ CE and had the most far-reaching impact.

  Acharyas Asanga, Dinagga and Vasubandhu of Nalanda Mahavihara shaped this School of Indian Philosophy. In China this School and its tenets were propounded by Xuanzang which crystallized into the Consciousness Only Schools of thought. The

[5] It is important to note that Yog needs to be understood as the method of conscious processing or cultivating of thought (Mookerji R. K., 1974).

latter became instrumental in introducing and establishing Mahayaha Buddhism in China and Japan.

In China Vijnanavada travelled in the form of Wei-shi-siang-kiau and studied sastras and other works like the Wei-shi-lun. Its principles were developed in Nalanda and were taught by Kiai-Hein to Xuanzang who upon return propounded the same in China. In China, this school is called the Fa-siang-tsung (meaning *The School of the True Nature*) and was lead by Xuanzang`s disciple – Kwei Ki. One of the sastras that the Fa-siang-tsung followed was the Hwa-yen-sutra (Avatamsaka-suta).

The latter became the founding principles for the Avatamsaka School under Hwa-yen in 7$^{th}$ -8$^{th}$century CE, who was the third guru of the Fa-siang-tsung. The Avatamsaka School is one of the most important sects in China and like Tien Tai represent the genuine philosophy of Buddhism.

The principles of Yogacharya School formed by masters like Asanga and Maitryea was studied extensively in Vikramshila Mahavihara and one of its distinguished masters, Aitsa carried its principles to Tibet. The latter propounded the Yogacharya School and his disciple Hbrom-ston formed the Bkah-gdams-pa School[6] based on the principles of Yogacharya School. The principles of Bkah-gdams-pa School was reformed by Dge-lugs-pa by relieving much of the elaborate ritualism and this formed the crux of Tibetan Buddhism followed through the succession of the Dalai Lama.

Apart from the Bkah-gdams-pa, the principles of Yogacharaya also influenced Bkah-rgyud-pa (Oral Traditionalism) and branched into Hbrug-pa and Karma-pa, where the latter deserves special mention, initiating the system of spiritual succession which is practiced in Tibetan Buddhism till date. The Karma-pa has found great number of followers in Tibet, Sikkim and Nepal, where it`s called Karmika while the Hbrug-pa has been accepted widely by the people of Bhutan.

The Sa-skya-pa School was closely related to Rnin-ma-pa which was propounded by Acharya Padmasambhava. This school assimilated the old and new principles of Tantrism on the basis of Nagarjuna`s Madhyamika and was one of the

[6] This school assimilated the Mahayana and Hinayana principles enforcing followers to practice celibacy and discouraged the used of magic.

most revered sects in Tibet. It is also noteworthy that the Sa-skya-pa School found great support among the Mongol rulers of China, of whom Prince Khublai conferred the High priest of Sa-skya-pa the sovereignty of central Tibet. Thus, began the era of theocratic rule in Tibet. The scholars of the Sa-skya-pa School furthered the cause of Buddhism in Tibet, authoring several volumes of its doctrines in Tibetan and systematizing its content in compressive groups.

Buddhism attained great importance in Nepal since the 4$^{th}$century CE when eminent Nalanda scholar`s like Acharya Vasubandhu of the Nalanda propagated the doctrines of Yogacharya School there. Following, the Karmika was introduced in Nepal from Tibet which also draws its fundamentals from the Yogacharya School and gainedgreat popularity by the 7$^{th}$century CE. The 13$^{th}$-14$^{th}$century CE saw a further growth of Buddhism when it was under attack of the Islamic rulers. During this period, several scholars of Nalanda, carrying innumerable manuscripts were said to have taken refuge in Nepal and Tibet, influencing the sacred and secular lives of people in both countries.

At the Mahavihara the continuous engagement with Vijnana enabled cultivation of an esoteric school referred to as Mantrayana or Vajrayana or Tantrayana, grounding itself on the Yogacharya principles. Its practice was characterized by Mantra Dharani and mandalas and became a principle subject learnt in Vikramshila by the 8$^{th}$ CE. While Tantrayana lost its fervor in India, especially eastern India, it gained popularity in China as Chan, Japan as Zen and most importantly in Tibet. In the latter, Acharya Padmasambhava (Guru Rinpoche) carried with him the Tantric Buddhist principles developed in Nalanda. Assimilating the same with the local Phon religion, the Acharya enabled Buddhism to be accepted by the greater society of Tibet which inturn became the state religion of the country. He is also acknowledged to have established the Nyingma school from which all other schools of Tibetan Buddhism are derived (Religion Facts , 2007)( Bapat, Prof. P.V.)(IGNCA & Behl, 2013).

### *iii.b. Linguistic tradition of Nalanda*

Remnants of the scholarly tradition of Nalanda have survived through the ages and been preserved in Asian countries such as Bhutan, Nepal, China,Japan, Mongolia, Siberia, Kalmykia and Tibet. This was enabled through the tradition of translation fostered by Nalanda. Generations of scholars came to Nalanda versed in Sanskrit to translate Buddhist texts in their respective mother tongues and took the same back to their country. This tradition influenced not only the socio-cultural-religious life of the distant lands and the language of the country but also kept the flicker of Buddhism alive.

The culture and language of Tibet is a living testimony to this tradition. From formulation of the Tibetan script (to receive knowledge from Nalanda) to the gradual establishment of Buddhism as a State religion replacing the Phon practices, Buddhism made an indelible mark on all facets of the Tibetan life. The scores of manuscripts written by Acharyas like Padmasambhava, Acharya Shantarakshita, Asanga, Vasubandhu, Dharmakriti, Dinaga, Gunaprabha, Sakhyaprabha, Buddhapalita, Bhavaviveka, Chandrakriti, Vimuktaseva, Shantideva, Atisha remain some of the famous works which have not only enabled continuity of Buddhism but preserved the knowledge of medieval India for posterity (Loizzo, Candrakīrti and the Moonflower of Nālandā: Objectivity and Self-Correction in the Buddhist Central Philosophy of Language).

### *B. Internal Administration System*

A collection of inscribed seals, inscriptions and records of scholars indicate the prevalence of a highly hierarchical system that managed the ten thousand scholars and over fifteen thousand teachers of the Nalanda Mahavihara. This system can be broadly divided one for academics (Refer to *Section 2.a.v.A.a. Education System of Admission and Studentship*) while another for administering resources to benefit the pedagogical endeavors of the Mahavihara.

#### *a. Network of Mahaviharas*

According to Xuanzang who was a scholar of Nalanda at the zenith of its fame (7$^{th}$century CE), the Mahavihara functioned in a network or a conglomeration with several other educational establishments in the region. The viharas in *Tilhara*, those of the pre-Pala period and those at Oddantapuri, Vikramshila, Jagaddala and Sompura built during Pala period (8$^{th}$century CE – early 10$^{th}$ century CE), formed a network with Nalanda as a nuclei, following the administration system of Nalanda(Loizzo, Candrakīrti and the Moonflower of Nālandā: Objectivity and Self-Correction in the Buddhist Central Philosophy of Language).

#### *b. Administrative Structure*

The structure of Nalanda`s administrative system can be ascertained from the seals and inscriptions recovered during excavation of the site and the greater Nalanda region. The *Mahavihara* was governed by an apex committee headed by a *Kulapati* or an *Adhyaksha*[7], a distinguished acharya acclaimed to have composed several *sastras*. The likes of *Silabhadra* and *Viradeva* were known to have held this office through mutual selection by members of all the *sanghas*. The office of the *Karmadana* was responsible to delegate duties for functioning of the Mahavihara which included management and repair of the individual structures, ensuring adherence of discipline, arranging order of precedence of congregational feasts etc among others. Equivalent to the *Karmadana* was the office of the *Dwara pandita* (dean of admissions) who presided

[7] This was an aberration from the Vinaya rules.

over matters of admission. As per Xuanzang each vihara functioned like a specialized college and were administered by a *Bhikshu Sangha* whose offices were placed within the vihara as well. To preside over matters of education and administration of each vihara there was an office of the *Varika* who headed or governed the *Bhikshu* (Ed-Mani, 2008)(Mookerji, 1974)(Dutt, Buddhist Monks and Monasteries of India, 1962) (Bapat, Prof. P.V.).

Apart from the academic and administrative staff, Nalanda had an appreciable number of lay staffs who maintained buildings, grounds and provided a variety of services like receiving guests, serving and cleaning up at meals, beating the time-drum, and generally managing non-academic affairs. While their exact number were not documented, this group constituted of two categories, one constituted of students while the other were perhaps non-students who lived in nearby villages showing the interdependency of the Mahavihara and the local community. The students who were a part of the support staffs included lay students, *brahmacārin* (students admitted for secular studies) and the *mānavas* (novices preparing for ordination). In Xuanzang and Yi Ying`s records the *mānavas* were a part of a study-cum-work program and who in lieu of their service were fed, housed and taught at the Mahavihara (Loizzo, Candrakīrti and the Moonflower of Nālandā: Objectivity and Self-Correction in the Buddhist Central Philosophy of Language).

### *c. Management of resources*

There were two types of resources that were made available to the scholars of the Mahaviahara. First were gifts earned or received by the scholars and formed a part of the common asset supporting the functioning of the Mahavihara. The second type was in the form of facilities which were provided to the scholars supporting their pursuit of knowledge.

### *d. Resources in the form of Gifts and Donations*

The Nalanda Mahavihara, like other similar establishments depended on grants and donations earned[8] by its scholars either by winning at a debate convention or through a system of perpetual endowment. In case of the latter, patrons bought from the Mahavihara its assets and gave in return both the asset itself as well as the evaluated cost of the assets. The latter system ensured increase of wealth for perpetuity, a practice prevalent during the Gupta period and was referred to as *Akshayanivi* (Mookerji R. , 1989)(Mannepalli, 2013)(Ed- Mani, 2008)(Mehta, 2013).

### *e. Gift of in the form of immoveable assets*

Gifts noted to have been received at Nalanda can be classified as immoveable and moveable assets, where the former consisted of land grants, produces of villages and other intangible supports for sustenance. Records show that Nalanda enjoyed the resources (including their pasture, plots, trees, water-bodies, open spaces and dry lands, *uparikara*, *dasaparadha* and *chaurodharana* and with all taxes) of as many as two hundred villages[9], apart from agricultural produce and orchards donated by royal patrons. Since scholars were barred from tilling the land, villagers were hired to cultivate land in lieu of five-sixth of the produce. As per Hwi Li, the Mahavihara was bestowed several hundred picules of rice, 20-40 tons, dairy products, textiles, beddings, medicines and other produces to support its functioning annually.

[8] In medieval India, scholars worth was evaluated at debate conventions organized at court of Kings. A winner was not only acknowledged as a knowledgeable soul but earned land grants, money, precious metals etc in appreciation. Being bound by the Dhamma and as per the norm, the Buddhists allocated such worldly (…….) to the educational facility they were affiliated to and which in-turn supported their pursuit of knowledge. The Nalanda Mahavihara was known to be the School of Logic and Philosophy of Medieval India. Its innumerable scholars of each generation earned this establishment not only fame but also resources which supported its functioning. For example Harṣa, donated the tax revenue of 80 large towns in Orissa to support the teaching activities and personal comfort of the scholar Jayasensa(Dutt, 1962) ( Bapat, Prof. P.V.) (Mookerji, 1974) (Mehta, 2013).

[9] It must be noted that the villages donated were not administered by the Mahavihara while its produces were allocated for functioning of the same(Ed- Mani, 2008).

### *f. Gift of in the form of moveable assets*

A large number of gifts were received by the monk-scholars from Kings and from laymen included gifts like money, gems, sacred images, textiles, incense, water-clocks, utensils and delicacies of all kinds, along with staffs for their maintenance. This set the scholars of Nalanda apart, as most, even the youngest of scholars possessed items beyond the 13 permitted in the Vinaya[10].

Money and gems received were divided under three heads – the ***bauddhika*** (religious purposes), the ***dharmika*** (academic purpose) which went towards the maintenance and enhancement of infrastructure like library collections and the ***sanghika*** which was distributed among the *sangha*. Non-monetary gifts became a part of the community`s asset and was for common consumption. Sacred texts and commentaries received became a part of the library which was accessed by all scholars. Other non-monetary gifts like as robes, water-filters, metal bowls, locks and keys, needles, razors, knives, axes, chisels, earthenware pots and water basins were distributed among faculties and students based on seniority which became a part of the Mahavihara`s asset upon the owner`s death. Exceptions were made for eminent scholars who were allowed to retain donations such as lands, houses, shops, beds, chairs, iron and copper bowls or tools which only upon their death were kept as a part of the common asset. Other forms of gifts noted were animals, paints and medicines. Of the animals, bulls and sheep were retained as a part of the Mahavihara whereas other animals like horses were sent to the royal stables. Gifts which included any form of intoxicant were immediately discarded.

[10] The 13 items allowed include outer garments (*antarvāsa, uttarāsaïga*) and undergarments (*nivāsana*); a cloak (*saṃghāti)*; a shawl (*saïkṣita*); a bowl (*pātra*); a mat for sleeping and meditation (*niśīdana*); a water-filter (*pariśravaṇa*); four towels (*proncchana*); a bandage (*praticchadana*); and some luxury fabric (*pari-śkāracīvara*) to be sold for medicine in the event of illness (mendicants could not carry money

### *g. Supports for scholarship*

#### *i. Allocation of space*

Apart from enabling scholars to learn from the most learned persons of a discipline, Nalanda provided high quality of infrastructure which further supported their educational endeavors. Recorded in chronicles of Yi Ying, there was a democratic method for distribution of rooms to the scholars by the high priests. The best spaces, considered the rooms at the four corners of the enclosure, were allocated to the scholars who demonstrated their distinction in academics.

At the onset of monsoon an assembly of priests, possibly the Karmadana together which the Acharyas, Adhyakshas and the Kulapati himself convened a session to decide the distribution of rooms. While each scholar was provided with a room, preferences were given to Sthaviras and the other students followed according to their ranks. Scholars were allowed to retain their rooms for a period of one year which and the process was repeated yearly. This not only ensured maintenance of focus among scholars to out-perform themselves but also enabled a sense of detachment (with worldly possessions) to prevail (Mookerji R. K., 1974).

#### *ii. Access to Library*

While no archaeological evidence of the library at Nalanda remains, records mention the built ensemble constituting of the Ratnaranjak, Ratnasagara and Ratnadodhi where the latter was noted as a 9 storied structure. These were known to have housed innumerable manuscripts covering a wide range of subjects with special focus on Buddhism. These manuscripts were either acquired in the form of a gift or earned through winning debate convention or collected from a scholar`s private collection upon his death.

The library was a melting pot of culture and its stock was enriched by gifts (of manuscripts and texts) but also by the tradition of translation. According to Chinese, Korean and Tibetan scholars, one of the primary reasons for foreign students to learn Sanskrit was to be able to translate manuscripts and carry the wisdom back to their

homeland in their respective mother-tongue. The continuation of this tradition among generations of scholars not only led to dispersal of Buddhism to distant quarters of Asia but also preserved the wisdoms of this religion during its twilight years in the Sub-continent. This tradition also leant to the mutual development of classical languages like Sanskrit, Tibetan and Chinese as well as but also introduced to regions beyond the sub-content concepts that were known only within its boundary (Mookerji R. K., 1974)(IGNCA & Behl, 2013).

***iii. Maintenance of disciplined life***

The daily life of a scholar was disciplined and followed the measure of time by a clepsydra (water clock). In the morning scholars enrobed in either red (seniors) or saffron (newly ordained) or white (novices) cloths approached water bodies beyond the walls of the Mahavihara for their daily bath. Upon return, they cleaned their rooms and performed their prayers and recitation while in the courtyard such rituals were conducted at a community level by the *Karmadana*.

Morning classes were preceded by a walk and prayers. During the class, hundreds of scholars sat in pulpits discussing and listening to lectures on wide variety of topics. According to Yi Ying, often in between lectures, eminent scholars assembled in groups to discuss ‘impossible doctrines’ and this pattern continued till noon when students and faculties returned to their respective viharas for a simple meal of rice, ghee, milk, butter, fruits, soup, bread, sugar, tea, and desert of syrup and betel-nuts or leaf. During lunch if one`s meal was completed before others, he became a reader for the others. After cleansing the dining spaces, classes convened in the late afternoon hours.

During sunset, scholars performed *pradakshina* of a stupa located beyond the walls of the Mahavihara with an offering of flowers and incense and congregated in their common hall for classes in the evening. A reader seated on a *siṃhāsana* narrated scriptures and led a threefold service based on a text such as Aśvagoṣa's *Threefold Service* or Mātṛceṭa's *One Hundred Fifty Verse Hymn* followed by offering prayers to the three jewels and thereon dedicatory prayers. In the evening to wee hours of the night,

students were engaged in self-study, completing tasks of the day and preparing for the following day`s work. The night was divided into three quarters – where the first and third were dedicated to meditation or recitation of poetic works such as Nāgārjuna's *Letter of Advice*, *Aśvagoṣa'sDeeds of the Buddha*, Mātṛceṭa's *Hymn to the Buddha (Sārdhaśataka-Buddhaśaïsaṃgāthā)* or Āryasūra's *Rosary of Lives* (*Jatakāmāla*) while only the second quarter was left for sleeping(Loizzo, Candrakīrti and the Moonflower of Nālandā: Objectivity and Self-Correction in the Buddhist Central Philosophy of Language)( Bapat, Prof. P.V.) (Dutt, Buddhist Monks and Monasteries of India, 1962).

Nalanda`s disciplined life and adherence to high standards of health and hygiene is chronicled in golden letters by Chinese scholars like Yi Ying, Xuanzang and Hwi Li. In contrast to other contemporary establishments in China and Indian subcontinent this Mahaviharas focus on a scholar`s well-being apart from their intellectual growth was highly appreciated. (Loizzo, Candrakīrti and the Moonflower of Nālandā: Objectivity and Self-Correction in the Buddhist Central Philosophy of Language). The adherence to such lofty standards and codes of conduct ensured prevalence of great harmony between scholars of warring sects and ideologies. This ensured a highly productive environment for scholarly pursuits enabling application and development of theories, ultimately resulting in formulating the disciplines like philosophy and logic (Mookerji R. K., 1974).

## 2.B. History and Development

The convergence of political stability, access to resources and changing role of the 'educated' in the society enabled establishments like Nalanda Mahavihara to dot the landscape of early medieval India. With the gradual ruralisation of Indus Valley, the focus of civilization shifted eastwards to the Gangetic plains marked by conducive climate and accessible abundant natural resources critical for human development. The region of Magadha[1] bordering the eastern edges of the Gangetic plains not only enjoyed the aforementioned but also was sheltered from invasions or power struggle for an appreciable length of time (12$^{th}$ century CE). The advantage enjoyed by Magadha manifested in it becoming the seat of power, trade, and culture for dynasties who ruled an appreciable part of the Indian subcontinent from Rajagriha (or Rajgir) and later Pataliputra (or Patna, capital of Bihar today) till the close of 12$^{th}$ century CE.

### *2.b.Factors leading to rise of Nalanda Mahavihara*

#### *2.b.i. Proximity to power*

The Kingdom of Magadha remains mentioned in the two great Epics – *Ramayana* and *Mahabharata* and records of its existence can be found in the *Puranas* and the Buddhist and Jain texts. As per the *Puranas*, the *Brihadratha* was the earliest dynasty who established and ruled Magadha for a period of 1000 years. This dynasty was overthrown for a brief period of 138 years by the *Pradyotas* of Avanti. Pradyota` s were replaced by Haryanka Dynasty who ruled for a period of 200 years, from 684-424 BC with their first capital as Rajagriha (Rajgir) and later as Pataliputra (Patna). It was under the Haryanka`s that Buddhism flourished into one of the world`s most revered old-world religion till date.

The Haryanka`s were followed by the Sishunaga and then ruled the Nanda Dynasty. With the end of the Nanda`s in till 321 BC, the Kingdom of Magadha gained prominence and became the seat of power of the Maurya`s. Under the latter, the Empire stretched

[1] Although the boundaries of *Magadha* changed over time, it is known to have spanned an area demarcated by Rivers Ganga, Sone and Champa to the north, west and east respectively, the Vindhyan Range to the south, possibly coinciding with modern day districts of Patna, Jahanabad, Nalanda, Aurangabad, Nawadah and Gaya and parts of West Bengal to the east.

from Pakistan and Sindh in the north-western frontiers to Bengal in the east and the modern day states of Karnataka and Andhra Pradesh in the south. The region of Magadha of the capital under the Mauryan Dynasty controlled an expanse that coincided with the whole of modern India. Known for introduction of unified governance and social reforms, the *Mauryans* enjoyed unprecedented growth in trade and were instrumental in propagating Buddhism in Asia. The Mauryan dynasty lacked centralization and fragmented which weakened the empire considerably(Nakamura, 1987).

From 185 BC to 240 AD the *Sunga*, *Kanva* and *Satvahana*[2] Dynasties conquered Magadha, before it became the seat of power for the Gupta Dynasty. India under the Guptas (240-550 AD) experienced a form of political stability which manifested human development that many refer to as the Golden Age. It is during this point of time that the culture of *Mahaviharas*, like *Nalanda* further flourished, continuing the legacy begun by Mauryan Emperor Ashoka.

The Gupta`s were the last of the *great powers* who ruled Pre-Islamic India. The region of Magadha after the Gupta`s was a part of regional powers like the Palas, then the Senas. This adversely impacted the patronage upon which establishments like *Mahaviharas* heavily depended. Furthermore, the growing power of the Khilji army by 13th century CE became consequential to the existence of the *Mahaviharas*. The fall of the regional powers became crucial for the discontinuity of functioning of the *Mahaviharas* at the backdrop of the Islamic army. While the latter`s onslaught only destroyed the establishments physically, the dwindling patronage and political instability made it impossible for new similar establishments to be formed[3].

[2] These powers were Brahmanistic and propagation of Buddhism received a set-back. These kingdoms were attacked and overthrown by the Greeks and their culture was coloured by the Greek culture and religion(Nakamura, 1987).

[3] In addition to these factors was the fragmented character of Buddhism itself. What started as a group who shared a bond based on a single principle, had by the end of the 9th century CE differentiated into smaller clans each professing individual line of thought. The lack of cohesion and growing internal conflict within the Buddhists also contributed to their decline(Dutt, Buddhist Monks and Monasteries of India , 1962)(Bapat, Prof. P.V. , 1956)(Phuoc, Buddhist Architecture, 2010).

### *2.b.ii. Changing society and importance of education*

#### *a. Emergence of States and appreciation of knowledge in society*

The emergence of State as a consolidated political identity during post-Vedic (1400 BCE-600BCE) times necessitated participation of 'knowledgeable' persons in administration and governance. This necessity created a large section in the contemporary society who dedicated their existence to the pursuit of knowledge and were capable of structuring logic, justification and proof-building which altogether contributed in developing the disciplines of (Indian) logic and philosophy. Post Vedic Gangetic plans gradually transformed into a hub of scholasticism. As sixty three sects like the *Nigantha*, *Ajjivika*etc whose primary focus in life was to establish their intellectual superiority characterised late-Vedic society.

Sects rivalled each other at debate conventions that were organised at royal courts. At these conventions individuals who were considered the embodiment of their respective sect or clan established their superiority by proving that the opponent`s knowledge was inferior. Through this system the clan or sect gained patronage, recognition and increase in the number of followers as it was incumbent upon the defeated to proselyte. It was under this intellectual backdrop that Buddhism was conceived and its ideologies shaped.

#### *b. Intellectual movement in the Gangetic Valley*

Intellect has been the key for man`s survival and ultimately human dominance over species. By the 1400 BCE his ability to reduce struggle for existence[4], gave man the opportunity to delve deeper into the repercussions of his actions rather than attain an impact from an action. This phase is crucial to the history of knowledge as it establishes the fact that man`s desire for knowledge is a reflection of his rational self as well as man`s realisation of the permanence of metaphysics in existence. His endeavour to be free from entanglement of the world through realisation of the 'truth'

[4] By the 1400 BCE, men of the Gangetic plains were able to mine and use iron ore in making implements which lessened efforts and heightened his efficiency. The immediate struggle for existence comparatively reduced enabling man`s rational self to surface.

(*tattvadarshana*) formed the crux of philosophy (*darsana*) followed by all Post Vedic Systemsof thought existing in the Indian subcontinent[5].

With the passage of time and engagement of diverse minds, philosophy of the subcontinent bifurcated into two branches – that of the astikas[6] (orthodox, upholding the authority of the Vedas) and nastikas (heterodox, denouncing the authority of the Vedas). A wide spectrum of perspectives co-existed[7] among the Systems (of Thought) in post-Vedic Gangetic plains all of whom endeavoured to know the truth but adopted contrasting methods of *speculation* in attaining the same. In other words, while philosophy moves from the known to the unknown and draws from human experience there is a disagreement in identifying the valid ones for the purpose*Table 06: Schools of Indian Philosophy and Different Systems of Thought prevalent in Post-Vedic Gangetic plains of the Indian Sub-continent* and *Table 07: Comparison of position of experience and reasoning in approaching Truth.*

[5] The principle difference between Philosophy shaped in the Indian subcontinent and that in the Western (Europe) is that when the latter views metaphysics, ethics, aesthetics, logic, psychology and epistemology as mutually distinct, the former holds all aspects in unity. In addition, while philosophy of both spheres dwell on the definition of truth there is variance in the approach and process of development of though varies greatly.

[6] It is important to note that the word Astika in Sanskrit denotes one who believes in life after death and uphold the authority of the Vedas. Nastika on the other hand stands for those who do not believe in life after death as well as the authority of the Vedas. In modern Indian language Astika is synonymous to theist while Nastika to atheist. For the purpose of the dossier, the traditional (Sanskrit) meaning will be adhered to.

[7] In the Indian subcontinent, philosophy was lived as a part of life by a group of individuals and its application was in shaping lives. This group eventually formed a School of that Philosophy and enabled co-existence of different groups together over time.

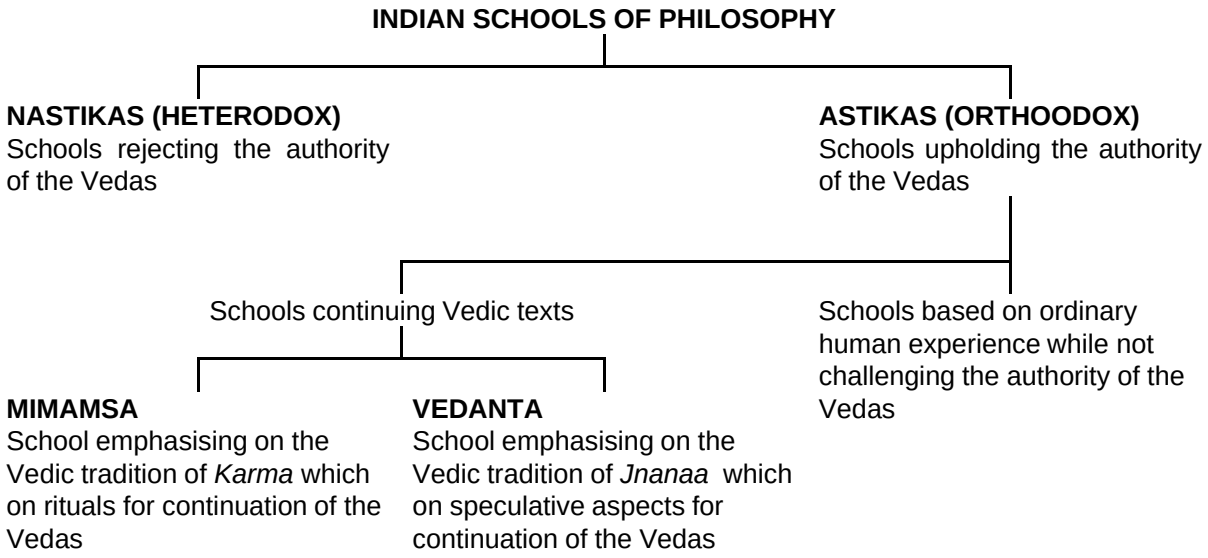



*Table 06a: Schools of Indian Philosophy*

| CHARVAKA | JAIN | BUDDHIST |
|---|---|---|
| Perception is the only valid source of knowledge. Testimony of another, inferences etc which sum up as non-perceptual knowledge are dispensable. | In addition to perception, inference and testimony are both valid source of knowledge. Inference yields valid source of knowledge when it obeys logical rules of correctness. Testimony is valid when its source is a reliable authority. To a Jain, it is the authority of the omnipresent liberated saint that one can attain unerring knowledge, which out limited sensorial perception and reasoning cannot reveal. | Knowledge can be understood as:<br>All things are conditional and nothing exists by itself<br>All things impermanent, subject to change<br>There is neither soul, nor god nor any other permanent substance<br>There is continuity of present life which generates another, by law of karma.<br>This is contained in chatvari-arya-satyani (four noble truths) inferred by the Buddha. |
| **NYAYA** | **VAISESIKA** | **SANKHYA** |
| Realistic philosophy based on logical grounds admitting four separate sources of knowledge – perception (pratyaksha), inference (anumana), comparison (upamana) and testimony (sabda). | It is allied to the Nyaya system.<br>The system recognises 7 objects of knowledge – substance (dravya), (quality) guna, action (karma), generality (samanya), particularity (visesa), the relationship of inherence (samavaya) and non-existence (abhava). | It admits two ultimate realities, purusa (intelligent principles) and prakriti (ultimate cause of the world), both independent of each other in respect of their existence. |
| **YOGA** | **MIMANSA** | **VEDANTA** |
| It is closely allied with the Sankhya system.<br>Apart from purusa and prakrity, it admits the existence of God. It gives importance to the practice of Yoga for vivekajnanaa or discriminative knowledge, essential for liberation. | Its primary objective is the justification of vedic ritualism and its philosophy developed to support a world-view supporting ritualism. It propounds Vedas are self-existing and eternal, free from human errors as these are not works of any individual. It positions the knowledge of karma contained in the Vedas as unquestionable and self-evident. | This system arises from the Upanishads which mark the culmination of the Vedic speculation, also referred to Vedanta or the end of the Vedas. |

*Table 06b: Different Systems of Thought prevalent in Post-Vedic Gangetic plains of the Indian Sub-continent*

Table 06: Schools of Indian Philosophy and Different Systems of Thought prevalent in Post-Vedic Gangetic plains of the Indian Sub-continent

| | Position 01 | Position 02 |
|---|---|---|
| Role of experience in philosophy | Philosophy should be based on ordinary, normal existence i.e. truth discovered and accepted by people in general or by scientists. | Philosophy should be based on experience of distinguished saints, seers, prophets who have the capacity for direct realisation or saksatkara or darsana. |
| Position of reason (instrument of speculation) | Reasoning follows lead of ordinary experience | Reasoning is made to follow the lead of authority |
| Followers | The Nyaya, Vaisesika, Sankhya and Charvaka ascribe to this perspective | Mimamsa and Vedanta base their theories on Vedas and Upanishads |
| | This is also followed by critical thinkers of modern Western Philosophers | In medieval Europe, Christian scriptures formed the basis for Western Philosophers. |
| | Buddhist and Jains follow both positions. At certain instances, they followed their respective saints as well as draw from life`s experience. However, although these systems start from an authority, the theories they developed are strong and compare well against any theories based on experience or independent reasoning. | |

*Table No 07: Comparison of position of experience and reasoning in approaching Truth*

While each system of thought developed, this growth was never independent ofthe influenced one had over the other. There hence existed a condition of comparable similarity and dissimilarity between different schools. This lead to emergence of mutual criticism where respective school`s refined their ideologies while nullifying objections posed by another. The passion of precise enunciation of ideas in validating one`s School of thought gradually matured into a system of debate apart from compilation of commentaries.

To identify the supreme approach, each School learned the underlying thought of another but withdrew from drawing any conclusions before considering thoroughly what the other had to say. This lead to a system of philosophical discourse where, a School stated first the views of opponent`s case (*purvapaksha*), then refuted the same (*khandana*), thereon presented the statement and proof of his position (*uttarpaksha*) and lastly the conclusion (*siddhanta*). This spirit of treating the rival`s position with respect and consideration is a quality that ancient Indian School`s (of Thoughts) possessed and the system to establish ones` perspective as superior without undermining an opponent was greatly appreciated by contemporary society.

### *2.b.iii. Cultivation of knowledge among Buddhists and their prominence in society*

The tradition of monasticism among (among Buddhist) began with the transition of Siddhartha to Buddha by gaining transcendental wisdom. The path he defined to wisdom is the denouncement of (materialistic) attachments to gain a new spiritual existence through jnana or bodhi(equated to knowledge). The thrust was to experience reality (Ultimate Reality) and abolish ignorance, doctrinal orthodoxy, growing emphasis on magic, superstition, etc. While the Buddha reinstated the contemporary fundamentals of metaphysics and ethics prevalent in contemporary philosophy he insisted on abstinence distanced from ritualism and superiority on lineage which characterised post Vedic Hinduism[8].

While the Vedas do not mention the presence of wandering almsman or bhikshus, Upanishads mention them as a knowledgeable person, much to the like of ascetics (rishis and munis) who lived a life of penance in the forest. While literally, bikshu means one who begs or is a vagabond, the role of an ordained one in the society is productive where begging is a token activity as they have wilfully denounced worldly attachments. In contrast to a begger, a Bhikshu is expected to serve in the society delivering people from dukkha. The food earned is out of respect and not charity from a doner. The begging bowl held by him is the outer symbol of his Dhamma (system of spiritual culture).

Society of the 6$^{th}$ century BCE reconstructed from Buddhist and Jain scriptures show an appreciable number of ordained individuals traversing the Gangetic plains and of these a significant number followed the Boudha system of thought[9] during his lifetime. It is important to note while the number of bhikshus following the Buddha grew in strength and cohesion, He at all instance maintained that propagation of truth precedes that of sectarianism and the dhamma of a bhikshus was relieve society from

[8] This often leads to Buddhism is considered as a schism from Hinduism. In certain respect, Buddhism is also referred to as the maker of modern Hinduism.

[9] As specified by the Buddha the role of the learned is the welfare and happiness of many (Bahujana). So when an ordained one communicated the Buddha`s message of instinct with living truth experience and self realisation' to a lay community and inturn the latter formed a sangha, the bhikshu was obliged to continue with his mission. Formation of a sangha was not considered as an end in itself but a tool to gain greater strength.

dukkha. Hence, bhikshus were morally obligated to serve and live in the society without having denouncing materialistic attachments. The records of I-Tsing who witnessed observance of the Uposatha festival together by the laity and the bhikshus reinforce the fact that the Buddhist system did not exist in isolation. The interface of laity and the bhikshus yielded a bi-fold impact. On one hand the interaction became a factor that developed the society, improving its quality of life, on the other, the systems of worship practiced in the lay community as absorbed by the bhikshusangha, like rituals, emergence of elements of worship in the form of built and artistic forms etc.

In matters of the state, Buddhists believe that though a king is an empowered and entrusted with responsibilities of governance he is but human hence subjected to follies. Furthermore, Buddhists held the view that the state is of impermanent nature, a creation of man, made of components deemed indispensible for its existence. It is hence never above Dhamma and that the duties of its sovereign is to engage in compassionate administration and altruistic deeded. The participation of bhikshus as learned souls in providing guidance in matters of the state and spirituality was also perceived as a moral obligation of the bhikshu. The active participation of bhikshus in matters of the court distinguished the Buddhists from other contemporary sects, often rivaling the dominance of the Brahmans[10]. In appreciation, gifts earned by a bhikshus became the common asset of his sangha. The interaction between the state and bhikshus culminated under Mauryan emperor Ashoka during whose reign Buddhism established itself as a major faith in the Indian subcontinent and beyond.

The involvement of the Buddhists in the matters of the state and the commoners earned them support from both quarters of the society. This is reflected in the generous patronage received ranging from land grants, sangharamas [11] to scriptures and manuscripts which informed the bhikshus of philosophy or system of thought followed

[10] Apart from earning the wrath of the Brahmins, the participation in the matters of the court and involvement in worldly matters also became a reason for the first schism where the orthodox Theravardins segregated from the Mahayanists. As the Mahayanists were of the view that their cause of existence is to help others attain salvation, their presence in immediate society and in the courts of kings was prominent.

[11] Till the Pala Age, sangaramas were established and facilitated by local merchants, nobles men and commoners. The royalty were only of the patrons who from time to time donated for the cause of the establishment. It is over time and consistent receipt of patronage that

by other contemporary sects. The growth of sanghas through patronage manifested in simultaneous elaboration of the Boudhya systems of thought (Refer to *Section2.b.iii.a. of Chapter 2.B. History and Development*) and development of art and architecture (Refer to *Section 2.b.iii.b.of Chapter 2.B. History and Development*) which in combination transitioned the philosophyinto religion.

**2.b.iii.a.Boudhya system of Thought**

There are two principle schools of thought that exists among Buddhists till date – that followed by the Hinayanists and that by the Mahayanists. The difference in the respective schools of thought is in the objective of nirvana. To the Hinayanist, nirvana is sought by an individual to relieve dukkha from his life. Contrarily, a Mahayanist holds, that nirvana is not to relieve dukkha from one`s life but to obtain perfect wisdom with which the liberated soul can work for salvation of others.

***i. The Hinayanists Schools of Thought***

- *Sautrantika School*

This School holds that the mental and non-mental are real and that external objects can be inferred to exist outside of mind. This view can also be understood as *bahanumeya-vada* or representationism or theory of the inferability of external objects.

- *Vaibhashika School*

While this School upholds the fact that external objects can be inferred to exist outside of mind, it differs from the Sautrantika in the method in which external objects are known. To this school an external object is directly perceived and not inferred from their idea and presentation in the mind. This view can also be called bahya-pratyaksha-vada or theory of direct realism.

***ii. The Mahayanists Schools of Thought***

- *Madhyamika School*

This School holds that the world is unreal or sunya and that both mental and non-mental image are an illusion. This view can also be known as *sunyavada*or nihilism.

- *Yogacharya School*

This holds that the external objects are unreal and is a construct of the mind which is real. This view is called *vijnanavada*or subjective idealism.

While the *Sautrantika*and *Vaibhashika*Schools dwells in Sri Lanka, Myanmar and Thailand, the *Madhyamika* and *Yogacharya*Schools flourished in China, Japan, Tibet, Korea and in the Indian subcontinent where transitioned Mayayana to Vajrayana.

### 2.b.iii.b. Development of art and architecture

#### *A. Inception and development of a Mahavihara from a sangharama*

Genesis of monastic living started with Buddha`s first sermon (4th-5th Cent BC) in Isipatana, near Varanasi with the formation of a s*angha*. The latter constituted of ordained *bhikshus*and *bhikshunis*who were to live a life of a wandering mendicant throughout their existence. With the passage of time, they began to take temporary shelter in natural caves (like those in Gijjhakuta in Rajagriha, Bihar) or in viharas (single rooms donated by patrons built of perishable material) during the monsoons to avert destruction of new life (sapling, insects). These temporary rain-shelters were called *vassavasa*(in Pali) and gradually became the seats of annual congregation of the Buddhists. What began as vassavasa continued to be considered as important centres for pilgrimage in varied physical form – some over time were converted into monasteries with built infrastructure while others retain the wooded landscape and organic planning(Phuoc, Buddhist Architecture , 2010)(Bapat, Prof. P.V., N.D.).

a. *Transformations of Vassavasa*

Over time and receipt of patronage the rituals, activities and infrastructure involved in *vassavasa*[12] elaborated shaping the course of Buddhism in the Indian sub-continent. From sharing of ideologies, conducting of discussions and debates,

[12] The period of vassavasa witnessed important ceremonies and practices such as uposatha or recitation of pattimokkha (monastic rules), upasampada or ordaining of bhikshus, pavarana or confessional observations, kathina or distribution or offering of robes and discussion of the Buddha`s teaching etc. These are the fundamental practices of the formative years of Buddhism as a religion growing out of a philosophy. Each practice elaborated in subsequent centuries and continues till date (Phuoc, Buddhist Architecture , 2010) (Bapat, Prof. P.V., N.D.).

vassavasa played an important role in ensuring cohesion of members in a *sangha*, communication between *sanghas* and planted the seeds of regionalisation. While on one hand continuity of vassavasa lead to maturation of the monastic system in Buddhism and aided in the transition of a philosophy to a religion, on the other hand introduced sectarianism which ultimately brought about schism among the Buddhists.

Apart from crystallisation of rituals, v*assavasa* was also instrumental in the continuity and development of the culture of education evolved in the Gangetic landscape[13](Phuoc, Buddhist Architecture , 2010)(Mookerji R. K., 1974). Scholarship was integral to the life of a *Bhikshu*s as it earned them shelter and resources required for tenure of *vassavasa*. Having invested the period to master subjects, like tenets of faith, systems of philosophy and sometime, more pragmatic subjects like agriculture, architecture etc *Bhikshus* effortlessly distinguished themselves at debate conventions held at the courts of kings and emperors. In appreciation benefactors bestowed upon the *bhikshus* ample gifts which were received as common asset of the *Sangha*[14]. This apart, the prevalent norm was to proselytize those who lost at the convention, thereby increasing the number of *Bhikshus* in a *sangha*.

The increase in assets and members in a *sangha* and prolongation of the tenure of *vassavasa* necessitated a permanent shelter[15] and an efficient internal system to further the cause of the *sangha*. The denouncement of wandering and the simultaneous inclination towards a settled existence became the source of dissension among the Buddhists. This led to the first major schism between *bhikshus* who preferred to follow

[13] **Vedic education** (pre 1400 BC) developed in the Gangetic plains and was characterized as a more psychological approach where self-discipline was ingrained from an early life. Taught through verbal and meditative means, self-learning was encouraged. The Gurukul system was followed where pupils or antewasinor gurukulwasi lead a chaste life and served their Archaryas. Learning in the Gurukul system focused on instilling basic values like dignity of labour, humility, obeisance and respect to elders, reverence for allocated duty, honesty etc. Equivalent to primary and elementary learning, Vedic education the laid the foundation enabling individuals to perform their duties in the society.
**Post Vedic** (1400 BC-600 BC-end of Rig Vedic period to beginning of Buddhism) education was characterised by predominance of rituals and to attain moksha or salvation through the same (Jayapalan, 2008) (Mookerji R. K., 1974).

[14]Ordained individuals had to denounce the rights of possessing any worldly belongings.

[15]2 types of vassavasa were constructed. The first were those built of temporary material and destroyed by the bhikshus after vassavasa as ordained by the Buddha. The second were those built of permanent material (like bricks and stones) usually donated to a sangha by patrons. Post-dating those built of temporary materials; these were called sangharama and were usually located in wooded landscapes with ample natural resources (Phuoc, Buddhist Architecture , 2010).

the monastic life over engaging in scholastic pursuits and catalytic in evolving systems of worship (of Mahayana and Vajrayana) and architecture associated with Buddhism (Bapat, Prof. P.V., N.D.)(Phuoc, Buddhist Architecture , 2010)(Dutt, Buddhist Monks and Monasteries of India , 1962)(Mookerji R. K., 1974).

b. *Formation of a vihara in the Indian Subcontinent*

There were primarily two types of viharas based on materials of construction – those which were in caves and those which were built. The oldest were the caves-viharas, restricted to rocky forested-highlands. Those constructed from extractible materials were either temporary or permanent in nature where the former predates the latter. The temporary viharas were the constructed of perishable material like bamboos and destroyed after *vassavasa*. These were 'private rooms' for s single occupant and were roofed by straw or leaves. Entered through a bolted door these rooms had a window and a bench. Initially these single cells were called a '*vihara*'. Gradually, bhikshus of a *sangha* positioned their individual cells in close proximity to each other forming an inward-looking[16] cluster. This formation began to be referred to as a '*vihara*' and matured into the quadrangular residential-cum-educational facility characteristic of later *viharas*. While no physical remain of the temporary viharas have stood the test of time, much is known about them from scriptures recording teachings of the Buddha where he mentioned the type of shelter befit for a *bhikshu*(Mookerji R. , 1989)(Phuoc, Buddhist Architecture , 2010). All sites occupied by temporary vihara continued to be sanctified by pilgrims and some sites were rendered permanent over time by construction of *sangharamas*.

The ***sangharama*** i.e. *arama* (wooded landscapes or orchards) for the *sangha* were donated by patrons and were constructed of permanent materials like brick and stone (in the sub-continent). Devoid of any distinct sacred structures, these communal viharas had residential clusters (referred to as a *vihara*) and ancillary facilities like a bath-house, wells, a hearth, out-houses, halls for *kathina* ceremony, store houses and community halls for the *sangha* forming a complex often enclosed by a brick, stone or wooden

[16] Inward looking clustered afforded the viharas the chosen alienation from the distractions of the outside world (Phuoc, Buddhist Architecture , 2010).

*prakara* or fence. Located at a convenient distance from habitations the viharas were supported by resources drawn from the land donated by patrons and shared a part of the produce with neighbouring settlements[17]. This systematic management of resources later developed into one efficient method of operating *mahaviharas* occupied by tens of thousands of *bhikshus*(Mookerji R. K., 1974)(Phuoc, Buddhist Architecture , 2010)(Dutt, Buddhist Monks and Monasteries of India , 1962)(IGNCA & Behl, 2013)(Mehta, 2013).

Depending on availability of material, geo-climatic and cultural conditions, different types of viharas emerged mirroring the changing paradigms of Buddhism. Communal viharas or sangharama development laid the foundation in the Indian subcontinent by standardising the functions and physical infrastructure required in a vihara. Spaces that like congregational halls, areas for meditation, reception and record keeping, areas for storage of manuscripts etc became integral to vihara complexes by the 1st century BCE. The form of the built[18] quadrangular residential-cum-educational-cum-religio for the bhikshus matured out residential clusters (of individual rooms) of sangharamas and provided an introvert space ideal for yoga (contemplation and cultivation of active memory) integral to attainment of *buddhahood*. It is also important to note that structures built by the assimilation of contemporary architectural and construction systems aided the development of new built-forms like the *stupa*, (*panchayatan*) chaitya that fulfilled the requirements of a philosophy transforming into a religion.

The vihara complexes built between the 2nd century BCE to early 4th century CE show evidence of the process where individual built forms, except the chaitya had matured but interrelationship of enclosures lacked standardization. The only point of standardisation in site-planning evident in such viharas was the commanding position given to the central *stupa*[19] evidencing the concretisation of abstract imparting the Buddha with a symbolic form. It is also interesting to note that from this point, the term '*vihara'* was conferred to the entire complex and not to the residential-cum-educational-

[17] Bhikshus were barred from practices involving extraction form land like agriculture as the process required inflicting injury to life present in the soil (Mookerji R. K., 1974).
[18] It must be noted that similar formation was also noted in cave-viharas, like those in Ajanta, Maharasthra, India.
[19] During its initiation, the *stupa* was not exclusive to the Buddhists. The word *stupa*, meant a *sthup* or a heap. These were commemorative burials of ascetics and saints since the Vedic times (Phuoc, Buddhist Architecture , 2010).

cum-religio facility alone. Examples of some of *viharas* showing the combination of ***matured individual structures laid in an organic layout*** are Takh-i-bahi, (Gandhara Valley, Pakistan[20]), Sanchi (Madhya Pradesh, India) etc

The period between 3rd to 7th century CE saw complexes with perfected hierarchy, repetition of spatial modules and established interrelationship of spaces that commanded activities in a vihara. Monumental in scale housing as many as tens of thousands of *bhikshus* these complexes were also called ***Mahavihara*** or a great vihara showing the maturation of the architectural form of individual elements and emergence of the *panchayatan* chaitya as central sacred structure. The latter had a raised quadrangular platform upon which were placed five shrines in quincuxial layout. The central principle shrine housed a monumental figure of the Buddha while in the sub-shrines were four *dvikpalas, Indra* (East), *Varuna* (West), *Kubera* (North) and *Yama* (South). Encircling the central shrine and interconnecting the sub-shrines was a *pradakshinapatha* whose appreciable width bear evidence to the growth in ritualistic worship replacingthe earlier austere meditative practices. *Stupas* in such viharas were restricted to those housing relics and those commemorating the revered persons associated with the establishment.

Another characteristic feature of the monumental planned viharas of 3rd-7th CE is the development in iconography and iconometry to give shape to the Buddhist pantheon. The simultaneous development of the pantheon and *panchayatan* chaitya in vihara complexes of 3rd-7th century CE became instrumental in completing the transition of Buddhism into a religion. One of the most revered and standing example of such complex is the *Nalanda Mahavihara* (Bihar, India), an educational facility of par excellence (Phuoc, Buddhist Architecture, 2010)(Bapat, Prof. P.V., N.D.)(Dutt, Buddhist Monks and Monasteries of India , 1962).

[20] Under the Kushanas, the seat of power moved from Magadha (eastern Gangetic plains) to the Gandhara valley. This gave great impetus to the propagation of Buddhism in the northeastern frontiers of the subcontinent and the Gandhar valley was dotted by numerous viharas. With the attacks of the Hepthalite Huns the seat of power returned to the Gangetic plains under the Gupta Dynasty. Magadha re-emerged as the seat of power and patronage to difference cultural forms resumed (Majumdar, Raychaudhuri, & Datta, 1981).

While the nomenclature '*Mahavihara*' continued, establishments postdating 8th century CE were of reduced in scale, for about three to four hundred occupants and assumed the formation of a *viharapura*, reminiscent of a fortress. Established by the Pala dynasty these formations are evident only in the eastern region of the Indian subcontinent and have a centrally located cruciform *stupa*-temple enclosed in a quadrangular courtyard. Along the latter are aligned rooms of bhikshus and the complex is entered through a single gate. Ancillary structures like wells, hearth, votive and commutative stupas and shrines were located in the courtyard suggesting it to be where the sangha congregated.

The symmetrical cruciform *stupa*-temple had multiple levels with a massive central edifice and four identical shrines standing at the edge of arms projecting outwards in cardinal directions. Each shrine had an image of the Buddha and the terraces which functioned as *pradakshinapatha*. The increased length of *pradakshinapatha* and the profuse ornamentation of surface with panels depicting Buddhist and Hindu deities, show growing inclination towards ritualistic practices

The position and conspicuous scale of the central *stupa*-temple embodies the complete shift in focus of a Buddhist - from cultivation of knowledge to performance of rites and rituals. It also testifies the emergence and maturation of Vajrayana (or Tantrayana School) which stems from the Yogacharya School evolved in Nalanda, the final form assumed by Buddhism in the Indian Sub-continent by 9th century CE.

## B. Development in Art associated with Buddhism (Gandhara, Mathura, Sarnath, Nalanda and Pala Art

| Attributes | Gandhara Art | Mathura Art | Sarnath Art | Nalanda Art | Pala Art |
|---|---|---|---|---|---|
| **Patrons** | Parthian and Kushana | Kushana and Gupta | Gupta | Later Gupta, Pala and other contemporary rulers and nobles | Pala and Varman |
| **Duration/ Period** | Around 3rd Century B.C. to 1st Century C.E | Around 0-4$^{th}$ century C.E. | Around 3$^{rd}$ Century C.E. to 5-6$^{th}$ Century C.E. | 6$^{th}$ century C.E. to 12$^{th}$ century C.E. | Around 8$^{th}$ century C.E. to 12$^{th}$ century C.E. |
| **Faith/ Philosophies** | Buddhist | Jain, Buddhist and Brahmanical | Buddhist and Brahmanical | Buddhist and Brahmanical | Buddhist and Brahmanical |
| **Material** | Green phyllite, gray-blue mica schist and stucco.<br>Usually painted and gilded | Mottled Red Sand stone and terracotta | Chunar sand stone and terracotta | Black Basalt, Stucco and Metal and few pieces of terracotta | Black Basalt |
| **Region/ Influence** | North-western part of Indian sub-continent which includes modern day Pakistan and Afghanistan | North and Central India | Central (Modern day states of Uttar Pradesh, Madhya Pradesh) and Eastern India | Eastern India (including Bihar, West Bengal), numerous countries in South-East Asia (Indonesia (Java and Sumatra), Malesia till Vietnam), Nepal, Tibet, Korea, Japan and China | Eastern India (including Bihar, West Bengal) and Modern Bangladesh |
| **Themes** | Jataka katha, Scenes from Buddha's life and most importantly Dipankara, Avalokiteshwara, Vajrapani and Panchika-Hariti.<br>Buddha is unusually shown with mustache | Individual images of Buddha and Bodhisattvas, Nagas, Yaksha, Shalbhanjika and other demi-gods and goddesses. Few images of Avalokiteshwara have been found. Images of Hindu gods and Goddesses have been more frequent during early Gupta period. | Individual images of Buddha, Bodhisattvas and Mahayana deities | Individual images of Buddha, Bodhisattvas as well as Vajrayana pantheon, Jatak kathas, Scenes from Buddha's life, Ashtamahasthana Buddha, Crowned Buddha | Individual images of Buddha, Bodhisattvas as well as Vajrayana pantheon, crowned Buddha |

| Attributes | Gandhara Art | Mathura Art | Sarnath Art | Nalanda Art | Pala Art |
|---|---|---|---|---|---|
| **Iconography** | • Fusion of Greco-Roman, Indian and to lesser extent Parthian elements with Buddhist iconographic imprint.<br>• Evolution of independent characteristic depiction of youthful image of Buddha with classic athletic proportions.<br>• Gandhara art is a local interpretation of Greco-Roman technique not the replica.<br>• Tends to sway away from the naturalistic depiction of body form.<br>• Head generally have low ushnisha with no prabhamandala<br>• Stiff frontal pose amplifies solemnity and spiritual strength.<br>• Heavy robe with parallel repetitive folds and a wavy hair style. | • Evolution of independent characteristic depiction of the image of Buddha where his body forms is more subtle and has smooth delineation in comparison to Gandhara sculptures.<br>• Main features of Mathura Buddha are Kaparda (Snail Shell curl), drapery inscribed in incise lines, auspicious signs engraved on foot and palm, prabhamandala<br>• The images are static and steadfast. | • The weight of the body is thrown on one leg resulting in contrapposto position, provides a subtle movement to the image.<br>• The depiction of diaphanous drapery is the most significant change from earlier styles. In Sarnath art, the drapery takes the shape of the body and only can be visualized around a neck, hands, legs and at waistline.<br>• Another character of Sarnath art is a slight bulge at the waist line. Plain prabhamandala can be seen at the back slab behind Buddha or other divine images.<br>• Oval face, slender body parts and refined execution are features of Sarnath art. | • Early Nalanda art represents synthesis of Sarnath art and local traditions.<br>• During Pala period, Sarnath influence diminished considerably, but by this period, Nalanda had experimented with stucco, stone and metal materials.<br>• Influence of Gandhara art can be seen in inclusion of Dipankara, Avalokiteshwara, Vajrapani and Panchika-Hariti in sculptural themes. | • Just similar to Nalanda, Pala art is also a synthesis of classic art style like Sarnath with local traditions. Pala sculptures did not evolve any separate style on their own.<br>• Pala sculptures are known for their refinement in execution, intense ornamentation and focusing on Vajrayana for the themes.<br>• In Pala style, images are elongated and have a smooth finish.<br>• Later Pala period, the quality of refinement and proportion deteriorated. |

*Table No 08: Development in Art associated with Buddhism (Gandhara, Mathura, Sarnath, Nalanda and Pala Art)*

## Chapter 03: Justification for Inscription

### 3.1. a. Brief Synthesis

The excavated remains of Nalanda Mahavihara or the great monastic-cum-scholastic establishment, near present-day Rajgir, Bihar, are key archaeological evidence of an inter-connected Asia. The establishment however dates much earlier, existing as the most major Buddhist Mahavihara from the 5th century CE to 12th century CE in the prosperous region of what was then called Magadha (eastern part of the Indian sub-continent). The Nalanda Mahavihara lies along a route that connected its Magadha's capital Rajagriha (modern day Rajgir) with Pataliputra (modern day Patna). Nalanda is important as a site that survived uninterrupted for more than eight centuries as a truly international centre for transmitting organised learning. Nalanda drew patronage of rulers from beyond the Indian subcontinent, attracted scholars engaged in the study of different disciplines, and enrolled students from places such as China and Korea among others. Buddhist philosophies, scientific knowledge, and art forms spread from Nalanda to various regions of Asia. Indeed, Nalanda was not only a site of Buddhist discourse, but also a place of philosophic learning, artistic innovation, and cross-regional diplomacy. It was the place from where Buddhism spread to other parts of Asia.

The excavated remains of Nalanda are a rare combination of outstanding achievements in institution-building, site-planning, art and architecture. While Nalanda reached its zenith in the 5th Century CE, the oldest remains is a brick stupa dateable to 3rd century BCE. Over a period of time it developed into a prestigious educational facility for ten thousands of scholars and two thousand teachers. Excavations to date have revealed an ensemble of monastic and institutional structures along with a corpus of moveable and immoveable art. The remains show a gradual shift from a clustered settlement before 5th century CE to a planned layout later. The characteristic linear alignment, distinct zones for different activities, organised system of expansion and uniformity of architectural and construction systems illustrate the presence of a master-plan. This imparts to Nalanda Mahavihara the quality of a university campus with an integrated infrastructure. This planning system was borrowed by later Buddhist

monasteries or Mahaviharas (Vikramshila, Odantapuri, Jagaddala and Sompura) in forming the monastic-city. While the excavated remains show expansive infrastructure of the oldest planned University of the Indian subcontinent, its significance as an institution-builder is manifold.

The excavated remains of Nalanda Mahavihara provide evidence for the development of architecture and the evolution of artistic traditions in South Asia. The principal architectural structure at Nalanda, a stupa with a main tower and four subsidiary ones, for instance, became a standard for subsequent Buddhist monasteries in South Asia as well as in other parts of Asia. Nalanda`s sculptural art led to the development of Mahayana and Vajrayana pantheon which influenced socio-cultural practices and religion of south, east and southeast Asia. The textual evidence, including inscriptions, about Nalanda that appear in Tibetan, Chinese, and other East Asian records suggest that it was a leading site for intra-Asian interactions. No other place in Asia seems to have attracted such immense notice and imagination of people living in far-flung regions of the continent.

Equally noteworthy is the contribution of Nalanda to the development and spread of ideas across Asia that is associated with philosophy, logic, medicine, debate and Buddhist Schools of thought – *Madhyamika* and *Yogachara*. Thus, Nalanda symbolized the multiplicity of knowledge production, the innovative processes of the organised transmission of ideas through education, and a shared heritage of people living in multiple regions of Asia.

### 3.1.b. Criteria for Inscription

***Criteria iv - to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;***

The E*xcavated Remains of Nalanda Mahavihara* (Great Vihara) represent the flourishing and maturing of ancient Indian pedagogy that became a major influence on early medieval Buddhist art and architecture. Its built ensemble is the physical manifestation of this process where numerous systems of planning, architecture and artistic traditions (of the Indian sub-continent) converged and developed into subsequent architectural and artistic prototypes through more than 800 years of its existence. Nalanda distinguished itself as the earliest planned university of the Indian subcontinent.

The excavated structures and art of Nalanda show the evolution in Buddhist art and architecture from 3rd century BCE to 13th century CE. Its structural layers reflecting different periods of construction, iconography of movable and immovable art-pieces (made of stucco, stone and metal) and records of scholars show development in art, architecture and planning unique to Nalanda.

The planning system evident in the excavated remains shows, for the first time, the advent of a systematic approach in planning of an educational establishment with its linear alignment, spatial organisation, relative positioning and defined architectural and construction systems. The Mahavihara`s planning further demonstrates all essential infrastructure integral to a complex which could expand and evolve sequentially and incrementally over time with added units. Functionally efficient, it's planning and architecture imparted Nalanda with the characteristic visual identity and as mentioned in records, enthralled its scholars.

Nalanda`s earlier structures built between 3rd century BCE to 5th century CE show the clustered formation whereas those built 5th century CE onwards follow the order evolved here. During its lifetime, such layout and architectural patterns became a norm and were followed to plan monastic-cities of Vikramshila and Odantapuri (in India) and

Paharpur and Jagaddala (in present-day Bangladesh) and also subsequently influenced the architecture of Tibetan monasteries.

The process through which the architecture of viharas (residential-cum-scholastic structures) was standardised and chaityas (temple-like sacred structure) evolved into prototypes followed later, is evident in the structures of Nalanda. Initiated in Gandhara valley (SWAT Valley; Afghanistan, Pakistan), the quadrangular free-standing vihara evolved into a complete residential-cum-educational edifice at Nalanda. Superimposed layers of construction of a vihara at Nalanda indicate the gradual process of standardisation in scale, design and facilities into a module with a distinct architectural identity. Its introvert plan-form, windowless rooms, a platform in the central courtyard and the courtyard itself attest to the practice of debate that became a tool for higher learning. The quadrangular formation of a monastic-city, such as Vikramshila, Odantapuri (India), Paharpur, Jagaddala (in present day Bangladesh) was derived by enlarging the vihara that was fine-tuned and finalised at Nalanda.

Phases of construction evident in Site no. 03 and replication of its final form in the temples within Nalanda Mahavihara show emergence of a new sacred structure having a quincuxial or fivefold form (chaitya). Its temple-like form also shows the interchange between contemporary society and the Buddhists and the influence of Nalanda`s pedagogy on Buddhist art, architecture and belief system. Originating at Nalanda, this new architectural form was transported to other lands along with Buddhist philosophy and learning and adopted by Buddhists as an elementary architectural form which eventually replaced the traditionally dominant stupa across all Buddhism practicing nations. As a prototype, it influenced architecture of Buddhist temples in east, south and southeast Asia.

Furthermore, art pieces in stucco, stone and metal show thematic and iconographic assimilation of features from major art-centres of the sub-continent with local practices. Experimentation in stucco shows the combination of Gandhara themes with Sarnath iconography which is explicit in several figures. Moveable stone figures like Buddha and Bodhisattvas in a variety of postures show the amalgamation of several regional contemporary artistic strands. Metal figurines show features of art from the later period

($9^{th}$ -$12^{th}$ centuries CE) where deities are profusely ornamented having plastic expressions. Instrumental in finalizing the iconography of Vajrayana pantheon, a major form of Buddhism that emerged around $8^{th}$ century CE drawing from principles developed at Nalanda. While Nalanda stucco influenced practices in Thailand, its metal art was most significant and influenced artistic-practices and social life of the Malayan archipelago, Nepal, Myanmar and Tibet.

The excavated remains also show developments in architecture of the sacred and functional spaces of the Mahavihara. The oldest structure (Site no.03) shows through its seven phases of construction a quincuxial temple-like formation – the panchayatan (quincuxial) chaitya. Mainstreamed at Nalanda, the temple-like structure became the principle architecture of the Buddhists, replacing the traditionally dominant hemispherical stupa. The standardization of architecture and proportion of a quadrangular vihara into a perfect residential-cum-educational infrastructure is also attributed to Nalanda Mahavihara. The panchayatan (quincuxial) chaitya and the vihara were also borrowed by later Mahaviharas (Vikramshila, Odantapuri, Jagaddala and Sompura) in planning monastic-cities.

Immoveable (stucco) and moveable (stone and bronze) art-pieces of Nalanda shows the assimilation of iconographic and thematic features developed at erstwhile art centres (Gandhara, Sarnath and Mathura) with local Magadha practices. Of these, the metal art is most significant in finalising the iconography of the Vajrayana pantheon. Together with the temple-like panchayatan chaitya, Nalanda art mirrors the developments in Buddhist belief system. Travelling out of the region via scholars, the metal art of Nalanda Mahavihara influenced the artistic traditions and social practices in Tibet, Nepal, Bhutan and the Malayan Archipelago.

***Criteria vi- to be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance***

Nalanda's expansion and fame as an establishment is connected to several aspects. First, it was able to attract some of the leading scholars, such as Dharmapala, Dignaga, Xuanzang, Yijing from the Indian subcontinent and other parts of Asia. Second, it received patronage of local rulers, including Harsha and Yashovarman, and foreign kings such as Balaputradeva of Sumatra. Third, it did not solely focus on the study and teaching of topics related to Buddhism. Contemporary texts and philosophies, logic, grammar, science, and medicine were part of the knowledge imparted at the Nalanda. Fourth, students from several regions of Asia were admitted but only after rigorous evaluation. At Nalanda the best practices of traditional Indian systems of pedagogy converged and developed into new forms of knowledge. The intellectual movement fostered by Nalanda gave society some of the most distinguished intellectuals, statesmen and philosophers of its time. Nalanda is an example of a centre that successfully transmitted organized knowledge to its students for an unbroken period of 800 years.

While the tradition of translating and writing of manuscripts preserved and dispersed India`s pre-Islamic knowledge, practice of debate enabled development of Indian systems of Logic and Philosophy. Earning the title of 'Medieval School of Discussion and Logic', Nalanda`s scholars mastered the art and science of debate developing it into a critical tool for higher learning. Today, it continues to be practiced in monasteries of Tibet and is referred to as the 'Science of Mind' by the 14$^{th}$ Dalai Lama.

In addition, the viharas (residential-cum-scholastic structures) at Nalanda witnessed crystallization of the principles of the most important Schools of Buddhism – Madhyamika and Yogachara. A crucial part of Indian philosophy, these principles led to the rise of Vajrayana or Esoteric Buddhism which is practiced in Nepal and Tibet and simultaneously promulgated artistic development in stucco, stone and metal art originating at Nalanda. Dispersed through scholars to different corners of Asia, the

doctrines and (stone and metal) art-pieces influenced the culture of south, east and south-east Asia.

The doctrines of a School of Buddhism known as Madhyamika survive as in China and sects of Buddhism as San-lun-tsung, Pan-jo-tsung and Hsing-tsung in and influenced Tibetan Buddhism. In Japan its principles branched into Pure land (Jodo, Jodo-shin, Yuzunenbutsu and Ji) and Zen Buddhism (Rinzi, Soto and Obaku). The latter found was practiced by the samurais.

The doctrines of a second school of Buddhism known as Yogachara School crystallised at Nalanda travelled with its scholars to other lands, forming Wei-shi-siang-kiau, Fa-siang-tsung and Avatamsaka in China. These principles influenced formation of Neo-Confucianism in Shuyuans of China and were subsequently practiced in Japan and Korea. Yogachara formed the Bkah-gdams-pa and Sa-skya-pa Schools in Tibet. The Bkah-gdams-pa School followed by the 14$^{th}$Dalai Lama himself, is the crux of Tibetan Buddhism and its sub-sects Karma-pa and Hbrug-pa travelled eastwards to Eastern Tibet, Nepal and Sikkim and further to Bhutan respectively. Closely related to Rnin-ma-pa, the Sa-skya-pa Schools assimilated the old and new principles of another form of Buddhism known as Tantrism to initiate the culture of spiritual succession among Tibetan Buddhists.

Moreover, the systems of education and administration apart from architecture and planning were the basis on which later Mahaviharas at Vikramashila and Odantapuri in India, Jagaddala and Paharpur in Bangladesh were established by the Pala dynasty between 9$^{th}$-12$^{th}$ Centuries. Nalanda Geidge in Sri Lanka stands testimony to Nalanda Mahavihara's influence in higher education. The continuity of its systems is also evident in contemporary monasteries in Tibet and Nepal.

In fact, the term Nalanda has become synonymous with aspired standard of education as evidenced in 21$^{st}$ century namesake institutions such as Nava Nalanda Mahavihara, the International Nalanda University in India, the Nalanda Buddhist Society in Malaysia, the Nalanda Monastery near Toulouse in France, the Instituut Nalanda in Belgium, and the Nalanda cultural festival, organised annually by Dongguk University, Korea's largest and most prominent Buddhist University.

Manuscripts and records of scholars have documented Nalanda Mahavihara`s elaborate system of administration and education apart from its role in preserving much of India`s ancient and early medieval wisdom. Debate and dialectic was an important tool of learning for Nalanda scholars. Today, referred to as a 'Science of Mind' by the14thDalai Lama, it is applied as a perfect tool for critical thinking in higher learning and continues to be used in Tibetan monasteries to date. Scholasticism here also structured the Indian systems of Logic and Philosophy into distinct disciplines and crystallised the fundamentals of important Buddhist Schools. The corpus of knowledge and system of administration developed at Nalanda Mahavihara formed the basis for later Mahaviharas to function. Furthermore, dispersed through scholars, Madhyamika and Yogachara Schools not only transitioned Mahayana to Vajrayana, but survives in the socio-cultural practices of south, east and south-east Asia.

### 3.1.c. Statement of Integrity

The excavated remains of Nalanda Mahavihara were systematically unearthed through a series of archaeological excavations over a period of 50 years (1915 – 1937 and later from 1950s onwards). Preserved simultaneously, this built ensemble retains the most significant part of Nalanda Mahavihara that exhibits the evolution in planning, architecture and artistic tradition of Nalanda. As evinced by the surviving antiquities, the site is explicit of a scholar`s life recorded in the "University".

All surviving remains of Nalanda Mahavihara in the proposed property area demonstrate amply the attributes of the property such as its planning and layout, its architectural manifestation and extant building materials and applied ornamental embellishments. Preserved in-situ is structural remains of viharas (residential-cum-scholastic structure) and chaityas (temple-like structure) whose layers of construction show evolution of the respective forms. The positioning of these structures over the length of the site shows the planned layout unique to Nalanda. The *viharas* retain infrastructure for residential-cum-scholastic functions. The quincuxial or five-fold plan-form characteristic of a Nalanda chaitya is evident in the temple within the property. The site also retains a corpus of moveable and immoveable artefacts and artistic embellishment that shows iconographic development reflecting changes in Buddhist belief system. While stucco and engraved art are conserved in-situ, metal and stone objects / artefacts are exhibited today at the adjoining Site Museum.

Archaeological remains including the entire protected area of the proposed property are maintained by Patna Circle of the Archaeological Survey of India. Its material and fabric preservation is undertaken by Science Branch while open spaces are maintained by the Horticulture Branch of ASI. Buffer Zone of the proposed property is sparsely populated with agricultural land and dried water bodies and thus poses no threat to property. The Property and the Buffer Zone are protected by a national-level law - Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010). In addition to being monitored by Archaeological Survey of India, the Buffer Zone is also monitored by the National Monument Authority

(national level) and office of the District Commissioner, State Government of Bihar (local level).

### 3.1.d. Statement of Authenticity

Retained in subsurface condition for over seven centuries the archaeological remains of *Nalanda Mahavihara* were unearthed and conserved in-situ. Its layers of construction, iconography and records (of scholars Xuangzang, Yijing, Dharmakritietc) testify these remains to be the oldest surviving parts of the original *Mahavihara*. The spatial organisations evident in the excavated remains demonstrate the systematic planning of Nalanda. Temple-like form of the chaityas and quadrangular-form of the viharas replete with supporting infrastructures, authenticate the contribution of Nalanda in developing sacred architecture of the Buddhists and residential-cum-scholastic infrastructure of the *Mahavihara*. The stucco, stone and metal art of the excavated site retain the iconographic features that enabled changes in Buddhist belief system and transition of Mahayana to Vajrayana.

The excavated remains of Nalanda use minimal intervention for consolidation works only and retain the original systems and non-perishable materials of original construction. The corbelled construction, brick masonry with mud mortar and rubble core, stone columns and alternative layers of sand and bricks in foundation are extant in the built remains. The large volume of charred wood noted during excavation of viharas testifies the use of wood in construction. The fragments of plaster evident on the masonry surface show the type of surface treatment used at Nalanda.

The contributions of *Nalanda Mahayana* to pedagogy survive as socio-cultural practices in large parts of Asia. Zen and Pure land Buddhism in Japan, Chan and its sub-sects, Wei-shi-siang-kiau, Fa-siang-tsung and Avatamsaka in China and Bkah-gdams-pa and its sub-sects Karma-pa and Hbrug-pa, Sa-skya-pa, tradition of spiritual succession in Tibet trace its roots to *Madhyamika* and *Yogachara* schools developed at *Nalanda Mahavihara*.

### 3.1.e. Protection and management requirements

The Excavated Site of Nalanda is owned, protected, maintained and managed by the Archaeological Survey of India a department under the Ministry of Culture, Government of India. The property is protected bynational level laws -Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010)and Ancient Monument and Archaeological Sites and Remains Rules of 1959 andThe Antiquities and Art Treasures Act 1972. Decisions pertaining to its conservation, maintenance and management are governed by the National Conservation Policy for Monuments, Archaeological Sites and Remains Protected by Archaeological Survey of India.

The assessment of state of conservation, maintenance through periodic consolidation, de-vegetation and monitoring are conducted by the Archaeological Survey of India through funds allocated by the Government of India. While the site is monitored on a regular basis, conservation and management follows a perspective plan that identifies intervention and phases of implementation over a 5 year plan-period. Over and above the perspective plan under implementation, a plan for visitor management and risk preparedness is under preparation. Archaeological Survey of India also has an in-house Committee dedicated to monitor the state of conservation of Nalanda and identify its future needs.

The Buffer Zone consists of sparsely populated settlements, agricultural land, dried water bodies and visitor facilities and is managed by the Archaeological Survey of IndiavideAncient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010) in consultation with the State Government of Bihar. To preventing incompatible development in the Buffer Zone proposals are vetted by a Competent Authority whose mandates are defined by the Ancient Monuments and Sites Remains Act of 1958 (amended in 2010) and District Collectorate Office of Nalanda Dist., State Government of Bihar.

The Buffer Zone also has visitor facilities in the form of a Site Museum and an Interpretation Centre operated by the Archaeological Survey of India and the State

Government of Bihar respectively. These provide further information about the property and the region, thereby enhancing visitor experience.

## 3.2 Comparative Analysis

### *3.2.i. International Comparison*

Globally, *Excavated Remains of Nalanda Mahavihara* can be compared to two types of properties. Firstly, are universities[1] (stand-alone or university-towns[2]) that have triggered significant developments in art or architecture or planning or different facets of education. Secondly, are those which are influential centres of education and share built typology (viharas, chaityas and stupas) similar to Nalanda Mahavihara. The properties enlisted in *Table no. 09* are those whose contributions have significantly influenced art, architecture, planning (of a town or the institute itself), pedagogy or a school of thought in its respective region.

| Name of Property (Either inscribed on WH or Tentative List (TL)) | Name of Property (not inscribed) |
|---|---|
| 1. Al-Azhar University (as a part of Historic Cairo (Ref 89; 1979))<br>2. Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980)<br>3. Medina of Fez, Morocco (Ref 170; 1981)<br>4. Ruins of the Buddhist Vihara at Paharpur (Ref 322; 1985)<br>5. Timbuktu, Mali (Ref 118; 1988)<br>6. Old City of Salamanca, Spain (Ref 381; 1988)<br>7. Colonial City of Santo Domingo, Dominican Republic (Ref 526; 1990)<br>8. Historic City of Sucre, Bolivia (Ref 566; 1991)<br>9. Angkor, Cambodia (Ref 668; 1992)<br>10. Historic Town of Zabid, Yemen (Ref 611; 1993)<br>11. The White Deer Cave Academy (as a part of Lushan National Park China (Ref 778; 1996))<br>12. Bagan Archaeological Area and Monuments, Mayanmar (Ref 819; 1996)<br>13. City of Graz – Historic Centre and SchlossEggenberg, Vienna (Ref 784; 1996)<br>14. Historic Centre of the City of Salzburg, Vienna (Ref 784; 1996)<br>15. University and Historic Precinct of Alcalá de Henares, Spain (Ref 876; 1998)<br>16. Ferrara, City of the Renaissance, and its Po Delta, Italy (Ref 733; 1999)<br>17. The Franck Foundations Buildings, Germany (TL Ref 136; 1999)<br>18. Harran and Sanliurfa, Turkey (TL Ref 1400; 2000)<br>19. Monastic Island of Reichenau, Germany (Ref 974; 2000)<br>20. Jesuit Block and Estancias of Córdoba, Spain (Ref 995; 2000) | • *Codrington College, Barbados*<br>• *University of Padua, Italy*<br>• *University of Erfurt, Germany*<br>• *Nizamiyya, Iran*<br>• *University of Bologna, Italy (partly included in TL Ref 5010; 2006)*<br>• *University of Paris, France*<br>• *University of Oxford, London*<br>• *University of Montpelier, France*<br>• *University of Harvard, USA* |

[1] The term 'University' mentioned here is from the Latin terms '*Universitas*', meaning *corporation of students*. Here the term University denotes those establishments which were formed through organised studentship and had the ability to grant degrees. These establishments eventually outgrew their monastic past and instead of 'preaching' doctrines these were dedicated to cultivation of knowledge.

[2] **Note**: Those numbered *3, 5, 6, 7, 8, 10, 13, 15, 16, 18, 20, 21, 22,24, 25, 27, 28, 30* and *31*are inscribed properties which are either university towns or include in them universities that have contributed to identified aspects.

21. Historic Centre of Vienna, Austria (Ref 1033; 2001)
22. The Historic Centre of Sibiu and its Ensemble of Squares, Romania (TL Ref 1929; 2004)
23. SeruwilaMangala Raja MahaVihara, Sri Lanka (TL Ref 5083; 2006)
24. Central University City Campus of the Universidad NacionalAutónoma de México (UNAM), Mexico (Ref 1250; 2007)
25. The Rise of Systematic Biology, Sweden (TL Ref 5491; 2009)
26. Santiniketan, India (TL Ref 5495; 2010)
27. Historic Centre of Kraków (Ref 29bis; 2010)
28. Historic Centre of Naples, Italy (Ref 726; 2011)
29. Old Fourah Bay College Building, Sierra Leone, (TL Ref 5744; 2012)
30. Liberation Heritage Route, South Africa (TL Ref 5459; 2009)
31. University City of Bogotá, Columbia (TL Ref 5759; 2012)
32. University of Coimbra – Alta and Sofia, Portugal (Ref 1387; 2013)

*Table No 09: Properties which contribute to pedagogy or institution building or art and architecture in its respective regions*

Of the aforementioned, those enlisted in*Table No 10* show significant contributions to the following in varying degrees:

A. the first university to out-grow monastic origin and became fore-runners for others
B. those to contribute to or be associated with development of Old World Religions
C. those to contribute to development of humanistic studies and system of discourse
D. Site planning, architecture and art dedicated to pedagogy

| **Properties on WH List** |
|---|
| • Taxila, Pakistan (Ref 139; 1980) |
| • Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980 |
| • Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985) |
| • Bagan Archaeological Area and Monuments, Myanmar (Ref 819; 1996) |
| • The White Deer Cave Academy (part of Lushan National Park China (Ref 778; 1996)) |
| • Jagaddala Vihara , Bangladesh (TL Ref 1212; 1999) |
| • The SeruwilaMangala Raja Maha Vihara, Sri Lanka (TL Ref 5083; 2006) |
| **Properties noton WH List** |
| • *University of Bologna, Italy (partly included in TL Ref 5010; 2006)* |
| • *University of Paris, France* |

*Table No 10: Properties which have contributed to institution building, pedagogy, institution building and art and architecture*

The *Table 11* and *Table 12*elaborates contributions of individual properties to the aforementioned attributes and *Table 13*, *Table 14*, *Table 15 and Table 16* compare the outstanding achievements of selected properties vis-a-vis attribute.

| Gandhara Valley, (including clusters of Taxila, Pakistan (Ref 139; 1980) and Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980)) *(7th century BCE to 3rd century BCE)* | Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985) JagaddalaVihara , Bangladesh (TL Ref 1212; 1999) | The SeruwilaMangala Raja Maha Vihara[1], Sri Lanka (TL Ref 5083; 2006) | Bagan Archaeological Area and Monuments, Myanmar (Ref 819; 1996) | The White Deer Cave Academy ( as a part of Lushan National Park China (Ref 778; 1996)) (*831 CE – till date*) | The Excavated Remains of Nalanda Mahavihara, India |
|---|---|---|---|---|---|
| **CONTRIBUTIONS IN INSTITUTION-BUILDING AND PEDAGOGY** | | | | | |
| • Taxila, Pakistan (Ref 139; 1980) is most significant and influenced establishment of monasteries of Gandhara Valley[2] including *Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol*, Pakistan (Ref 140; 1980)<br>• Scholarship grew through interactions of diverse groups of people traveling along Silk-Route.<br>• Taxila`s learning-clusters[3] continued development of a guru-kul system of pedagogy.<br>• Main studentship from Indian subcontinent and also from China, Central Asia, even Greece<br>• Concentration on pre and post Vedic studies<br>• Influence of pedagogy on Indian sub-continent by:<br>  • Structuring of Sanskrit Grammar , the lingua-franca of major language<br>  • Writing notable treatises like Arthashastra (Indian treatise on statecraft), Ayurveda<br>  • Stimulating tradition of education in Benaras | • Established as network of 4 –<br>  • Paharpur, Bangladesh (Ref 322; 1985)<br>  • Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999)<br>  • Vikramshila, India<br>  • Odantapuri[4], India<br>• Borrows<br>  • Administrative systems<br>  • Pedagogy<br>  • Principles of Yogacharya<br>  • Vajrayana developed in Nalanda Mahavihara | • Is one of the 16 most sacred Buddhist sites of Sri Lanka<br>• A Theravada pilgrimage site - no reference for its role in education | • Important pilgrimage site, like the *TheSeruwilaMangala Raja Maha Vihar,* Sri Lanka (TL Ref 5083; 2006).<br>• Continuity of sangharama traditions in education.<br>• Engaged in study of texts to Theravada Buddhism, works in Pali grammar and philosophical-psychological studies (abhidhamma).<br>• These apart languages on prosody, phonology, grammar, astrology, alchemy, medicine, and law were also studied (Lieberman, 2003).<br>• No reference to institution-building | •Establishment is a '*Shuyuan*' - Academy dedicated to Classical studies' departing from government schools<br>•Located in secluded area, like forests, suitable environment for contemplation<br>•Flourished through royal patronage<br>•Fore-runner in discourses on Confucian principles<br>•By 12th century CE formed Neo-Confucian principles being influenced by Yogachara School of Nalanda<br>•Influenced other Shuyuans of China, Japan and Korea (Leon Taylor & Fung Choy, 2005). | • Strategically located<br>  • sheltered from attacks<br>  • along an important route in Gangetic plains<br>  • in proximity to resources[5] and centres of power<br>  • in a sacred landscape<br>led to its establishment and development<br>• University-like system for the first time having:<br>  • Planned infrastructure<br>  • Administrative structure<br>• Contributed to development of:<br>  • institution-building<br>  • debate and dialectics into tool for critical thinking (also called 'Science of Mind' by the 14th Dalai Lama)<br>  • Indian systems of logic and philosophy as distinct disciplines<br>  • fundamental principles of Madhyamika and Yogachara schools<br>• Institution-building, pedagogy, art and architecture influenced:<br>  • transitioning of Mahayana to Vajrayana<br>  • culture of south, east and south-east Asian Buddhism<br>  • establishment and administration of later Mahaviharas in Sompura, Jagaddala, Vikramshila and Odantapuri<br>  • education is practiced in Tibetan monasteries<br>• Pilgrimage is a secondary function, result of Mahavihara`s association with Sariputta (one of Buddha`s disciples), its esteemed acharyas among others. |

[1]Pali translation – Great Vihara
[2](Afghanistan, Central Asia and Turkmenistan)(Reagan, 2004)
[3]Neither a '*Mahavihara'* nor a University. These were facilities were run in the Vedic format of a guru-kul where individual clusters were headed

| Gandhara Valley, (including clusters of Taxila, Pakistan (Ref 139; 1980) and Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980)) *(7th century BCE to 3rd century BCE)* | Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985) JagaddalaVihara , Bangladesh (TL Ref 1212; 1999) | The SeruwilaMangala Raja Maha Vihara[1], Sri Lanka (TL Ref 5083; 2006) | Bagan Archaeological Area and Monuments, Myanmar (Ref 819; 1996) | The White Deer Cave Academy ( as a part of Lushan National Park China (Ref 778; 1996)) (*831 CE – till date*) | The Excavated Remains of Nalanda Mahavihara, India |
|---|---|---|---|---|---|
| **CONTRIBUTION TO ART AND ARCHITECTURE** | | | | | |
| • Clustered formation of stupas and viharas[6].<br>• Constructed in different types of stone masonry with stucco finish<br>• Stucco sculptures show transition from Pre-Classical to Classical Gandhara and thereon to a Greco-Roman type.<br>• Quadrangular-form of the vihara and Gandhara (iconography and themes) art formed here adopted in Nalanda Mahavihara | •Planning system comprising:<br>• single complex with facilities forming a Monastic-city<br>• adoption of chaitya(temple; instead of stupa)as the principle sacred architecture<br>• sacred structure centrally located in courtyard of enlarged vihara<br>are systems borrowed from Nalanda Mahavihara | • Layout reminiscent of forested area<br>• Central sacred element is stupa<br>• Contribution in art and architecture is limited. | • Located in large forested landscape<br>• Ensemble of 2 types of Temples, cylindrical stupas (like Dharmekstupa, Sarnath India) and monasteries (quadrangular shaped), etc date 10th to the 14th centuries CE<br>• Show influence of north Indian temple-forms (4th – 6th century CE; Gupta dynasty) on *Pyu* architecture<br>•2 types of temples based on superstructure built on a raised platform:-<br>• Type 01: cylindrical stupa<br>• Type 02:temple-shikhara<br>•Platform built in pier-and-arch-wall systemunique to *Bagan*.<br>•Mural paintings of temples are unique | • Located in large forested landscape reminiscent of isolated Taoist and Buddhist retreats<br>• Layout adopts the Confucian temple architecture of the *Temple and Cemetery of Confucius and the Kong Family Mansion in Qufu, China* (Ref 704; 1994). Groups of modern villas testify influence of Western culture (Ancient Historical Architecture, 2014) (Jiujiang City (Jiangxi Province), 1996).<br>• Architectural prototype for Chinese traditional academies<br>• Its Kong Miao (Temple of Confucian) was architectural prototype for establishments in Korea, Japan, and Vietnam | • Excavated remains show<br>• University-campus-like formation<br>• Expansion based on predetermined Master-plan<br>for the first time in ancient and early medieval establishments<br>• Natural resources are peripheral to *University* complex<br>• Ensemble comprise<br>• Pachayatanchaitya, quadrangular viharas and stupas<br>• Immoveable (Stucco) and Moveable (Stone and Metal) art pieces<br>• Corbelled-arch construction system in brick masonry<br>• Site contributed to evolution in art and architecture:<br>• Crystallisation of built-form of panchayatan (quincuxial) chaitya<br>• Standardisation of layout and infrastructure of quadrangular vihara<br>• Standardisation of iconography and iconometry of Vajrayana Pantheon in metal art<br>• Site-planning system and architecture developed at Nalanda<br>• influenced site planning<br>• introduced temple-like structure – Panchayatan chaitya as principle sacred architecture replacing traditionally dominant stupa<br>in Mahaviharas in Sompura (*Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985)*), Jagaddala (*JagaddalaVihara, Bangladesh (TL Ref 1212; 1999)*) and Vikramshila and Odantapuri in India |

[4] The Mahaviharas of Vikramshila and Odantapuri, both located in India, are not inscribed in World heritage or the Tentative List.
[5]Resources include
[6] Not specifically in Taxila. The pattern in visible in the entire span of Gandhara valley.

| Gandhara Valley, (including clusters of Taxila, Pakistan (Ref 139; 1980) and Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980)) *(7th century BCE to 3rd century BCE)* | Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985) JagaddalaVihara , Bangladesh (TL Ref 1212; 1999) | The SeruwilaMangala Raja Maha Vihara[1], Sri Lanka (TL Ref 5083; 2006) | Bagan Archaeological Area and Monuments, Myanmar (Ref 819; 1996) | The White Deer Cave Academy ( as a part of Lushan National Park China (Ref 778; 1996)) (*831 CE – till date*) | The Excavated Remains of Nalanda Mahavihara, India |
|---|---|---|---|---|---|
| | | | | | • Metal art of Nalanda influenced socio-cultural practices and art in Tibet, Nepal, Bhutan and Malayan Archipelago |

*Table No 11: Inscribed properties which have contributed to institution building, pedagogy, institution building and art and architecture*

| University of Bologna, Italy (1088 CE – till date) | University of Paris, France (13th century CE – till date) | The Excavated remains of Nalanda Mahavihara, India |
|---|---|---|
| **CONTRIBUTIONS IN INSTITUTION-BUILDING AND PEDAGOGY** | | |
| • Considered *mother of all Universities* in Europe<br>• Grew with royal patronage from a student-based initiation[1] into university<br>• Intellectuals, statesmen, philosophers, men of science from different corners of Southern Europe and now globally convene here<br>• Admittance irrespective of economic, social or geographical backgrounds<br>• Initial focus of study was Law<br>• Contributed to:<br>  • compilations of Roman codified law (Corpus Iuris Civilis) and the Gloss<br>  • study of subjects relevant to European and now global dimensions<br>  • innovative university system<br>• Promulgated establishment of famed universities like those in Padua, Naples, Arezzo and many others in southern Europe<br>• Students of Bologna were distinguished scholars enabling social mobility<br>• Is a foremost centre for research, imparting education on varied discipline<br>• Functional since 11th century CE | • Grew from a Parison School (monastic organisation) with royal patronage<br>• Scholars were referred to its masters<br>• Patronage enabled mobility of masters from Paris to different corners of Europe.<br>• Latin as language of discourse enabled construction and dispersion of knowledge relevant of Christian West (Europe)[2]<br>• Intellectuals, statesmen, philosophers, men of science from different corners of Northern Europe and now globally convene here<br>• Admittance irrespective of economic, social or geographical backgrounds<br>• Is a foremost centre for research, imparting education on varied disciplines (La Sorbonne, 2014)<br>• Promulgated establishment of famed universities like The Oxford University (UK), The Montpellier`s university (France) and many others especially in northern Europe. Today it has 13 successor and 7 alliance universities (La Sorbonne, 2014).<br>• Functional since 13th century CE | • Grew from sangharama (monastic establishment) through royal patronage<br>• Intellectuals, statesmen, philosophers, men of science from South, East and south-East Asia convened here<br>• Admittance irrespective of economic, social or geographical backgrounds<br>• University-like system for the first time having:<br>  • Planned infrastructure<br>  • Administrative structure<br>  • System of pedagogy<br>• Contributed to development of:<br>  • institution-building<br>  • debate and dialectics into tool for critical thinking (also called 'Science of Mind' by the 14th Dalai Lama)<br>  • Indian systems of logic and philosophy as distinct disciplines<br>  • fundamental principles of Madhyamika and Yogachara schools<br>• Institution-building, pedagogy, art and architecture influenced:<br>  • transitioning of Mahayana to Vajrayana<br>  • culture of south, east and south-east Asian Buddhism<br>  • establishment and administration of later Mahaviharas Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985), Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999) and Vikramshila and Odantapuri in India<br>  • education is practiced in Tibetan monasteries |

[1] In the Town of Bologna routes from different corners of Europe converged. This brought

[2] For example, the University of Paris played host to the Swabian theologian Albert the Great and then to his Italian disciple, Thomas Aquinas, who was one of the leading lights in theologian and humanist thought in Europe (La Sorbonne, 2014).

| University of Bologna, Italy (1088 CE – till date) | University of Paris, France (13th century CE – till date) | The Excavated remains of Nalanda Mahavihara, India |
|---|---|---|
| | | • Functional between 3rd century BCE to 13th century CE |
| **CONTRIBUTION TO ART AND ARCHITECTURE** | | |
| • Part of town of Bologna; is a 'University-town' typology (University of Bologna, 2014).<br>• Structures show Romanesque and Buroque features.<br>• Painted porticos in the University campus are considered exemplary examples of art | • Is a University-campus with requisite infrastructure in proximity<br>• Ensemble of dormitories, colleges (seats for education), library, baths, church and subsequently added recreational facilities.<br>• Structures show Romanesque, Baroque and Renaissance to Modern (late 19th century CE) architectural styles. | • Excavated remains show<br>  • University-campus-like formation<br>  • Expansion based on predetermined Master-plan<br>for the first time in ancient and early medieval establishments<br>• Site contributed to evolution in art and architecture:<br>  • Crystallisation of built-form of panchayatan (quincuxial) chaitya<br>  • Standardisation of layout and infrastructure of quadrangular vihara<br>  • Standardisation of iconography and iconometry of Vajrayana Pantheon in metal art<br>• Site-planning system and architecture developed here<br>  • influenced site planning<br>  • introduced Panchayatan chaitya as principle sacred architecture<br>adopted by later Mahaviharas in Sompura (Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985)), Jagaddala (Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999)) and Vikramshila and Odantapuri in India<br>• Metal art influenced socio-cultural practices and art in Tibet, Nepal, Bhutan and Malayan Archipelago |

*Table No 12: Non-inscribed properties which have contributed to institution building, pedagogy, institution building and art and architecture*

Comparison of outstanding achievements of selected properties in institution-building, development in humanistic studies, systems and system of discourse, old world religion and site planning, architecture and art dedicated to pedagogy.

***A. Contribution to Institution-building (with distinct system of administration) of Universities***

| ***Property*** | ***Contributing to site planning, architecture and art*** |
|---|---|
| *University of Bologna* | • Grew through congregation of a scholars in trading town<br>• Evolved and expanded through Royal patronage<br>• Considered '*mother of all universities*'; promulgated establishment of later universities in Southern Europe like those in Padua, Naples, Arezzo and others<br>• Continues to function; inspires universities of Europe |
| *University of Paris* | • Outgrew *Parison School* when Kings recommended scholars to study under its distinguished masters<br>• Evolved and expanded through Royal patronage<br>• Promulgated establishment of later universities in Northern Europe like The Oxford University (UK), The Montpellier`s university (France) and others<br>• Continues to function; inspires universities of Europe |
| The White Deer Cave Academy (part of Lushan National Park China (Ref 778; 1996)) | • Outgrew existing government school model into a *Shuyuan*<br>• Evolved and expanded through Royal patronage and masters<br>• Instrumental in establishing *Shuyuans* in other parts of China, Japan and Korea<br>• Continues to function. One of 4 great *Shuyuans*; inspires *Shuyuans*of China, Japan and Korea |
| ***Excavated Remains of Nalanda Mahavihara, India*** | • Outgrew a *sangharama*(like University of Paris) through patronage and movement and congregation of scholars(like University of Bologna) during vassavasa<br>• Evolved and expanded through patronage from all sections of society of sub-continent[3] and beyond<br>• Promulgated establishing Mahaviharas at Somnathpur (*Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985)*), Jagaddala (*Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999)*), Vikramshila and Odantapuri by the 8th century CE during its functioning.<br>• Ceased to function by 13th century CE; System of dialectic and debate continues in Tibetan Monasteries; Inspires pedagogy in Asia<br>• Nalanda had been in existence some 600 years before the founding of Bologna and 547 years before the founding of Al Azhar. |

*Table No 13:Summary of Contributions to Institution Building*

[3] Nalanda Mahavihara is located in Magadha one of the most prosperous region of ancient and early medieval times. This region was the capital of powerful Dynasties like the Mauryas, Guptas, Later Guptas`, Pala`s, who ruled an appreciable part of the Indian Subcontinent (Bapat, Prof. P.V., N.D.) (Dutt, 1962) (IGNCA & Behl, 2013) (Majumdar, Raychaudhuri, & Datta, 1981).
Inscriptions and records testify different modes of offerings made to Nalanda Mahavihara. Some were earned, some donated as grants or gifts in appreciation of scholar`s works, others were permanent endowments, apart from resources received from villages dedicated towards its service through royal decree. Such quantum of gifts could only be earned by an establishment if its functioning benefitted society at large (Bapat, Prof. P.V., N.D.) (Dutt, 1962) (Ed- DeKosky& Allchin, 2008) (Ed- Mani, 2008) (IGNCA &Behl, 2013) (Loizzo) (Mookerji, Ancient Indian Education, 1974) (Nakamura, 1987) (Sahai D. B.)(Sankalia, 1934).

***B. Contribution to Developments to Humanistic studies and system of discourse***

| ***Name of property*** | ***Contribution to Humanistic studies and system of discourse*** |
|---|---|
| *University of Bologna, Italy* | • Compilations of Roman codified law (Corpus Iuris Civilis) and the Gloss.<br>• Constantly reinvents and restructures itself with the needs of time<br>***Its system of education influenced Universities of Europe.*** |
| *University of Paris, Frances* | • Epistemology has influenced the Christian West (Europe)[4]<br>• Was foremost cultural and scientific centre in Europe<br>• Leading centre for research and education on varied disciplines<br>***Its system of education influenced Universities in Europe and Christian West (Europe)*** |
| *Taxila, Pakistan (Ref 139; 1980)* | • Scholasticism concentrated on pre and post Vedic disciplines<br>• Influenced culture of Indian Subcontinent<br>• Shaped Sanskrit, lingua-franca of major language of Indian subcontinent<br>• Some distinguished works include Arthashastra (Indian treatise on statecraft), structuring of Sanskrit Grammar and treatise on Ayurveda<br>***Its system of education influenced establishments in Gandhara Valley***[5] |
| The White Deer Cave Academy (as a part of Lushan National Park, China (Ref 778; 1996)) | • Developed of Confucian and later Neo-Confucian philosophy influenced by Yogachara School of Nalanda Mahavihara<br>• Developed system of education for later Shuyuans<br>***Philosophy and system of Education influenced Shuyuans in China, Japan and Korea*** |
| ***The Excavated Remains of Nalanda Mahavihara*** | • Developed debate as tool for learning, critical thinking and dialectic<br>• Application of debate, structured Indian systems of Logic and Philosophy into distinct disciplines<br>• Developed principles of Yogachara and Madhyamika Schools<br>• ***System of education, disciplines and doctrines was adopted atPaharpur, Bangladesh (Ref 322; 1985), Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999), Vikramshila, India and Odantapuri[6], India***<br>• ***System of education is still practiced in Monasteries of Tibet***<br>• ***Principles of Yogachara and Madhyamikaare***<br>  • ***crucial part of Indian philosophy***<br>  • ***have transitionedMahayana to Vajrayana Buddhism***<br>• ***Yogachara School influenced forming Neo-Confucian (Makeham, 2014) practiced in The White Deer Cave Academy (as a part of Lushan National Park, China (Ref 778; 1996)).***<br>• ***Was the uncontested centre for learning in the Asian world and drew scholars from all parts of Asia to it for study. Scholars travelled to Sumatra or other centres to learn Sanskrit and then move to Nalanda.***<br>• ***Unlike all other institutions Nalanda was international for much of its existence*** |

*Table No 14:Summary of Contributions to Philosophy, Disciplines and system of discourse*

[4]For example, the University of Paris played host to the Swabian theologian Albert the Great and then to his Italian disciple, Thomas Aquinas, who was one of the leading lights in theologian and humanist thought in Europe (La Sorbonne, 2014).

[5]Taxila influenced Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980)), Afghanistan, Central Asia and Turkmenistan and Benaras

[6] The Mahaviharas of Vikramshila and Odantpuri of India and Paharpur and Jagaddala of Bangladesh were established as a single network of establishments by Pala Kings. The properties of Vikramshila and Odantpuri are not in World Heritage or Tentative List.

***C. Contributing to Development in or associated with Old World Religions***

| ***Name of property*** | ***Contribution to Development in or associated with Old World Religions*** | |
|---|---|---|
| | ***Development in Religion*** | ***Association with pilgrimage*** |
| *University of Paris, France* | ***Christian Theology***<br>Influenced mainly Western Europe | ***None*** |
| *Taxila, Pakistan (Ref 139; 1980)* | ***Hinduism***<br>***Initiation of changes in Theravada towards Mahayana***<br>Influenced South and Central Asia, mainly the Indian subcontinent. | ***None*** |
| *The SeruwilaMangala Raja Maha Vihara, Sri Lanka (TL Ref 5083; 2006)* | ***Theravada***<br>Influenced South and Southeast Asia | ***Yes*** |
| Bagan Archaeological Area and Monuments, Myanmar (Ref 819; 2006) | | ***Yes*** |
| ***Excavated Remains of Nalanda Mahavihara*** | ***Maturation of Mahayana***<br>***Initiation of changes in Mahayana towards Vajrayana***<br>***Crystallisation of doctrines of Vajrayana***<br>Influenced South, East and South East Asia<br>Contributed to the codification, preservation and further development of much of the Buddhist doctrine | ***Yes*** |

*Table No 15:Summary of Contributions to Development in or associated with Old World Religions*

**D. Contributing to site planning, architecture and art**

| ***Property*** | ***Contributing to site planning, architecture and art*** |
|---|---|
| *Taxila, Pakistan (Ref 139; 1980)*<br>*Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980)* | • Clustered-planning; groups of viharas and stupas dispersed over Gandhara Valley<br>• Viharas show initiation of a quadrangular form<br>• Built in different forms of masonry. Traces of stucco finish identified<br>• Specific role of education clusters in a Gandhara School[7] of Art unknown. |
| *Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985)*<br>*Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999).* | • Monastic-city layout. Borrowed<br>• site planning principles<br>• temple-like structure as principle sacred architecture (instead of stupa) from ***Nalanda Mahavihara***<br>• Quadrangular formation of monastic-cities formed by enlarging *viharas* of ***Nalanda Mahavihara*** |

[7]Gandhara Valley was seat of Gandhara School of Art. Includes of properties of Taxila, Pakistan (Ref 139; 1980) and Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980)

| | |
|---|---|
| Bagan Archaeological Area and Monuments, Myanmar (Ref 819; 1996) | • Organic site-plan; Temples, stupas, monasteries, etc located in a large forested landscape<br>• Structures show influence of temple forms evident during Gupta dynasty on Pyu architecture<br>• Temples of 2 types. Either cylindrical stupa-like[8] or a conical temple-shikhara-like superstructure on raised quadrangular platform. Platform built in pier-and-arch wall system (unique to *Bagan*).<br>• 'Monasteries' similar to quadrangular shaped viharas<br>• Ornamented with mural paintings unique to Southeast Asia. |
| ***Excavated Remains of Nalanda Mahavihara, India*** | • Show advent of a university-campus layout, with master-plan for first time in Mahavihara. System adopted by later Mahavihara[9]<br>• Finalised built form of temple-like panchayatan (quincuxial) chaitya as principle sacred architecture of the Buddhists. It replaced traditional dominance of stupa. Wasadopted by later Mahavihara<br>• Quadrangular vihara developed into planned scholastic facility. Adopted by later Mahavihara<br>• Experimentation themes, iconography and iconometry of erstwhile art centres (Gandhara, Mathura and Sarnath) and assimilation with local Magadha practicesfinalisedform and features of Vajrayana pantheon.<br>• Metal art most significant, influencing art and culture of Tibet, Nepal, Bhutan and Malayan Archipelago. |

*Table No 16:Summary of Contributions to site planning, architecture and art*

[8] Like the Dharmekstupa, Sarnath

[9] Later Mahaviharas include Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985) and Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999) and properties of Vikramshila and Odantapuri of India (latter 2 not in TL or WH list)

Summarising the contributions of the properties:-

| ***To note:*** Basis of selection is the extent of influence and global importance of the attribute | **Outstanding contributions to:** | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | **Site –Planning** | **Architecture** | **Art** | **Institution-building** | **Philosophy** | **School of Thought** | **System of discourse** | **World Religion** |
| **Names of Properties** | | | | | | | | |
| Taxila, Pakistan (Ref 139; 1980) | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980) | ■ | ■ | ■ | | | ■ | | ■ |
| Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985) | | | | | | | | ■ |
| The White Deer Cave Academy (part of Lushan National Park China (Ref 778; 1996)) | | | | ■ | ■ | ■ | | |
| Jagaddala Vihara , Bangladesh (TL Ref 1212; 1999) | | | | | | | | ■ |
| The SeruwilaMangala Raja Maha Vihara, Sri Lanka (TL Ref 5083; 2006) | | | | | | | | ■ |
| Bagan Archaeological Area and Monuments, Myanmar (Ref 819; 2006) | | ■ | ■ | | | | | |
| *University of Bologna, Italy (partly included in TL Ref 5010, 2006)* | | | | | | ■ | | |
| *University of Paris, France* | | | | | | | | ■ |
| **Excavated Remains of Nalanda Mahavihara** | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

*Table No 12: Conclusions from comparing contributions made by individual properties*

*Nalanda Mahavihara* distinguishes itself as the only property that has significantly contributed to all attributes of institution-building, artistic traditions, architecture, site-planning and developments in philosophy and systems of discourse and world religion (Buddhism) equally. *The university-campus layout executed through combination of chaityas and viharas evident in its excavated remains is a turning point in development of pedagogical infrastructure of ancient and early medieval times*. Witness to developments in systems of education, disciplines of Philosophy and Logic and doctrines (of Madhyamika and Yogachara) that continues to influence Asia, the Excavated Remains of Nalanda Mahavihara is an exemplary testimony to the multifaceted role played by an educational establishment par excellence. *No other educational establishment whose inception dates back to 3rd century BCE continues to guide scholasticism even after ceasing to function for eight centuries*.

### *3.2.ii. Regional Comparison*

Since Post-Vedic times the Indian subcontinent and especially the Gangetic plains was the hub of intellectual activities where a number of Schools of Thoughts developed. Of these, the foremost were the *Charvaka*, *Jainas*, ***Buddhists***, *Nyaya*, *Vaisesika*, *Sankhya*, *Yoga*, *Mimamsa* and *Vedanta* which formed and refined through mutual criticism of each other (Also Refer to *Table no. 06: Schools of Indian Philosophy and Different Systems of Thought prevalent in Post-Vedic Gangetic plains of the Indian Sub-continent*). While these schools developed by positioning themselves either in support or by refuting the superiority of the *Vedas*, those following the Buddhist or Vedanta or Mimamsa were foremost, due to their consistent active involvement with the society. The latter manifested in gradual elaboration of infrastructure and (system and content of) learning that together narrate the history and contributions of Indian pedagogy.

In the region (India), the *Excavated Remains of Nalanda Mahavihara* can be compared to

- Mahaviharas, as these are typologically identical (Typology-based comparison)
- Centres of learning famed for contribution to traditional knowledge and systems of learning (Functionality and Influence-based comparison)

#### *a. Built and functional Typology (i.e. a Mahavihara)*

By the 6th century BCE, those following the *Buddhist* system of thought [10] distinguished themselves from other sects as their *dhamma* (duty of the ordained one) obligated every ordained person to relieve society of *dukkha* (trials, suffering). This encouraged active participation of Buddhists in matters of the court and of society which earned them the necessary patronage from all sections of the society. Over time, this support transformed the temporary *vassavasa* to a more permanent *sangharama* where bhikshus engaged in study contemporary sources of knowledge which included belief-systems. By the turn of the millennia, some *sangharama* distinguished itself as a centre

[10] As specified by the Buddha, a learned one ensures the welfare and happiness of many (Bahujana). So when an ordained one relieved the lay community from *dukkha* (based on message from the Buddha), many became his followers and formed a sangha. Once ordained, the layman became a bhikshu and strove to ensure welfare and happiness of many (Bahujana).

of learning. These possessed elaborate infrastructure, either free-standing or rock-cut[11], and were conferred the title of a Mahavihara or a great vihara.

Of the free-standing type, the Mahaviharas at Nalanda (Bihar), Vallabhi (Gujarat) and Vikramshila (Bihar) were most famed as centres of higher education possessing an expansive facility.It is important to note that while records of Chinese scholars mention several monasteries in Kashmir, Punjab, Uttar Pradesh, Kanauj, Hiranya, Andhra Pradesh other than eastern India, it is only the Mahaviharas at Nalanda, Vallabhi and later Vikramshila that were considered universities of international scale.

| Excavated Remains of Nalanda Mahavihara (Bihar) | Vallabhi Mahavihara (Gujarat) | Vikramshila Mahavihara (Bihar) |
|---|---|---|
| **Timeline** | | |
| 3rd century BCE to 13th century CE Was at the zenith by 5th century CE onwards | 6th century CE to 12th century CE | 8th or early 9th century CE to late 11th early 12th century CE |
| **Patrons** | | |
| • Received patronage from royals (of Maurya, Gupta, Later Gupta, Pala Dynasties) and other sections of the society<br>• Was administered by distinguished *Pandits*<br>• Inspired patrons to establish later Mahaviharas of Vikramshila and Odantapuri in Bihar, India and Jagaddala and Paharpur in Bangladesh | • Received patronage from Maitraka kings of Soursashtra and few wealthy merchants | • Established and received patronage from Pala Dynasty<br>• Operated in network with Odantapuri in Bihar, India and *Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985)* and *Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999)*by Pala kings.<br>• Oftenwere administered with Nalanda Mahavihara |
| **Focus of Studies** | | |
| • All existing sources of knowledge<br>• Texts and principles of Mahayana were special focus.<br>• Developed principles of Madhyamika and Yogachara Schools that transitioned Mahayana to Vajrayana<br>• Structured fundamentals of Philosophy and Logic | • Theravada text<br>• Other subjects were secondary importance | • Principles of Yogachara Schools, Vajrayana doctrines and Tantric Buddhist studies **developed in Nalanda Mahavihara**<br>• Other subjects were secondary importance |
| **System of admittance** | | |
| • Merit-based system of admittance<br>• Overlooked social, economic or sectarian affiliations<br>• Admittance of nuns not noted | • Preference to Theravardin monks<br>• Nuns were admitted | • Preference to scholars of Vajrayana doctrine |
| **Nature of tangible remains** | | |
| • Archaeological site comprises of | • No existing remains[12] | • Monastic-city-like layout. Central |

[11] For example, Rock Cut Cave viharas of Ajanta (Ajanta Caves, India, Ref 242; 1983)

| | | |
|---|---|---|
| viharas, chaityas, stupas which together convey the developments in art, architecture, site planning<br>• Iconography and iconometry of stucco, stone and metal art influenced art and religious practices in Tibet, Nepal, Bhutan and Malayan Archipelago | | chaitya-like temple in quadrangular courtyard.<br>• Adopts planning and architectural systems developed in ***Nalanda Mahavihara***<br>• No contribution to art |
| **Nature of intangible remains** | | |
| • Maturing of doctrines of Mahayana<br>• Transitioning Mahayana to Vajrayana<br>• Forming fundamentals of Yogachara and Madhyamika<br>• Structuring systems of Philosophy and Logic<br>• Systems of debate and dialectic of Nalanda continues in Monasteries of Tibet<br>• Seals, epigraphs and records of scholars corroborate a highly organisedadministrative system | • Students of Nalanda like Gunamati contributed to schools at Vallabhi | • System and content of education (especially Yogachara doctrines) and internal administration was adopted from Nalanda Mahavihara<br>• Scholars of Nalanda Mahavihara taught and spearheaded discourses<br>• Vikramshila Mahavihara was prominent centre for Vajrayana studies |

*Table No 17:Comparison of 'Mahavihara' dedicated to pedagogy*

***Nalanda Mahavihara*** supersedes other establishments as the progenitor of a *system* of education, administration and design (site-planning and architecture) that were followedbyother establishments. While scholars from Nalanda, like Gunamati, were known to have held schools at Vallabhi, the intellectual movement created by Nalanda Mahavihara inspired the Pala rulers to establish Mahavihara at Vikramashilaand three [13] other places as a network. As a prodigy of Nalanda Mahavihara, Vikramashila based its studies on the Yogachara principles developed at the former and concentrated on Vajrayana studies.

Apart from distinguishing itself as an institution-builder, Nalanda Mahavihara, unlike Vallabhi or Vikramashila, spearheaded development of architecture, art and Buddhist belief system. The principle (of a unified complex with all infrastructures) of site-planning and the architecture of a temple-like structure as principle sacred enclosure developed

[12] In textual description, Vallabhi had one large monastic mandala ie. Dudda-monastic mandala with several extensions. Of these, a complex with 6 monasteries, another complex which had atleast 2 nunneries and a third extension comprising 5 monastic clusters to the Dudda-monastic mandala are known (Scharfe, 2002) (Dutt, 1962) (Mookerji R. K., Ancient Indian Education, 1974).

[13]Mahaviharas were established in Vikramshila and Odantapuri in India and at Paharpur (Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985)) and Jagaddala (Jagaddala Vihara, Bangladesh (TL Ref 1212; 1999))

at Nalanda were borrowed by later Mahaviharas like that at Vikramshila. The metal art of the Mahavihara is a distinct form of plastic art through which the iconography and iconometry of the Vajrayana Buddhist pantheon finalised. Carried forth by scholars, metal art of Nalanda influenced art and culture of Tibet, Nepal, Bhutan and the Malayan Archipelago.

The principles of Madhyamika and Yogachara and the Indian systems Logic and Philosophy are a result of pedagogical endeavours at Nalanda Mahavihara. While Madhyamika and Yogachara are important schools of the Buddhist belief system, its application was instrumental in the transition of Vajrayana from Mahayana. The Vajrayana or Tantrayana principles developed here was furthered in Vikramshila and is practiced in Tibet, Nepal and Bhutan. Carried to different parts of South, East and Southeast Asia, the principles of Madhyamika and Yogachara continue as Buddhism, Neo-Confucism and other social customs.

Influential in its life-time, the Nalanda Mahavihara is still the aspired standard of pedagogical excellence in Asia. While many share its name, Tibetan monasteries best illustrates the continuity of its education systems. Referred to as the 'Science of Mind' by the 14th Dalai Lama, debate is still used as a teaching tool and is globally considered important for critical thinking in higher learning (Scott, 2008) (Roy &Macchiette, 2005 ) (Jiménez, Perdiguero, &Suárez, 2011).

### *b. Contributions to traditional systems of education*

Based on the importance as centre for higher learning that furthered the vedic systems of education, in ancient and early medieval India, the *Excavated Remains of Nalanda Mahavihara* can also be compared to the historic city **Benaras** or Varanasi, (Uttar Pradesh) and temple town of **Kanchipuram**, (Tamil Nadu).

| **Excavated Remains of Nalanda Mahavihara (Bihar)** | **Learning clusters of** | |
|---|---|---|
| | **Benaras, (Uttar Pradesh)** | **Kanchipuram, (Tamil Nadu)** |
| **Chronology** | | |
| 3rd century BCE to 13th century CE<br>Was at the zenith by 5th century CE onwards<br>Not functional as an educational establishment. | Post-dates the Taxilaand grew through pandits and acharyas who studied there[14]<br>Clusters continue till date | Grew from changes in Hindu religious practices of 4th century CE.<br>Clusters continue till date |
| **System of teaching** | | |
| • Shows an evolved form of *guru* and *acharya*-kul systems[15]<br>• Scholars exposed to many teachers and schools of thought.<br>• Information is internalised through self-cultivation (*yoga*), critical thinking and then dialectics and debate[16].<br>• System similar to that in modern universities and in Tibetan Monasteries | • Continuity of the *guru-kulsystem*<br>• Each educational cluster under individual *guru* or *acharya*.<br>• Not part of a temple<br>• Formal University of Benaras established of 18th century CE | • Temple (shiva)-based learning<br>• Each cluster under individual *a matha-pati* |
| **System of admittance** | | |
| • Merit-based admittance<br>• Overlooked social, economic or sectarian affiliations | • Merit-based admittance<br>• Priority on upper class | • Not known |
| **Focus and contribution to education** | | |
| • Engaged on all contemporary sources of knowledge<br>• Texts and principles of Mahayana were important part.<br>• Developed principles of Madhyamika and Yogachara Schools and structured Indian systems of Logic and Philosophy.<br>• Developed debate as a learning tool<br>• Education influenced Buddhism | • Primarily Vedic and Brahmanic disciplines. Few included Buddhist doctrines<br>• Had a famed School of music<br>• Education influenced Brahmanism | • Primarily Vedic and Brahmanic disciplines. Few included Buddhist doctrines<br>• Education influenced Brahmanism |
| **Pedagogical Infrastructure and administration** | | |

[14] Many scholars of the Gandhara Valley migrated towards the Gangetic plains due to the attacks of the Hepthalite Huns. These learned men established *tols* (like private schools) at Benaras and other places. Those of Benaras over time grew into prominent centres of learning showing a guru-kul or acharya-kul systems in imparting education (Scharfe, 2002)(Mookerji, 1974).

[15] Gurukul system is where students sought tutelage from a single guru (teacher) (Mookerji, 1974) (Scharfe, 2002).

[16] The system of discourse through dialectic and debate is referred to as a 'Science of Mind', by the 14th Dalai Lama. It is also a very important tool applied for critical thinking for higher learning in any field till date (Scott, 2008) (Jiménez, Perdiguero, & Suárez, 2011) (Roy & Macchiette, 2005 ).

| | | |
|---|---|---|
| • Planned University campus for the first time in ancient and early medieval India<br>• Ensemble of viharas, chaityas, stupas and shrines show developments in art, architecture, site planning<br>• Had system of internal management | • No defined campus for education<br>• Clusters are attaché to guru`s home. Located in different parts of city<br>• No contribution to planning or architecture or art | • No defined campus for education<br>• Clusters are attaché to temples<br>• No contribution to planning or architecture or art |
| **Studentship** | | |
| • East, south and southeast Asia apart from Indian sub-continent | • Mainly Indian sub-continent | • Mainly Indian sub-continent |

*Table No 18:Comparison of prominentcentres of learning of ancient and early times*

Nalanda Mahavihara, as opposed to the education clusters in Benaras and Kanchipuram, shows the zenith in evolution of traditional systems of education. The built ensemble, corpus of moveable and immoveable art pieces, system of administration and education is a complete narration and physical manifestation of this process. From formalisation of a 'university-system', to development of a distinct architectural form both of which are at par with any modern-day university, the *Excavated Remains of Nalanda Mahavihara* boasts of being the leading centre for higher learning for scholars from different corners of Asia since ancient times. Such an organised system was developed in Benaras not before the late 18$^{th}$ century CE with the University of Benaras, which adopted an occidental approach to traditional studies.

**Conclusion**

The *Excavated Remains of Nalanda Mahavihara* is a rare combination of outstanding achievements in institution-building, site-planning, architecture, artistic traditions and pedagogy for an educational facility in the world. Focus of an intellectual movement, scholasticism at Nalanda formed tools for critical thinking and fundamentals of Indian systems of Logic and Philosophy. The principles of Yogachara and Madhyamika Schools formed here not only transitioned Mahayana to Vajrayana, but have left an indelible mark on Asian culture. While it's built form show the oldest planned University of the Indian subcontinent, the significance of Nalanda as a centre for higher learning is reinforced by the innumerable Asian educational institutions that draw inspiration from it even after ceasing to function for nearly 800 years.

## 3.3 Proposed Statement of Outstanding Universal Value

### *a. Brief synthesis*

Archaeological site of Nalanda Mahavihara are remains of a great monastic-cum-scholastic establishment spanning 3rd century BCE to 13th century CE. Located near present-day Rajgir, Bihar, Nalanda is a rare combination of outstanding achievements in institution-building, site-planning, art and architecture. Nalanda symbolized the multiplicity of knowledge production, the innovative processes of the organized transmission of ideas through education, and a shared heritage of people living in multiple regions of Asia.

A major Mahavihara by the 5th century CE, Nalanda drew patronage of rulers from beyond the Indian subcontinent and attracted scholars from far-flung corners of Asia. Consistent scholarship at Nalanda led to developments in systems of learning, logic, philosophy and Schools of Buddhism that influenced contemporary Asian culture.

Nalanda`s excavated remains provide evidence for development of architecture and evolution of artistic traditions of South Asia. While Nalanda`s site plan show a linear planned organization of a campus, its Site no. 03 show a five-fold temple form both of which were borrowed by later Mahaviharas. The temple-like form of Site no. 03 and the sculptural art contribute to development of Buddhism and Buddhist art and architecture in large parts of Asia

### *b. Justification of criteria*

#### *i. Criteria IV*

*Excavated Remains of Nalanda Mahavihara*' represents maturing of ancient Indian pedagogy and the related philosophical discourses that influenced early medieval Buddhist art, architecture and belief system. It's built ensemble show processes of assimilation and developments of prototypes of planning, architecture and art that influenced large parts of Asia.

Nalanda`s remains marks the advent of systematic planning for a pedagogic establishment. Application of the order enabled its seamless expansion and imparted Nalanda with a visual identity. Reminiscent of modern day universities, this order was

followed by monastic-cities like Paharpur (Bangladesh, World Heritage Site) and influenced Tibetan monasteries.

Standardisation of architecture of viharas and evolution of temple-like chaitya (sacred structure) into prototypes here are evidences of sustained interchange. The quadrangular free-standing *vihara* of Gandhara evolved into a complete residential-cum-educational infrastructure borrowed by monastic-city.

Nalanda shows emergence and mainstreaming of a quincuxial (five-fold) temple-like sacred architecture. As a reflection and representation of changing religious practices, this new form replaced the traditionally dominant stupa and influenced Buddhist temples in East, South and Southeast Asia.

Stucco, stone and metal art shows thematic and iconographic assimilation of features from major art-centres of India and finalized iconography of Vajrayana pantheon. Nalanda stucco influenced those of Thailand and its metal art influenced art and social life of Malayan archipelago, Nepal, Burma and Tibet.

Defining standards for contemporary mahaviharas Nalanda distinguished itself as the first planned university of the Indian subcontinent. Nalanda`s built remains exemplify its extraordinary contribution to institution-building, pedagogy, architecture, art and pan-Asian culture. Its tradition continues to live Tibet.

***ii. Criteria VI***

Nalanda Mahavihara, as a centre for higher learning marks the zenith in the evolution of sangharama (monastic establishment) into the earliest university of early medieval India. Its merit-based approach embraced all contemporary sources of knowledge and systems of learning practiced in the Indian subcontinent. The sustained scholarship in Nalanda`s viharas crystallised the fundamentals of Indian systems of Logic and Philosophy, principles of Yogachara and Madhyamika Schools and debate as a tool for learning. While Logic and Philosophy are integral part of Indian culture, the principles of Yogachara and Madhyamika enabled transition from Mahayana to Vajrayana. Dispersed through its scholars, the principles influenced culture of Asia survives till date in the form of several sects and social customs.

Nalanda remains an extraordinary institution-builder. Its systems of pedagogy, administration, planning and architecture were the basis on which later Mahaviharas were established. The continuity of its systems are still evident in monasteries of Tibet and Nepal. While many like Nalanda, Matale in Sri Lanka share its name, Nalanda continues to inspire modern establishments like Nava Nalanda Mahavihara, Nalanda University and many others across Asia.

***c. Statement of integrity***

Archaeological remains of *Nalanda Mahavihara* were systematically unearthed and preserved simultaneously. These are the most significant part of the property that shows developments in planning, architecture and artistic tradition of Nalanda. As evinced by the surviving antiquities, the site is explicit of a scholar`s life recorded in the "University".

All surviving remains of *Nalanda Mahavihara* in the proposed property area demonstrate amply the attributes of the property such as its planning and layout, its architectural manifestation and extant building materials and applied ornamental embellishments. Preserved in-situ is structural remains of viharas (residential-cum-scholastic structure) and chaityas (temple-like structure) whose layers of construction show evolution of the respective forms. The positioning of these structures over the length of the site shows the planned layout unique to Nalanda. The site also retains a corpus of moveable and immoveable artefacts and artistic embellishment that shows iconographic development reflecting changes in Buddhist belief system.

Archaeological remains including the entire protected area of the proposed property are maintained by Patna Circle of the Archaeological Survey of India. Its material and fabric preservation is undertaken by Science Branch while open spaces are maintained by the Horticulture Branch of ASI. Buffer Zone of the proposed property is sparsely populated with agricultural land and dried water bodies and thus poses no threat to property. The Property and the Buffer Zone are protected by a national-level law - Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010) and is monitored by the National Monument

Authority (national level) and office of the District Commissioner, State Government of Bihar (local level).

### *d. Statement of authenticity*

In subsurface condition for over seven centuries the archaeological remains of *Nalanda Mahavihara* were unearthed and conserved in-situ. Its layers of construction, iconography and records testify these remains to be its oldest surviving parts. The spatial organisations evident in the excavated remains demonstrate its systematic planning. Temple-like form of chaityas and quadrangular-form of viharas replete with infrastructure, authenticate Nalanda`s contribution in developing sacred architecture of the Buddhists and residential-cum-scholastic facilities. Its stucco, stone and metal art retain iconographic features that enabled changes in Buddhist belief system and transition of Mahayana to Vajrayana. The conserved remains also retain the original systems, non-perishable and fragments of perishable materials of construction.

Nalanda`s contributions to pedagogy survive as socio-cultural practices. Zen and Pure land Buddhism in Japan, Chan and its sub-sects, Wei-shi-siang-kiau, Fa-siang-tsung and Avatamsaka in China and Bkah-gdams-pa and its sub-sects Karma-pa and Hbrug-pa, Sa-skya-pa, tradition of spiritual succession in Tibet trace its roots to *Madhyamika* and *Yogachara* developed at *Nalanda*.

Ceasing functionally as a 'university' (13$^{th}$ century CE) *Nalanda*`s role as an institution-builder is testified by the borrowing of its system of administration by later Mahaviharas of the 8$^{th}$ century CE. *Nalanda*`s system of pedagogy is best preserved in Tibetan monasteries where discourses are conducted through debate and dialectics. Furthermore, universities across Asia consider *Nalanda* the landmark of academic excellence.

### *e. Requirements for protection and management*

The Property is owned, protected, maintained and managed by Archaeological Survey of India vide national level laws - the Ancient Monuments and Sites Remains Act of 1958 (amended in 2010) and the Ancient Monuments and Sites Remains Rules of

1959 and The Antiquities and Art Treasures Act 1972. Decisions pertaining to its conservation and management are governed by National Conservation Policy for Monuments, Archaeological Sites and Remains Protected by Archaeological Survey of India.

Conservation and management of property is ordained by a perspective plan revised every 5$^{th}$year. An in-house Committee of the Archaeological Survey of India monitors its state of conservation and conducts need-analysis. This apart, a plan for visitor management and risk preparedness is under preparation.

The Buffer Zone is also managed by the Archaeological Survey of India videAncient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010) in consultation with the State Government of Bihar. Development proposals in this area are vetted by The Competent Authority, Archaeological Survey of India, Nalanda's District Collectorate's Office and State Government of Bihar. Buffer Zone also has facilities to augment visitor`s experience.

# 04. State of Conservation and Factors affecting the Property

# 4A. Present State of Conservation

## Chapter 04: State of Conservation

### 4. a. Present State of Conservation

The remains of Nalanda Mahavihara were unearthed after being destroyed and retained in a sub-surface condition for a period of nearly 700 years. Since its identification in late 19th and early 20th century CE, major part of Nalanda was excavated and simultaneously consolidated between 1916 to 1938 followed by a period of lull and resumed by the 1970`s when large scale conservation was taken up. Since then continuous maintenance works have been undertaken to protect the physical integrity of the excavated remains. Today, the site is owned and maintained by the Archaeological Survey of India and their protections vide the national-level legislature - the Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010) ensures that no intervention compromising the authenticity and integrity of the excavated remains is permitted.

Condition of structures and material is assessed by the ASI field staff posted at Nalanda who are trained to prepare conservation work-plan for each financial year. The work-plan consists of a report on condition, nature of intervention, estimates, budget and phase of execution which is submitted to the Superintending Archaeologist in the Patna Circle Office. The latter revises the same final approval by the Director General. Approved works and requisite budget is sanctioned for implementing works every year. Depending on the nature of work and skills required, site visits are also conducted and experts are engaged. All the executed works are published in the Annual Report (Indian Archaeology and Review).

*i. Major agents of deterioration*

**Moisture** in different forms remains the most critical agent of deterioration at Nalanda. Located in a hot humid area with high level of precipitation (Refer to *Annexure 01: Annual Temperature and Humidity levels at Nalanda*), the continuous wetting and drying cycle have rendered the bricks weak susceptible to powdering and at places be dislodged from their intended alignment. Periodically repairs have been

conducted by replacing broken units with customized[1] ones and by re-using bricks which retain their strength. (Refer to *Figure 13: Impact of Moisture in Nalanda*)

Triggered by presence of moisture and high fertility of soil, the site has **high growth rate of vegetation**. Together with moisture, the roots penetrate deep into the masonry core, weakening the structure. As a result, regular weeding and de-vegetation is the most important part of preventive conservation at Nalanda. Its frequency increases during the monsoon season i.e. June to September and is lowered in the winter and summer months of December to April. Special care is taken while clearing over-growth located within the built enclosures to prevent dislodgement of or mechanical injury to the built surface. Weeding is carried-out by skilled labourers under strict supervision of the Conservation Assistant. Post removal of vegetation, a fungicidal coat is applied to retard growth rate. (Refer to *Figure 14: Extent of vegetal growth in Nalanda*)

The excavated remains also show the combined effect of air-borne pollutants, grime, dust and moisture. Evident as blackening of brick and stucco surfaces exhibit permanent discoloration and loss of surface features, controlling airborne pollution remains one of the conservation challenges. (Refer to *Figure 15: Impact of pollutants in Nalanda*)

*ii. Other (minor) agents of deterioration*

Human induced **mechanical injury** remains one of the critical sources of damage and to prevent it visitors are disallowed to walk atop the walls of the viharas. It needs to be noted that the top courses of the walls of each vihara had been consolidated by extending the same. The extended wall acts as a sacrificial layer apart from preventing percolation of moisture and requires periodic repairs. When visitors clamber atop walls it risks life, affects integrity apart from rendering the core vulnerable to impacts of moisture. While visitors are permitted to experience of the site, they are discouraged from climbing and walking on the structures. (Refer to *Figure 16: Impact of mechanical injury in Nalanda*)

[1] As a rule, the Archaeological Survey of India uses custom-made bricks to size for conservation works.

Figure No 13 -Impact of Moisture in Nalanda

Figure 14: Extent of vegetal growth in Nalanda

Figure No 15: Impact of pollutants on Excavated remains (in combination of moisture, dead algae and dirt)

Figure No 16: Impact of mechanical injury in Nalanda

The Table 12: Summary of conservation works undertaken since its excavation and state of conservation of archaeological remains of Nalanda Mahavihara

*(Refer to Appendix 01: Documentation of planning and architecture evident in archaeological remains of Nalanda Mahavihara)*

| Name of Structure | *Timeline* | State of Conservation |
|---|---|---|
| Site no. 03 | 1916-35 | • Excavation was undertaken revealing remains of a chaitya with a brick Ashokan stupa in its core. It was excavated in phases revealing the seven layers in a fragmented state and the remains were stabilized by reusing older bricks as far as possible and adding new customized ones. Only the last three layers, which also show appreciable quantum of stucco art, were retained in an exposed condition for visitors to comprehend the levels of construction.<br>• An incision was made to study the Asokan Stupa in the core of the chaitya. The same was found in a fragile state and unfit for exposure and hence was documented and thereon re-buried.<br>• Waterproofing, repaving of broken flooring and provision of drainage channels to divert rainwater away from the structure.<br>• Regular weeding and de-vegetation of structure and surrounding areas. |
| | 1956-2000 | • Stucco figures were found to blacken, flake (Blackening and flaking of stucco figures were noted) and disintegrate being in contact with the |

| | | |
|---|---|---|
| | | natural climatic conditions. These were chemically treated and consolidated without replicating any details.<br><br>• The flooring of the courtyard containing the stupa-chaitya was repaired and consolidated.<br><br>• Reapplication of waterproofing layer<br><br>• Architectural documentation was carried out to record the structures. |
| | 2000-2014 | • No structural distress was noted and only minor maintenance works including weeding, cleaning of blackened surfaces and application of waterproof coat was required.<br><br>• Stucco art showed appreciable amount of blackening necessitating cordoning of the area and limiting visitor contact with the same. The blackened portions were chemically treated and a water proofing coat was applied.<br><br>• Updating of architectural drawings and condition mapping. |
| Site no. 12<br><br>Site no. 13 | 1916-1934 | • Excavation of the mound to the north of the principle stupa-chaitya revealed a panchayatan chaitya in phases. Its masonry was recovered in a fragile state having remained in a sub-surface condition since 1235 AD. |

| | | |
|---|---|---|
| Site no. 14 | | The structure was simultaneously consolidated by reusing original (usable) bricks and addition of few custom-made ones. |
| | 1934-2000 | • The area to the north, east and south of the chaitya was excavated revealing a series of votive stupa which date from 6th to 9th CE. These were cleaned and stabilized.<br>• The flooring of the courtyard abutting the chaityas and drains were broken. The flooring was repaired with a layer of lime concrete and was provided with requisite slope. The brick-lined drains were repaired and water-tightened to divert rainwater away from the courtyard.<br>• Structural repairs were undertaken to consolidate portions of walls that had collapsed due to the earthquake of 1934.<br>• High vegetal growth was noted in and around the chaitya necessitating regular de-vegetation.<br>• Architectural documentation was carried out to record the structures. |
| | 2000-2014 | • Minor repairs undertaken include repair of out-of-plumb masonry weeding, removal of vegetation and clearance of drainage channel to divert rainwater away from the structure.<br>• Provision of roofing over central shrine. |

| | | |
|---|---|---|
| | | • Excavation has been initiated in the area to the north of Chaitya 01 in 2014 as a structure was noted during clearance of rank vegetation.<br><br>• Updating Architectural documentation of excavated remains. |
| Shrine/ Sarai Mound | 1973-85 | • Excavation and simultaneous consolidation of the structure was carried out in phases. The chaitya was recovered in a fragile state given that the structure was in a sub-surface condition for more than 800 years. Further excavation of the area abutting the structure revealed votive stupas, remains of quadrangular cells possibly habitable spaces and burials of ascetics.<br><br>• Architectural documentation of excavated remains. |
| | 1985-2014 | • Minor repairs undertaken including repair of out-of-plumb masonry weeding, removal of vegetation and clearance of drainage channel to divert rainwater away from the structure. Clearance of vegetation is an important task to maintain the property and prevent overgrowth.<br><br>• A roof was placed over the central shrine to prevent ingress of rainwater. The drains in the central shrine were cleaned to enable diversion of rainwater away from the structure. |
| Site no. 01 | 1925-35 | • Excavation revealed viharas in a fragile form which required consolidation |

| | | |
|---|---|---|
| Site no. 1A<br>Site no. 1B<br>Site no. 04<br>Site no. 05<br>Site no. 06<br>Site no. 07<br>Site no. 08<br>Site no. 09<br>Site no.10<br>Site no.11 | | and extension of the walls for a height of 4 feet over and above the extent it was unearthed. The top of this wall was finished with a water proof layer constituting of broken bricks with lime mortar and was camouflaged with the rest of the remains.<br><br>• The rooms used by the scholars were cleared of debris, its openings were reinforced by introducing concrete lintels in lieu of the wooden ones to support the superstructure and its broken flooring was repaired by relaying. To ensure diversion of rainwater away from the rooms, its floors were provided with requisite slopes and original drains were revived where possible.<br><br>• The wells, raised platform, shrines and hearth recovered in the courtyard were repaired using combination of original and new custom-made bricks. The interventions were made to ensure stability of the features as these were unearthed in a fragile state.<br>Special care was taken during repair and reconstruction of features like the hearth, location of column bases, openings, niches etc to avoid any form of conjecture. Different levels of occupation noted in the courtyard were also carefully retained during the process. Original brick-lined drains were also revived to divert water away from the enclosure.<br>• Clearance of vegetation was undertaken on a regular basis to prevent |

| | | |
|---|---|---|
| | | overgrowth. |
| | 1974-2014 | • Viharas were monitored for structural stability and minor repairs in the form of relaying of broken parts of flooring, clearance of drains and regular removal of overgrowth were undertaken.<br><br>• Architectural documentation has been re-initiated to update building information. |

**4. b. Factors affecting property**

The factors affecting the state of conservation of the property are as follows:

*4. b. i. Development pressures*

| Property area | Buffer Zone |
|---|---|
| There are no pressures of development within the proposed area for inscription. | The Buffer zone to the property includes habitable areas to the north, east and southern part of the property and agricultural land on the western side. Two types of development pressures exist in the buffer zone and in the areas abutting the same.<br><br>The first type of development pressure, which could impact the OUV indirectly, is the densification of immediate surrounding through transformation of agricultural land into one for construction/ settlement. Apart from adding to deterioration of stucco and bricks (of the excavated remains) by increased pollution level, it would undermine the landscape integral to the Mahavihara.<br><br>The second form of development pressure is the extension of existing settlements to the north and south of the property limits. The densification of the area would trigger demand for infrastructure, increase waste and pollution level. These factors would hinder comprehension of the landscape apart from manifesting as pressures to the environment.<br>(Refer to *Figure No 17: Map showing areas susceptible to transformation*) |

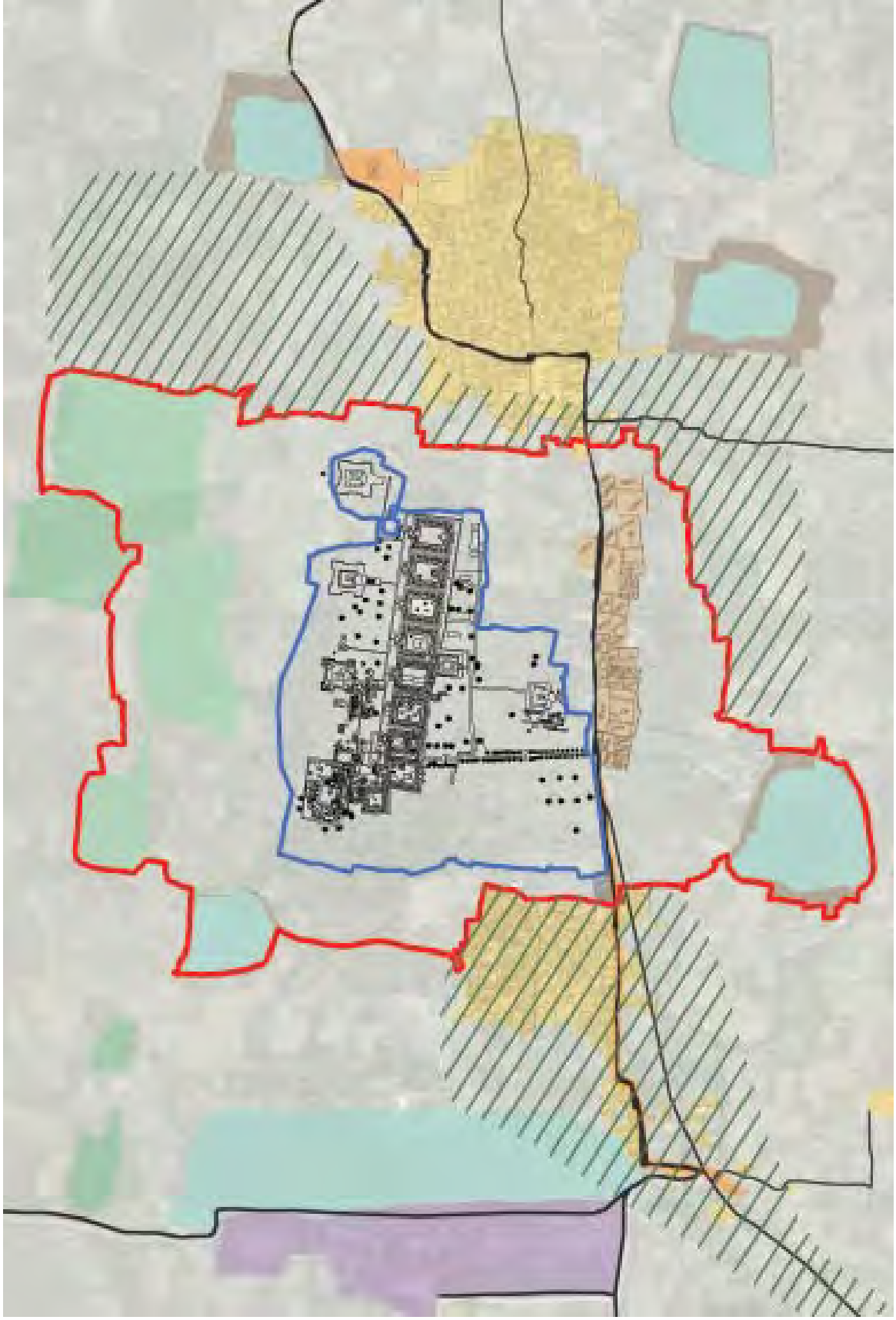



Figure No 17: Map showing areas susceptible to transformation

Archaeological Survey of India
Ministry of Culture, Government of India

*4. b. ii. Environmental pressures*

| Property area | Buffer Zone |
|---|---|
| Environmental factors, which impact the state of conservation of the excavated remains find source in the activities of the Buffer Zone. It is evidenced by the blackening of stucco and brick surfaces. | The principal source of environmental pollution find source in the motorized vehicular movement along the village level road which connect the State Highways 82 to 110. This bi-laned road is the only metal-topped carriage-way for growing settlements in a 5 km stretch. Traffic regulation of the same will be addressed through the Master Plan and regional transport plan to be prepared by the Nalanda Dist. Administration, State Govt. of Bihar.<br>(Refer to *Figure No 15: Impact of pollutants on Nalanda remains*) |

*4. b. iii. Natural disasters and risk preparedness*

The site is located in Earthquake Zone IV (moderate to high risk) with epicentre located in Nepal. Series of earthquakes have occurred in the State of Bihar mild tremors of which have been noted at the site of Nalanda (Martin, 2008). The most potent of these had been in 1934 when fragmented excavated remains had collapsed and were consolidated and reinforced. This apart, no other earthquake has impacted the excavated remains of Nalanda (Archaeological Survey of India, 1916-2001).

It is to be noted that the system used for constructing the foundation rendered the superstructure stable against seismic forces. The foundation consisted of brick masonry footing supported a layer of sand packing 3-5 feet in depth which absorbs the tremors ensuring its stability. In addition to the inherent seismic resistant property, building information of the excavated remains recorded in the form of architectural drawings which apart from assisting in regular conservation works also serve as a point of reference for emergency repairs. A detailed risk assessment and a preparedness plan are under preparation.

*Refer to Chapter 05; Table No 15: Action plan (Part of Property Management Plan) applicable to Property area; Refer to Figure No 18: Map depicting Natural Disasters prone areas in Bihar*

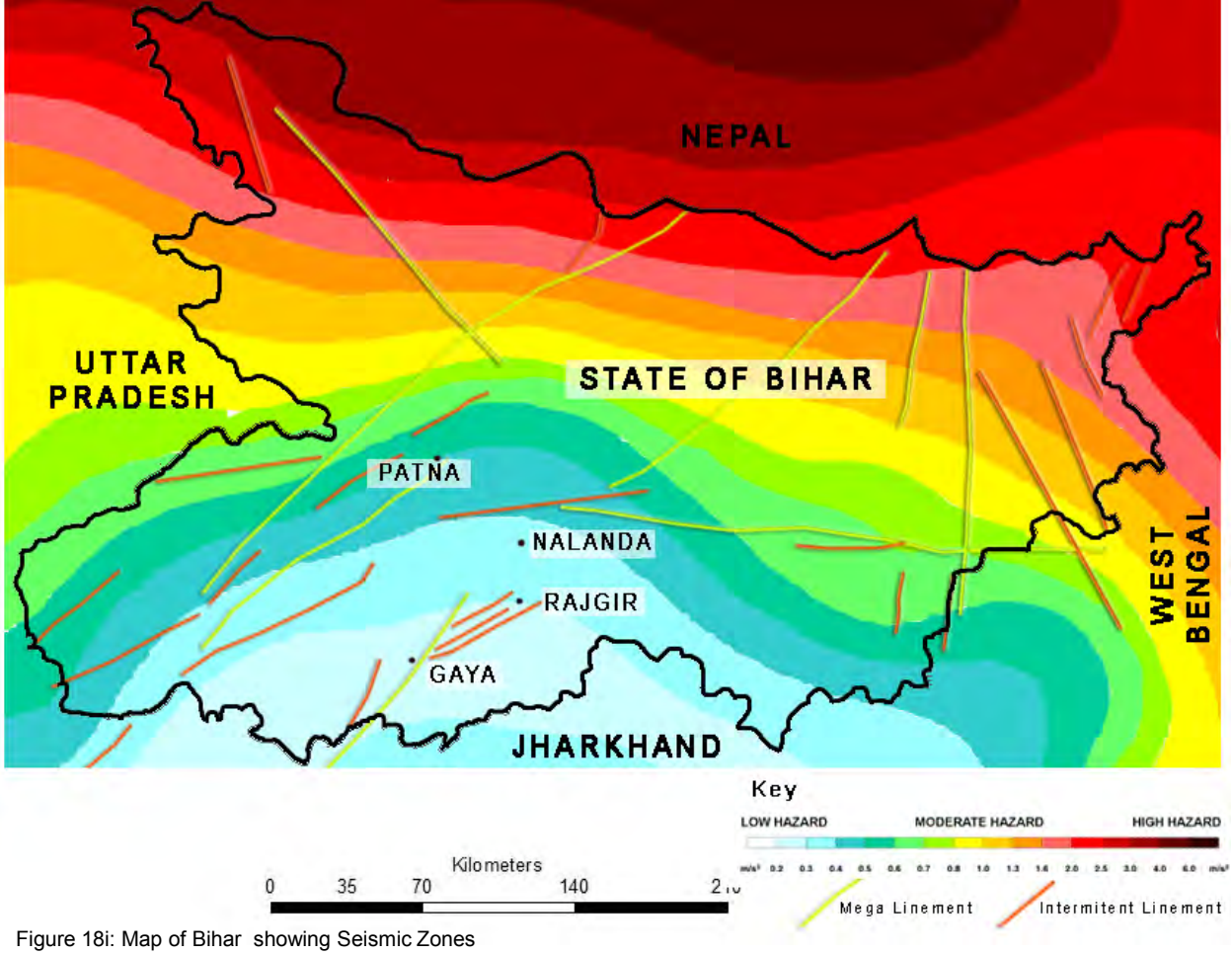



Figure 18i: Map of Bihar showing Seismic Zones

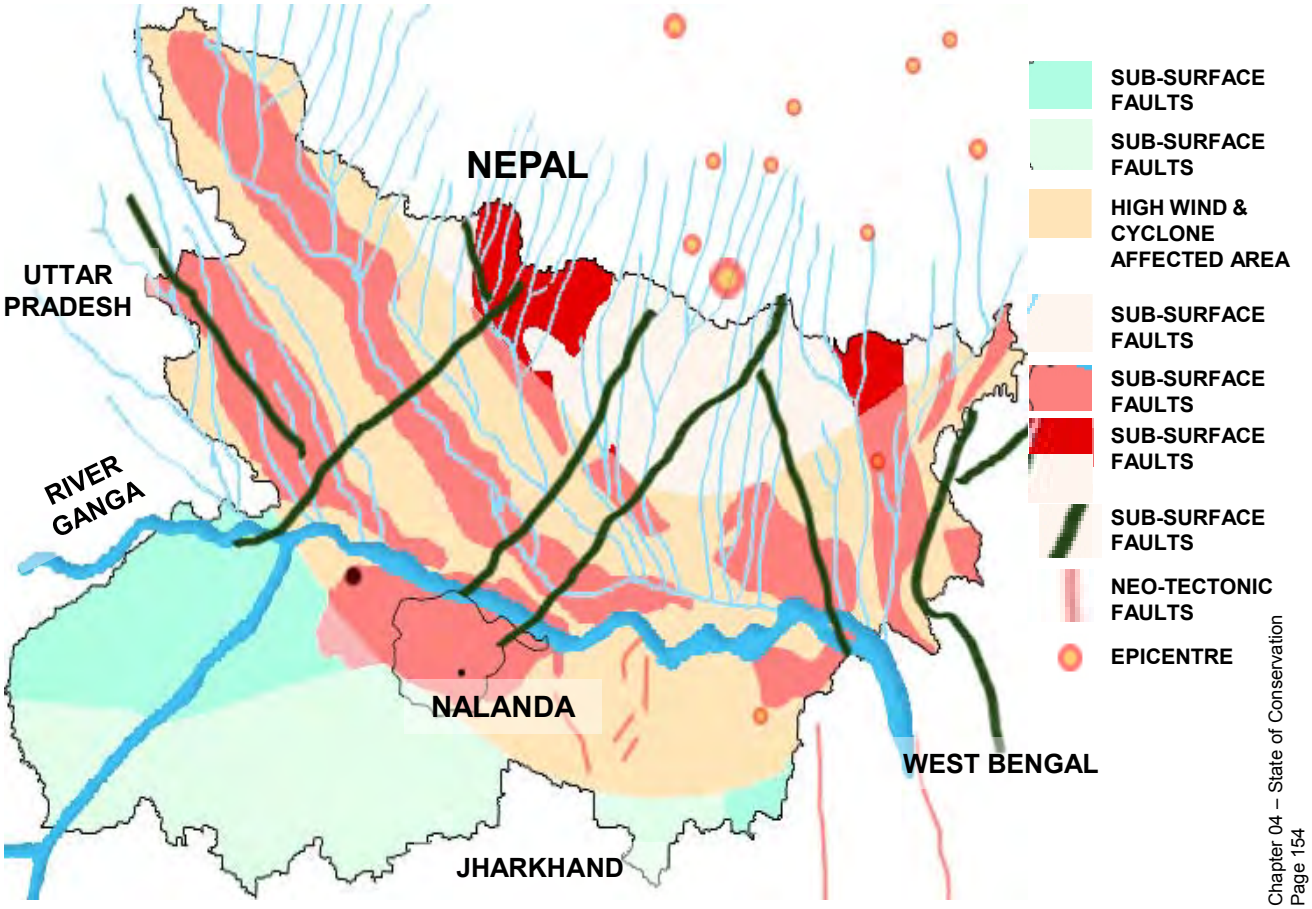



Figure 18ii: Map of Bihar showing disaster zones

Figure No 18: Map depicting Natural Disaster prone areas in Bihar

*4. b. iv. Responsible visitation at World Heritage Site*

The excavated remains receive consistent flow of visitors for leisure, educational as well as religious purposes[2]. While visitation is not restricted to any particular time of the year, the foot-fall intensifies during the winter season, i.e. the months of October to March when the climate is conducive to experience the site. The *Table No 13: Visitor footfall at the Excavated Site of Nalanda Mahavihara* shows the steady visitor footfall to the excavated remains.

| Year | Nalanda | Bihar | India |
|---|---|---|---|
| 2001 | 211810 | 6146841 | 241905860 |
| 2002 | 211291 | 6973080 | 274755546 |
| 2003 | 183107 | 6105530 | 315746814 |
| 2004 | 203212 | 8135574 | 374627800 |
| 2005 | 165073 | 8750541 | 401898265 |
| 2006 | 209613 | 7859674 | 473511073 |
| 2007 | 267158 | 10530249 | 539821115 |
| 2008 | 532673 | 12235183 | 577094888 |
| 2009 | 363967 | 16108623 | 663756195 |
| 2010 | 487577 | 19127526 | 765613558 |
| 2011 | 506986 | 19369977 | 884029844 |
| 2012 | 593359 | 22544032 | 1057078152 |

Table No 13: Visitor footfall at the Excavated Site of Nalanda Mahavihara (Ministry of Tourism, 2014) (Archaeological Survey of India, 1916-2001)

At this point, no carrying capacity analysis has been conducted and visitor movement is closely monitored to ensure adherence to a strict code of conduct within the premises of the property. Over the 800 meter stretch of the property, visitors walk along the defined pathway and draw information from the introductory interpretation panels affronting each structure (Refer to *Annexure 02: Content of the Interpretive Panels* and *Figure 19: Site Map showing visitor circuit and location of Interpretive Panels*). Their movement is halted at specific resting spots or to take shelter from rain. Also, frequent checks are conducted on movement pattern of visitors to ensure that persons are not lost or do not climb atop excavated remains.

[2] The figures maintained reflect the number of adults (foreign and domestic) visitors and do not classify the latter based on purpose of visit. The figures also exclude visitors below the age of 15 as entry for those below the given age is free of charge.

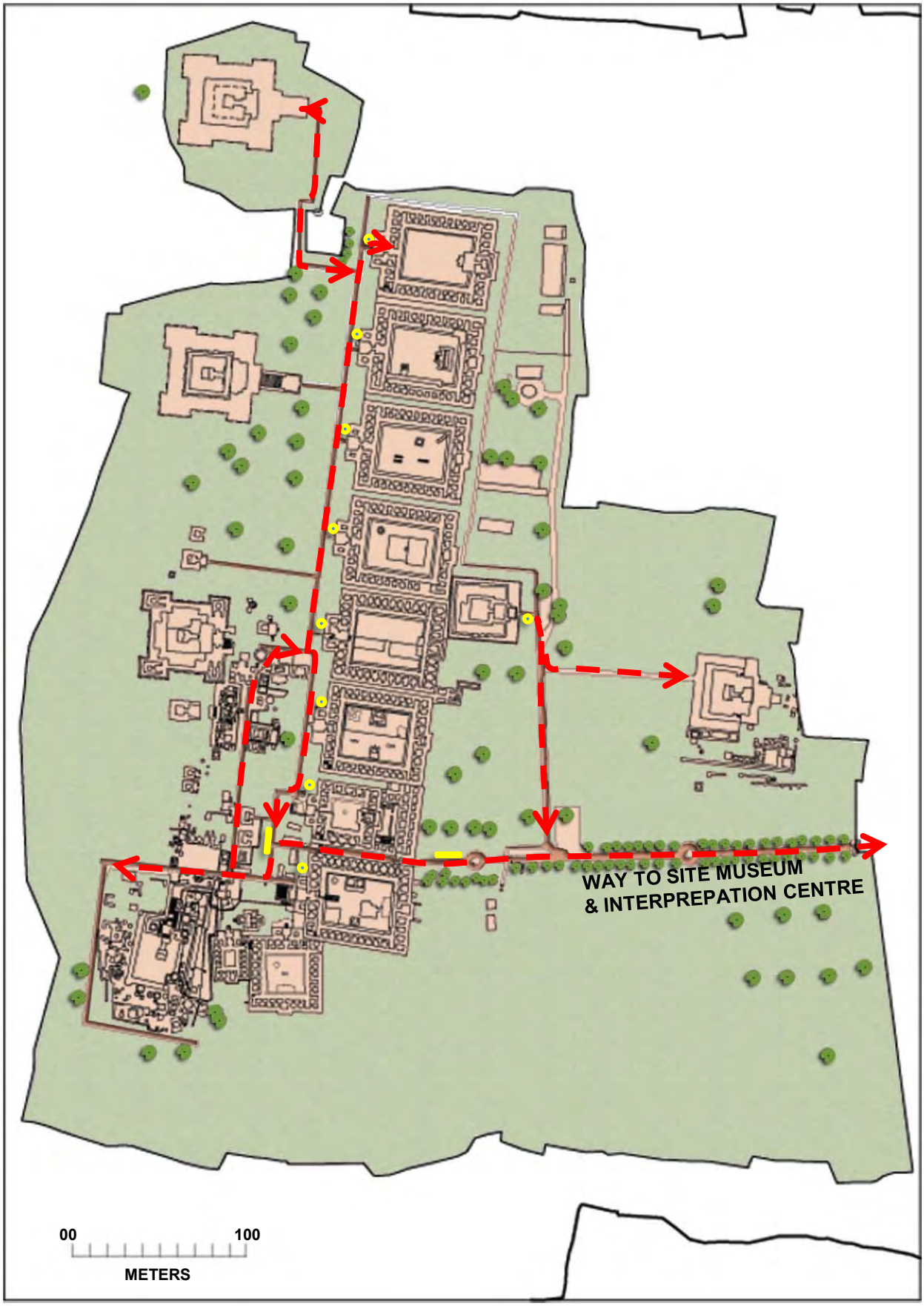



Figure no 19- Visitor circulation and Position of Interpretation panel in Property

Most visitors come in small groups and navigate independently, drawing information from the interpretation boards provided at the entry of every structure. Those who come to the site to pay their respect to the Buddha or to his disciples also come in small groups and gather primarily around the Site no. 03, chaityas and the smaller shrines of the site. Nalanda is also visited by school and college students as a part of their educational program and are accompanied by their teachers.

The site and its remains are under constant manual surveillance to prevent the same from any mechanical injury induced by increased footfall, especially during the months of October to March i.e. at the peak season. Visitor movement is closely monitored to prevent any member from climbing atop the walls of the viharas and from physically accessing the stucco art in the principle-stupa-chaitya. It needs to be noted that the walls of the viharas are provided with a water-proof sacrificial layer which help to prevent percolation of moisture and helps retain the structural integrity of the walls. Hence baring access is critical for safety of visitors and the structure itself. In addition to manual surveillance, the site will be provided with a CCTV monitoring system to reinforce safety and security of the archaeological remains and visitors.

The visitor management plan for the site is under preparation where at this phase the initial task of situation analysis is being conducted. At this point visitors to the site have access to information boards, halting spots, drinking water and a museum complex (in the Buffer Zone) having rest rooms etc. Assessment shows that the site would benefit from a revision of the on-site interpretation system (Refer to *Annexure 02: Content of the Interpretive Panels*), re-direction of visitor circulation path, making possible areas universally accessible [3], upgradation of existing museum and interpretation centre (in the Buffer Zone) in terms of improved exhibition and content. Allocation of water intensive functions like washroom within Property is under consideration as at policy level the Archaeological Survey of India does not encourage provision of such facilities in proximity to excavated remains. Other tasks such as conducting of capacity and impact assessment will follow once the initial surveys have been completed.

[3] While on one hand universal accessibility is desired state alternative systems are being considered which do not impact the excavated remains.

*4. b. v. Number of inhabitants within the property and the buffer zone*

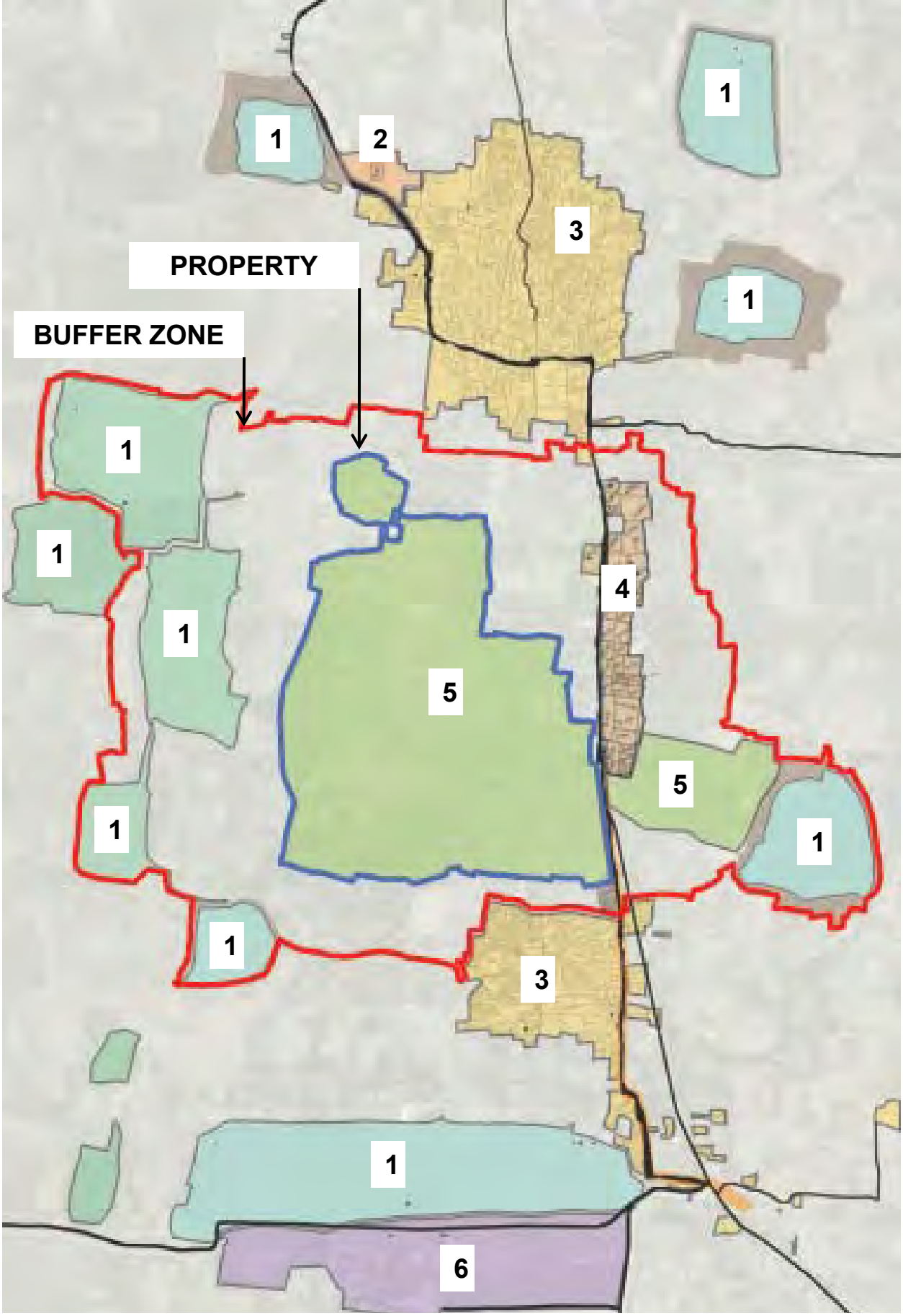
| | |
|---|---|
| Estimated population located within: | |
| Area of Nominated Property | *10 (Ten* approx, night guards*)* |
| Area of Buffer Zone | *100* (*Hundred* approx, staff and night guard of facilities) |
| Total | 110 |
| Year | 2014 |

## Chapter 05: Protection and Management of the Property

### 5. a. Ownership

| Property | Buffer Zone |
|---|---|
| Under ownership of Archaeological Survey of India. | Mixed ownership where the Archaeological Survey of India owns part of the agricultural land to the west of the property and area of the Site Museum.<br>The individuals residing in the settlement to the north of the property own the agricultural land and water bodies to the north of the site.<br>The shrine at the northern fringe of the property is owned by a temple trust.<br>Further north from the shrine is the settlement of Bargaon, which is beyond the Buffer Zone and is under the jurisdiction of the State Government of Bihar.<br>Along the eastern side of the property and within the Buffer Zone is an Interpretation Centre operated and owned by the State Government of Bihar. In close proximity to the Interpretation Centre is an educational establishment owned and operated by the State Government of Bihar.<br>To the South of the property and within the Buffer Zone is a settlement under the jurisdiction of the State Government of Bihar. |

Refer to *Figure No 20: Map showing nature of ownership of proposed Property and Buffer Zone*




## INDEX

1. PRIVATE OWNERSHIP (WATER BODIES)
2. TEMPLE TRUST
3. INDIVIDUAL RESIDENTIAL OWNERSHIP
4. STATE GOVERNMENT OWNED (INSTITUTIONAL LANDUSE)
5. ARCHAEOLOGICAL SURVEY OF INDIA OWNED
6. INSTITUTIONAL OWNERSHIP (PRIVATELY OWNED)

Figure no 20: Map showing nature of ownership of proposed Property and Buffer Zone
Archaeological Survey of India
Ministry of Culture, Government of India

**5. b. Protective designation**

| Protective designation | Application |
|---|---|
| **Property** | |
| **National (Central) level legislature** | |
| • The Ancient Monuments and Archaeological. Sites and Remains Act (AMASR Act) 1958 (Amendment and Validation 2010)<br>• Ancient Monuments and Sites Remains Rules 1959 | This act protects the most significant monuments in India and ensures its protection against any form of incompatible changes.<br>These govern all matters of conservation, protection and management of the Property, which includes ensuring high quality interventions, maintenance, and visitor management. By these Acts the Archaeological Survey of India could acquire land, which are of archaeological potential and protect the same for future works.<br>The acts and rules also govern all matters pertaining to research and dissemination of credible information as a part of outreach. |
| • 21 June,1923 vide 5857-VA-4-23-R,Education Department, Govt. of Bihar & Orrisa | This is the Gazette notification vide which the Property was awarded protected status. |
| • (Indian) National Conservation Policy 2010 | Guides and governs all matters pertaining to conservation and management of the Property. |
| **Buffer Zone** | |
| **National (Central) level legislature** | |
| • The Ancient Monuments and Archaeological. Sites and Remains Act (AMASR Act) 1958 (Amendment and Validation 2010)<br>• *(Indian) National Conservation Policy 2010* | Implemented by the National Monument Authority (NMA), its mandate includes management of development in the Prohibited and Regulated Zones to any protected monument.<br>In this case, the NMA will be responsible to oversee development, alteration of existing and construction of new facilities and ensure provision of infrastructure critical to support habitation. Where new constructions are sanctioned, its |

| | |
|---|---|
| | architecture and design are also vetted by the National Monument Authority (under Ministry of Culture, Government of India).<br>The Act and its Rules are also applicable to the management of the Site Museum of Nalanda guiding processes of its upgradation and maintenance. |
| • *The Antiquities and Art Treasures Act 1972*<br><br>• *The Antiquities and Art Treasures Rules 1973* | The Act and its Rules are applicable to the moveable properties i.e. sculpture, statues, moveable excavated remains that are a part of the ASI Site Museum. |
| **State (Central) level legislature** | |
| • *Bihar Town Planning and Improvement Trust (Amendment) Act 1951*<br><br>• *Bihar Restriction on Use of Land (Amendment) Act 1955* | Together, these Acts operates through a Master Plan document prepared by the District level Town Planning office. The document is concerned with management of resources and human development within the area of jurisdiction.<br>The Master Plan has the power to veto any form of development, which could undermine the values of the site. |
| • *Bihar Tourism Policy 2009* | Governs all matters pertaining to facilitating visitation to site. The Department of tourism in liaison with other relevant Departments within the Government of Bihar is responsible to implement the policy for the welfare of visitors. |
| • *The Bihar Hindu Religious Trust (Second Amendment) Act 1956* | For maintenance and management of the living shrine to the north of the property. |
| **Applicable to Property and Buffer Zone** | |
| • *Citizen`s Charter on Disaster Management (State Govt. of Bihar)* | This charter specified all help forwarded by the State Government to those affected by disasters. |

## 5. c. Means of implementing protective measures

*5.c.i. Property area*

The implementation of protection and regulatory measures as specified in The Ancient Monuments and Archaeological. Sites and Remains Act (AMASR Act) 1958 (Amendment and Validation 2010) and the Ancient Monuments and Sites Remains Rules 1959 assures that the Property is protected against any form of incompatible development and that the remains would be maintained and managed. The area of the Property is demarkated by an enclosure (walled) preventing any form of detrimental activities within the area. A 100 meter area from this enclosure, vide the AMASR Act'2010 is a Prohibited Area and a 200 meters thereon is a Regulated Area (within which is located the Buffer Zone) which authorises the Archaeological Survey of India (owner of Property) to control landuse pattern and manage development so that it is a value addition to the Property. The protected status also implies that no habitation or agricultural activity can be carried out in the area. Furthermore, it is subjected to restricted access, wherein visitation and educational trips are encouraged.

The AMASR Act'2010, its Rules'1959 together with the (Indian) National Conservation Policy is implemented by the Patna Circle and the Nalanda Sub-Circle Offices. The sub-circle is headed by a Conservation Assistant (civil engineer trained in conservation) who together with a team of monument attendants and other support staffs undertakes tasks with the aim of safeguarding the physical form and building information. The aforementioned team are assigned the tasks of site monitoring, visitor management and reporting (of any anomalous activities) of assigned area (monument and surrounding). The Sub-Circle offices with support from Circle (Patna) and Regional offices (at Kolkata) monitor and assesses site condition, prepare estimates and budget for conservation work and supervise implementation works. Where specialised inputs are essential, experts are involved for specific projects. A special Committee has been constituted by the Archaeological Survey of India dedicated to monitor the state of conservation and vet proposals to be implemented within the property and in the Buffer Zone. (*Annexure 03: Structure of Committee)*

Annual plans are prepared by the Sub-Circle Office based on condition assessment (visual observations and photo-documentation) and present its observations to the Circle

level office. Upon initial review the proposals are sent to the Head Quarters level where works to be undertaken are sanctioned technically and financially. Where the need of specific skills is noted, experts are engaged at various stages of project conceptualisation and implementation. The implementation process and end results are monitored, recorded and archived in the Annual Report.

Parallel to the system of implementing conservation work is the work of the Horticulture Branch responsible for maintenance of the landscape and greenery within the property. The Horticulture Branch also prepares annual maintenance plans in consultation with the Conservation Assistant and Superintending Archaeologist and has their own team of skilled and unskilled labourers to execute the same.

*5.c.ii. Buffer Zone*

The Buffer Zone falls within the Regulated Area[1] and decisions pertaining to resource management, development and maintenance is jointly taken by the Archaeological Survey of India (Nalanda Sub-Circle, Patna Circle and Head Quarter`s, New Delhi) together with National Monument Authority and the State Government of Bihar. Proposals made by the State for upgradation, addition, alteration, repair of existing assets and implementation of any project, which includes property development of individuals living in the surrounding villages within the Regulated Area (*Annexure 04:The Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010))* are vetted based on its impact on the protected area.

Area proposed for nomination is located in a rural area and its development is either individual-led i.e. construction and development of one`s property or public welfare projects implemented by the local government, planned by District or State level Departments. Within the Buffer Zone are agricultural lands and water bodies (seasonal and water-filled) owned by individuals and an Interpretation Centre and public infrastructure (public water and electricity facilities, village-level road, primary school and parking lot) owned by the State Government of Bihar. While maintenance and management of the assets are responsibility of the respective owners, any upgradation,

[1] Regulated Area is a zone200meters( is an area) beyond the Prohibited Zone (measuring 100 meters from the limits of the Protected Area) where any development would warrant permission from the *Competent Authority* as defined by the AMASR Act'.

alternation, addition or demolition is subjected to review and acquisition of permission from the Competent Authority involving the Archaeological Survey of India and bodies from the State Government.

Development in the Buffer Zone, Regulated and beyond are subjected to provisions of The Bihar Town Planning and Improvement (Amendment) Trust Act 1955, The Land Acquisition (Bihar Second Amendment) Act 1956, The Bihar Ancient Monuments and Archaeological Sites Remains and Art Treasures Act, 1976 apart from The Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010)) and its Rules' 1959. In all legal mechanisms there are provisions for protection and management of heritage (moveable and immoveable properties) at the State or Central level depending on the nature and importance of the findings. Implementation of the aforementioned rules in the Buffer Zone hence implies protection of the context against transformation of agricultural lands and water bodies, upgradation of the visitor facilities (State owned Interpretation Centre, parking and other supporting infrastructure and Site Museum of the Archaeological Survey of India) and reducing vehicular movement. Projects prepared for maintenance and management of the Buffer Zone will be vetted and incorporated in the Master Plan.

To prevent adverse impact from development in areas contiguous to the Buffer Zone and thereby impacting the latter, the Master Plan will also be addressing the issues of densification, infrastructure requirement, human development and cultural resource protection and management in the region. Provision for regulating the development in the areas abutting the Buffer Zone is also provided by the same the State and Centre-level legislature.

## 5.d. Existing plans related to municipality and region in which the proposed property is located

*5.d.i. Plans applicable within Buffer Zone*

A master plan as per the provisions of the *Bihar Town Planning and Improvement Trust (Amendment) Act 1951* is being prepared under the Urban Development and Housing Department (responsible for Town Planning) Government of Bihar to regulate development in the Buffer Zone. The Buffer Zone is managed by the Gram Panchayat or village-level administration of Bargaon, which is under the Office of the Dist. Collector, Nalanda Dist of the State Government of Bihar. The Gram Panchayat is the lowest tier of the 3-tier decentralised system of Indian governance whose mandated duties include provision and management of resources and human development of rural areas (Refer to *Annexure 05: 73rd Amendment Act 1992* and *Figure No 21: Structure of 3-tier decentralised governance in India*). Plans proposed by individual *Gram Panchayats* are being collated and mainstreamed in the Master Plan document.

The Master Plan document acknowledges the requirements (of conservation, protection and management) of heritage and is committed to safeguard the environs (requisite area including the Buffer Zone) of the excavated remains. Since the major portion of the Buffer Zone being agricultural land and (seasonal and non-seasonal) water bodies owned by individuals, the Master Plan on a policy level retains cultivation as the landuse preventing its transformation into buildable area. This is in the interest of protecting the remains from repercussions of densification and pollution.

There are three built-up areas in the Buffer Zone, where the Site Museum is under the jurisdiction of the Archaeological Survey of India and the Interpretation Centre, a primary healthcare unit and two Schools is under the jurisdiction of the Government of Bihar. The enclosure of the Site Museum has space to exhibit articles recovered during excavation from Nalanda and other sites in the region apart from housing the Nalanda Sub-Circle Office. Functional since early 20th century CE the facility was assessed in 2013 to identify needs for upgradation which includes expansion, research and revision of information and scheme for dissemination, addition of Exhibition spaces and provision of ancillary facilities (toilets, drinking water facilities,

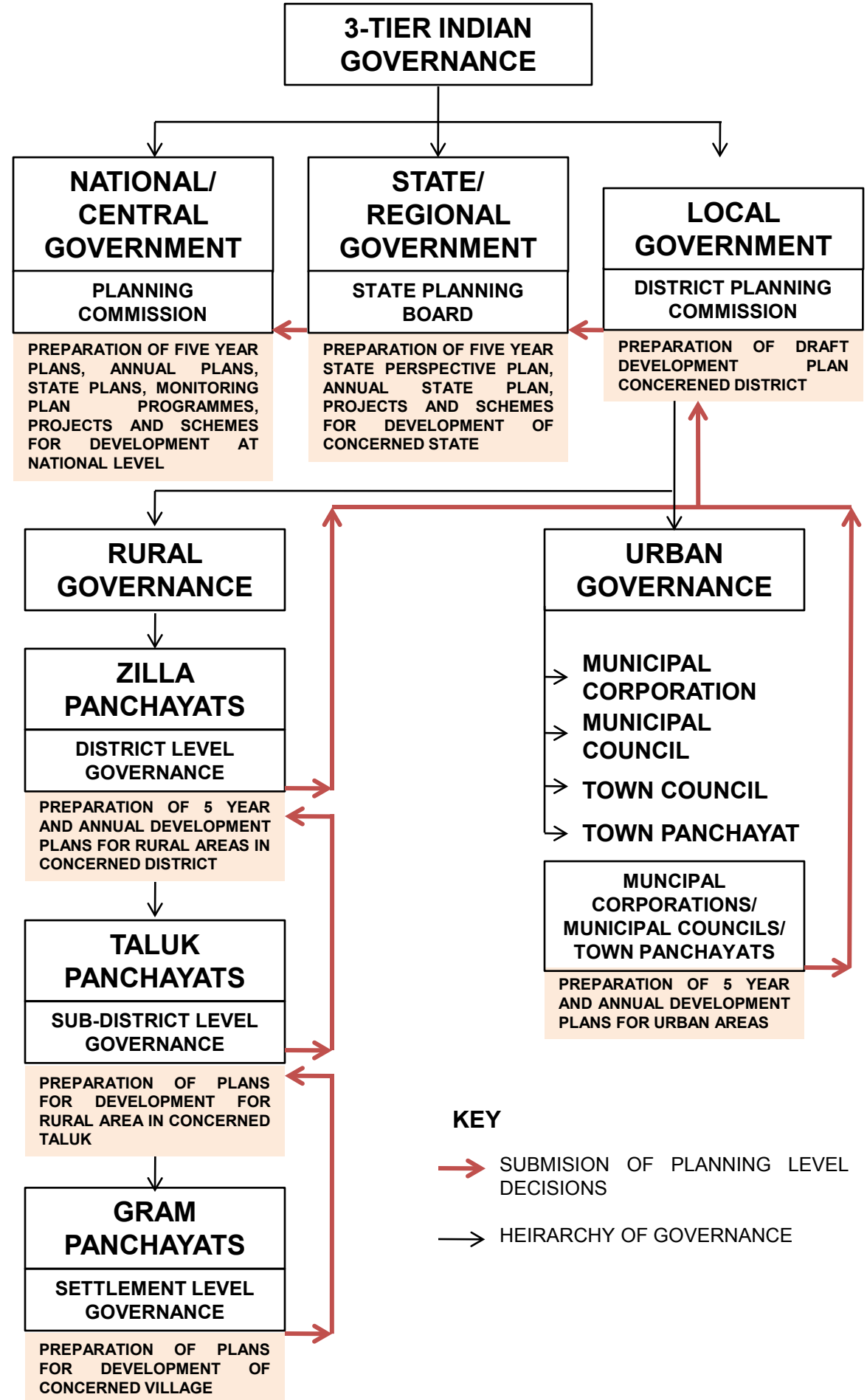



Figure no 21 – Structure of 3-tier decentralised governance in India

sick rooms). The Sub-Circle Office in the Site Museum complex will also be upgraded simultaneously through addition of facilities like space for remote monitoring of site, storage, project rooms, office space, temporary residence for ground staffs etc. This upgradation project is at a conceptualisation phase where building functions, space modules and area statement are being prepared. The project period is phased between 2014-2018 (Refer to *Table No 15: Action plan (Part of Property Management Plan) applicable to Property area*).

The Interpretation Centre under the jurisdiction of the Government of Bihar is a link between the excavated site and the greater historic region and platform for the local villages to participate in visitor management process. The State Government of Bihar in consultation with the Archaeological Survey of India is assessing the needs of improving upon the content and facilities for interpretation apart from exploring ways of interfacing with the surrounding villages. The upgradation would also include provision of facilities supporting visitor management like parking, areas for resting, recreation/ entertainment etc as a part of the Interpretation Centre ensuring an organised approach.

Other assets located within the Buffer Zone include electricity and water distribution systems and a village-level metal topped carriageway linking State Highway no 82 in the south with State Highway no 110. The maintenance of these facilities is the responsibility of the State.

*5.d.ii. Plans applicable to areas adjacent to Buffer Zone*

The responsibility to develop settlements abutting the Buffer Zone is shouldered by elected representatives of the Gram Panchayat and vetted by a District level authority responsible to direct development. The Gram Panchayat look into provision and maintenance of the metal-topped carriageway, waste management, provision of water and electricity, maintenance and operation of local elementary schools, health-centres, recreational areas and religious institutions including festivities and regularisation of commercial activities. The Panchayat is also responsible to monitor development like new construction, assess needs of the settlement, implement policies that augment human development and explore potentials like tourism etc. which bear potential to boost local economy within their jurisdiction.

Actions planned for management of Bargaon (as a part of the Master Plan under preparation by the Town Planning Department of the District Collector`s Office, Nalanda Dist.) for the period between 2014 to 2019 are as follows:-

| Agenda | Agencies involved |
|---|---|
| ***In Buffer Zone*** | |
| Protection and management of water bodies and agricultural land | Archaeological Survey of India<br>Dept. of Archaeology, State Govt. of Bihar<br>Dept. of Town Planning, Nalanda Dist., State Govt. of Bihar |
| Upgradation of Interpretation Centre (State operated) and other facilities | Archaeological Survey of India<br>Dept. of Archaeology, State Govt. of Bihar<br>Dept. Town Planning, Nalanda Dist., State Govt. of Bihar<br>Dept. of Youth, Art and Culture, State Govt. of Bihar<br>Dept. of Tourism, State Govt. of Bihar |
| Micro level traffic management and diversification of routes | Dept. Town Planning, Nalanda Dist., State Govt. of Bihar |
| Development of visitor management facilities | Archaeological Survey of India<br>Dept. of Archaeology, State Govt. of Bihar<br>Dept. Town Planning, Nalanda Dist., State Govt. of Bihar<br>Dept. of Youth, Art and Culture, State Govt. of Bihar<br>Dept. of Tourism, State Govt. of Bihar<br>Dept. of State Police, State Govt. of Bihar |
| Regularization of commercial activities | Dist. Collector`s Office, Nalanda Dist., State Govt. of Bihar<br>Dept. Town Planning, Nalanda Dist., State Govt. of Bihar<br>Bargaon Gram Panchayat |
| ***Within and Beyond Buffer Zone*** | |
| Micro level traffic management and diversification of routes | Archaeological Survey of India<br>Dept. Town Planning, Nalanda Dist., State Govt. of Bihar |
| ***Beyond Buffer Zone*** | |
| Framing of architectural guidelines and low impact development | Archaeological Survey of India<br>National Monument Authority<br>Dept. Town Planning, Nalanda Dist., State Govt. of Bihar<br>Bargaon Gram Panchayat |
| Identification of areas for extension and infrastructure requirements | Archaeological Survey of India<br>Dept. Town Planning, Nalanda Dist., State Govt. of Bihar<br>Bargaon Gram Panchayat |
| Micro level traffic management and diversification of routes | Archaeological Survey of India<br>Dept. Town Planning, Nalanda Dist., State Govt. of Bihar<br>Bargaon Gram Panchayat |
| Development of visitor | Bargaon Gram Panchayat |

| | |
|---|---|
| management facilities | Dept. Town Planning, Nalanda Dist., State Govt. of Bihar<br>Dept. of Youth, Art and Culture, State Govt. of Bihar<br>Dept. of Tourism, State Govt. of Bihar<br>Dept. of State Police, State Govt. of Bihar |
| Operation of waste management system | Dist. Collector`s Office, Nalanda Dist., State Govt. of Bihar<br>Dept. Town Planning, Nalanda Dist., State Govt. of Bihar<br>Bargaon Gram Panchayat |

*Table No. 14: List of actions and responsible agencies for planning and implementation in the Buffer Zone*

## 5.e. Property management plan

Preparation and implementation of Property management Plan is the responsibility of the Archaeological Survey of India. Archaeological Survey of India has a team of different Sections dedicated to conservation, protection, maintenance and management of the Property and Buffer Zone. These sections operate at Site level through the Nalanda Sub-Circle office. The Sub-Circle office assesses site condition, its maintenance and management needs and identify scope or potential projects. These proposals are forwarded to the Circle level Office at Patna, thereon to the Regional level Office (Eastern Region Circle, Kolkata) and finally approved at the Head Quarters level (New Delhi). Based on approved Plans and identified expertise, funds and other supporting resources are allocated to the Site-level office, i.e. to Nalanda Sub-Circle office.

A 5-year Perspective Plans (2014-2019) has been prepared and is being implemented for the Property based on routine assessment conducted in 2013. This Plan factors-in the potential of excavation, needs of conservation, landscaping and enhancing visitor experience through improved (on and off-site) interpretation. Each 5-year plan is segmented into specific action plans, undertaken in-house and where applicable experts are involved for specific projects. A special Committee has been constituted by the Archaeological Survey of India dedicated to monitor the state of conservation and vet proposals to be implemented within the property and in the Buffer Zone. (*Annexure 03: Structure of Committee)*.

| Year 2014-15 | | Year 2015-16 | | Year 2016-17 | | Year 2017-18 | | Year 2018-19 | |
|---|---|---|---|---|---|---|---|---|---|
| **Action area** | **Short description of Works** | **Action area** | **Short description of Works** | **Action area** | **Short description of Works** | **Action area** | **Short description of Works** | **Action area** | **Short description of Works** |
| ***Conservation and property maintenance*** | | | | | | | | | |
| *Note:* The following works mentioned are specific tasks to be undertaken in the given year. These works are over and above those undertaken as a part of regular maintenance and emergency repairs needed (if any). Prior to initiation of any of the below mentioned works a status report will be prepared which records quantity and specification of materials to be used for the project. Works undertaken are recorded at every phase and its details are submitted in the Annual Report at the end of the respective financial year. | | | | | | | | | |
| *Chemical* | | | | | | | | | |
| Site no. 12 | Resetting of brick structures in eastern side, pointing of joints and laying of lime concreting of flooring | Site no. 13 | Continuation of previous work including resetting of brick and lime concreting. | Where applicable | Completion of previous years works if any. | Site no. 03 | Chemical treatment and consolidation of facades and repairing of bulged portion | Site no. 12 | Consolidation to prevent further erosion |
| Site no. 13 | Resetting of bricks in lower portion and lime concreting (in progress) of flooring | Site no. 8 | Completion of works started previous year | Site no. 03 | Restoration and application of water-proofing coat of damaged stucco images and panels based on evidence. | | Resetting and underpinning of bulged/ out-of-plumb masonry Removal of weeds | Shrine Mound | Debris clearance of area abutting structure, restoration of interior spaces, repairs of moldings and pedestal etc. Preservation and consolidation of the paintings of the interior walls. |
| Site no. 14 | Resetting of out of plumb brick structures, pointing of joints and lime concreting of floor (in progress) | Site no. 1 | Replacement of damaged old RCC/ Concrete lintels to support super structures | Site no. 12 | Clearance of debris, resetting of out-of-plumb masonry, pointing of joints, provision of apron to subsidiary shrines | Site no. 1A and 1B | Chemical treatment and consolidation of structural remains | | |
| Site no. 1 | Resetting of brick works and lime concreting in cells and corridors | Site no. 7 | Debris clearance, resetting of fallen bricks, lime concreting in verandah and courtyard at the First level of occupation | Site no. 6, 7, 8 9, 10, 11 | Providing Apron for peripheral walls | Vihara no. 6 7, 8, 9, 10, 11 | Completion of work of providing apron for outer walls | | |
| Site no. 8 | Resetting of brick works in whole area including repaving of damaged and broken brick floor and lime concreting in verandah | Site no. 03 | Pointing, repairing of out-of-plumb portions, repair of drainage channels, repaving of damaged brick floor and lime concreting of votive stupas in the complex | | | | | | |
| ***Excavation and Exploration*** | | | | | | | | | |
| *Note:* During clearance of vegetation it had been noted that certain sections of the site, if excavated could yield finds which could further the understanding of Nalanda. Certain areas have been identified where a trial exploration and excavation had been undertaken and based on this pre-project task, projects have been finalised for implementation. Upon implementation of each project, unearthed remains are consolidated in-situ whereas moveable articles like figurines, coins, forensic remains etc are taken to the Site Museum for treatments. The area is also 'developed' which implies actions of concreting of flooring, provision of proper slope, drainage channel and access. All excavation works are recorded and moveable findings are tagged, identified and a summary of the years' work is published as a part of the Annual Report. | | | | | | | | | |
| Site no. 13 | Debris clearance and excavation in the area to the north of the structure to unearth infrastructure supporting curriculum. | Site no. 13 | Completion of works started previous year. | Site no. 13 | Completion of works started previous year. | Site no. 03 | Exploration and excavation of the area to the south-east of the Principle Stupa-Chaitya to know the nature of further extension of the site if any. | Site no. 03 | Completion of works started previous year. |
| Site no. 14 | Debris clearance, conservation of structures and development of the area to the south and west of the *Chaitya*. | Shrine Mound | Investigation of area to the north and south of the structures. Site development of the area proposed for exploration and excavation. | Shrine Mound | | | | | |

| Year 2014-15 | Year 2015-16 | Year 2016-17 | Year 2017-18 | Year 2018-19 |
|---|---|---|---|---|
| ***Site Management*** | | | | |
| ***Landscaping*** | | | | |
| Note: *Landscaping undertaken by the Horticulture Branch* | | | | |
| Protected Area<br>Weeding and removal of overgrowth<br>Maintenance of landscape | Protected Area<br>Weeding and removal of overgrowth<br>Maintenance of landscape | Protected Area<br>Re-conceptualising landscape layout scheme<br>Maintenance works | Protected Area<br>Weeding and removal of overgrowth<br>Maintenance of landscape | Protected Area<br>Weeding and removal of overgrowth<br>Maintenance of landscape |
| ***Visitor Management*** | | | | |
| Note:*The following works mentioned are over and above those undertaken for regular maintenance.* | | | | |
| Conduct Capacity, Need and Impact assessment<br>Provision of toilets and facilities for resting at convenient and inconspicuous areas<br>Revision of content and provision of improved dissemination system<br>Provision for infrastructure for physically challenged | Provision for devices of Multilanguage Audio Tourist Guide<br>Modernization of Ticket Sales and Publication Counter<br>Provision for CCTV Camera Network for monitoring. | Maintenance of facilities<br>Performance audit of facilities | Planning for re-direction of visitor movement pattern<br>Maintenance of facilities | |
| ***Risk preparedness and management Plan*** | | | | |
| Study phase by experts<br>Identification of immediate actions for preventive conservation<br>Train staff to react to earthquake<br>Continue documentation | Draft plan preparation<br>Conducting of drills<br>Consultation and training<br>Complete documentation | Plan finalization and implementation<br>Conducting of preparatory drill | | |
| ***Publication*** | | | | |
| Note: *As a norm all publications are atleast bi-lingual i.e. English and Hindi. In the case of Nalanda, publication in local dialect will also be explored as bulk of visitors is from local school. These publications are over and above those Annual Reports which record conservation works undertaken for the year.* | | | | |
| Guide Book on Excavated Remains of Nalanda Mahavihara for publication in national and local language | Nalanda Revealing the Past: A hundred years effort of ASI (Brochure)<br>The Occupational Levels of Structures of Nalanda (Brochure) | Nalanda Mahavihara: A Centre of Educational Eminence<br>Developments in Art and Architecture of Nalanda | Nalanda: 1500 years of glorious existence. | |
| ***Management of SiteMuseumand Office area(in Buffer Zone as a part of Site Management)*** | | | | |
| ***Site Museum*** | | | | |
| Note: *The upgradation of the Site Museum and Office to enhance visitor experience will be undertaken as a part of the Management Plan implemented by the Archaeological Survey of India. The Site Museum which was initially a sculpture shed to shelter moveable excavated remains from the site, was converted into a museum in mid 20th CE. Now a need for improving and upgrading the infrastructure has been realised.* | | | | |
| Assessment of upgradation needs and outline of the types of facilities to be added. | Finalization of area statement and preparation of project proposal for tendering.<br>Identification of experts for design development. | Initiation of design development and vetting of architectural design and dissemination systems. | Project implementation and completion. | |
| ***Master Plan*** | | | | |
| Note: *The plan document will be applicable to the Buffer Zone and is preparatory stages are underway.* | | | | |
| Situation and Site analysis<br>Mapping and collection of statistical data<br>Conduct State Holder consultation | Plan preparation | Completion of plan<br>Communication of plan to stakeholders<br>Plan revision | Implementation of Plan | Implementation of Plan |

*Table 15: Action plan (Part of Property Management Plan) applicable to Property area*

## 5.f. Sources and levels of finance

### *Property area*

All the funds for conservation, protection & management of the cultural heritage sites are funded by Ministry of Culture, Government of India routed through Archaeological Survey of India.

The annual budget allocated to the Patna Circle for conservation and site management for the year 2014-15 is as below:

- 5 Crores[1] - Conservation works
- 3.5 Crores Maintenance Works

In addition to the funds allocated by the Government of India, other sources of funding to support different sanctioned interventions include the National Culture Fund (under Ministry of Culture) and other private organizations like corporate bodies.

### *Buffer Zone*

Projects related to infrastructure (social and physical) development in the Buffer Zone are funded by the State Government of Bihar drawing from its own annual budget or from investments made by private or corporate organisations. The respective owners finance the development of private plots. In this case the government is responsible to ensure that projects implemented do not impact the archaeological remains adversely.

[1] 1 Crore = 10 million (100,000,00)

## 5.g. Sources of expertise and training in conservation and management techniques

The property is managed by trained archaeologists, conservators, engineers and architects supervised at various levels depending on the nature and scope of work. Technical capacity building for staffs is provided through degree, diploma, and professional certificate courses recognised by the Ministry of Human Resource Development, Govt. of India in archaeology, conservation, museology and heritage management and their spheres of application is dependent on the level of training.

The Archaeological Survey of India also has been conducting Post Graduate Diploma courses in its Institute of Archaeology, Red Fort, New Delhi since 1959. The Institute conducts a 2 year Post-Graduate Diploma course in Archaeology which includes subjects of archaeology, epigraphy, numismatics, museology, conservation, antiquarian law, applied sciences, excavation and exploration etc. The Institute is also undergoing internal restructuring to achieve the status of a Category 2 Centre for Asia-Pacific region.

Staff training is conducted on a regular basis to introduce new technology and fields like risk preparedness, impact assessment techniques, laser scanning, information management, recording processes etc. Capacity building is also achieved through participation in workshops conducted by international organisations, like the ICCROM and at Category 2 Centres worldwide.

## 5.h. Visitor facilities and infrastructure

| Type | Facilities available |
|---|---|
| ***Basic Amenities:*** | Drinking water, Public Conveniences, resting spots, temporary rain shelter and emergency kit |
| ***Visitor safety:*** | Manual surveillance, Hand-rails, defined circulation |
| ***Interpretation facilities:*** | On-Site – Interpretation boards with directional and information on specific structures)<br>Site-Museum – Boards and kiosks to disseminate information on exhibition<br>Published material - Brochures and books. |
| ***Access:*** | The site is physically and visually accessible while navigation within individual structures requires negotiation of multiple levels. Hence there is a limitation in accessibility for wheelchair borne or those with limited mobility.<br>Entry to Site no. 03 complex is restricted to prevent damage to the stucco art, which is in a fragile state.<br>Parking facility is present in the Buffer Zone. |

Archaeological Survey of India allocates all necessary facilities to ensure visitor comfort and safety. This includes provision primarily of basic amenities, access, safety and information. In addition to the basic facilities, a site museum is also present in the Buffer Zone where artefacts recovered during excavation conducted in the area are exhibited. It must be noted that all facilities provided on site are non-obtrusive, reversible and have least impact on the properties.

There has been a significant rise in footfall (Refer to *Table No 13: Visitor footfall at the Excavated Site of Nalanda Mahavihara)* and change in the expectation of visitors from a site. The facilities present today at each of the property caters to the diverse group of visitors, even during the peak season (November to March) efficiently. Rising vehicular movement and parking requirements remains a challenge and requires resolution.

## 5.i. Policies and programmes related to the presentation and promotion of the property

Combinations of policies are followed by the Archaeological Survey of India and instruments within the State Government to integrate monuments with their people. From exhibitions, cultural awareness weeks, heritage walk and tours and educational programs – a wide range of activities are planned by different organisations throughout the year for diverse interest-groups. Several programs are funded by the State government and private organisations to conduct awareness weeks, festivals and community edutainment and sport events and finds participants among a large group.

Information dissemination is an important part of Archaeological Survey of India`s mandate. Published materials are prepared for each site that present a comprehensive overview of the property. A schedule of publication has been drawn and is as follows:

- Guide Book on Excavated Remains of Nalanda Mahavihara
- Nalanda Revealing the Past: A hundred years effort of ASI (Brochure)
- Nalanda Mahavihara: A Centre of Educational Eminence
- Nalanda: 1500 years of glorious existence.
- Art and Architecture of Nalanda
- Excavation of Nalanda – 100 years

All published material will be tri-lingual i.e. in a national language, in a local dialect apart from English.

## 5.j. Staffing levels and expertise (professional, technical, maintenance)

| | Designation | Duties | Strength |
|---|---|---|---|
| HEAD QUARTERS (NATIONAL-LEVEL) | Director General | Decision-making | 1 |
| | Addl. Director General (Administration) | Decision-making | 2 |
| | Addl. Director General (Archaeology) | Decision-making and technical inputs | 7 |
| | Director World Heritage | Decision-making, Technical inputs and assistance for World Heritage Site management | 1 |
| | World Heritage Section | Technical inputs for World Heritage Site management | 5 |
| REGIONAL & CIRCLE LEVEL OFFICE | Regional Director | Oversee all technical and administrative matters of properties within given jurisdiction. | 1 |
| | Superintending Archaeologist | | 1 |
| | Dy. Superintending Archaeologist | | 2 |
| | Dy. Superintending. Archaeological Er. | | 1 |
| | Assistant Superintending Archaeologist | Oversee all technical and administrative matters of Museum | 1 |
| | Horticulture Assistant | Maintain the landscape of the site | 1 |
| | Superintending Archaeologist (Excavation) | Conduct excavation and record/publish findings | 1 |
| SUB-CIRCLE (GROUND) LEVEL OFFICE | Conservation Assistant | Executes works relating to annual maintenance & upkeep & challenging repairs pertaining to the monuments. | 1 |
| | Site maintenance staff | Upkeep of site | 10 |
| | Assistant Superintending Archaeologist Museum | Planning and management of site museum | 1 |
| | Museum staff | | 4 |
| | Foreman | Assist the conservation assistant in respect of the duties as defined for him. | 3 |
| | Attendants<br>Clerks (booking) | Cleaning the monument & its setting<br>Regulating the entry/exit of visitors<br>Issuing of tickets | 5 |
| | Guards | Watch and regulate the entry/exit of visitors | |

## Chapter 06: Monitoring

### 6. a. Key indicator for measuring state of conservation

| | Indicator | Periodicity | Location of records | Additional information |
|---|---|---|---|---|
| | **Indicators of Property area** | | | |
| 1 | Visitor movement | Daily with increased frequency in peak season (October to March) | Archaeological Survey of India, Patna Circle, & Nalanda Sub-Circle Office | On a daily basis the site is monitored to ensure safety of visitors and exposed structures. This is enabled by manual surveillance of the site by staffs (trained as security guards) whose principle duty is crowd management and directing visitors and prevent persons from climbing onto the excavated remains. This level of monitoring is most crucial to prevent further deterioration of the top layers of the bricks structures from mechanical injury.<br>Monitoring of movement is also essential to orient visitors to take a path/trail, which enhances their understanding of the site. The orderly movement not only enables comprehension of its values but also ensures visitor safety. It is to be noted that footfall of visitors is appreciably high between October to February while December is the peak as the weather is most conducive for visitation. The temperature and humidity rises between March to September, while the leanest visitation period is May to July. In both extreme conditions, surveillance of the site is critical to safeguard the interest of Nalanda's remains and visitor's health/safety. |

| | Indicator | Periodicity | Location of records | Additional information |
|---|---|---|---|---|
| | | | | This is extremely critical for to Nalanda as the site is expansive, measuring nearly 800 meters along its north-south axis with large scale enclosures and several level differences.<br>Refer to *Figure No 22: Location and number of staffs posted at the site for the purpose of crowd management and protects excavated remains from further mechanical damage*. |
| 2 | Controlling of over-growth<br>i. In the built envelops<br>ii. Landscaped area | Bi-annually with increased frequency to daily between June to September (monsoon) | Archaeological Survey of India Head Qtrs, New Delhi &Nalanda Sub-Circle Office | **i. Within the built envelops**<br>It needs to be noted that the site is located in a high humidity and precipitation zone with fertile soil (alluvial plain created by drying of palaeo-channels) enabling high vegetal growth. Control of vegetation remains one of the most critical challenges in conserving the property since its excavation. Till date this has been undertaken by skilled labourers under the supervision of the Conservation Assistant.<br>De-vegetation of the site is a daily activity particularly during monsoon season i.e. in the between the months of June to October. The conservation assistant appointed for the site together with skilled labourers constitute a team who survey the site, identify extent of vegetal growth and remove the same. During removal care is taken to prevent loss or dislocation of original building material and stratigraphic layers. The interval of de-vegetation |

| | Indicator | Periodicity | Location of records | Additional information |
|---|---|---|---|---|
| | | | | process is reduced during the dry season when the growth rate is low. |
| | | | Archaeological Survey of India Head Qtrs, New Delhi & Horticulture Branch | **ii. Landscaped area**<br>The maintenance of the landscaped area within the protected limits is undertaken weekly, as the rate of growth of undergrowth is high. This task is conducted by unskilled laborers in areas not involving built structures. This forms a part of site clearance, under the Horticulture Branch of the ASI. |
| 3 | Structural integrity and alignment of masonry | Bi-annually | Archaeological Survey of India Head Qtrs, New Delhi &Nalanda Sub-Circle Office | This is done twice a year, once before the monsoon and once thereafter. The preliminary assessment is conducted by the conservation assistant who notes the State of Conservation of the property and categorizes the same into emergency/preventive, regular and special repairs. The pre monsoon emergency repairs undertaken since the site was unearthed have been measures to prevent percolation of moisture into the structural core triggering further deterioration processes. So far, no repairs beyond that of regular maintenance was required.<br>Special attention is paid to the section of the wall in contact with the landscaped area. This is done to check the extent of damage due change in moisture level in the bricks and mortar and the |

| | Indicator | Periodicity | Location of records | Additional information |
|---|---|---|---|---|
| | | | | dislodgement of masonry layer. |
| 4 | Deterioration and blackening of stucco | Bi-annually | Archaeological Survey of India Head Qtrs, New Delhi, Nalanda Sub-Circle Office & Science Branch | Nalanda stucco was excavated and exposed in fragile condition and in a considerably disintegrated state. The same had been consolidated in phases to retain its integrity. The remaining stucco being fragile, any direct contact has been limited and the same can only be viewed from a distance.<br>The level of blackening of stucco remains is monitored bi-annually, before and after monsoon season. Its removal is undertaken by Science Branch of the Archaeological Survey of India. Care is taken while cleaning the surface so that no part of the fragile stucco disintegrates. Those found unstable are consolidated. Reconstruction of any detail is avoided to protect authenticity. |

| | Indicator | Periodicity | Location of records | Additional information |
|---|---|---|---|---|
| | **Indicators in Buffer Zone** | | | |
| 1. | Transformation of context through unplanned development<br>i. Extension of settlement and urbanization<br>ii. Unplanned provision of infrastructure<br>iii. Conversion of agricultural land into buildable area<br>iv. Landfill development converting water-bodies | Daily | Archaeological Survey of India, Nalanda Sub-Circle Office and Dist. Administrator` s Office Nalanda | This is jointly undertaken/ monitored by the Archaeological Survey of India and all relevant departments of the District administration office of the State Government of Bihar.<br>Developments in terms of road laying, traffic movement, construction activities, land transformation, provision of physical and social infrastructure are planned by the mandated departments of the state government. Its impacts are assessed by Archaeological Survey of India and the State.<br>An Apex Committee would be constituted under the Chairmanship of the Dist. Commissioner, Nalanda Dist to assess impacts of plans and modify as necessary. This Committee would also preside over Master Plan preparation, which would look into holistic development without undermining the needs of heritage (excavated site and surrounding areas) or people residing in the area.<br>At the site level, the Conservation Assistant would be responsible to monitor developmental activities and report the same to the S.A., Patna Circle. The latter would take up the matter with the Apex Committee for immediate action by the responsible local department. |

| | Indicator | Periodicity | Location of records | Additional information |
|---|---|---|---|---|
| | **Indicators in Property and Buffer Zone** | | | |
| 5 | Post-earthquake damage | Upon occurrence | Patna, Circle Office and Nalanda Sub-Circle Office & Science Branch & State Disaster Management Authority (Bihar) | This task requires training of staffs by specialists to react during and after a disaster. At this juncture there has been no earthquake impacting the property since 1934 and there exists no system to respond in case of disaster.<br>A Plan is under preparation which will detail actions and activities to be undertaken during and after disaster. |

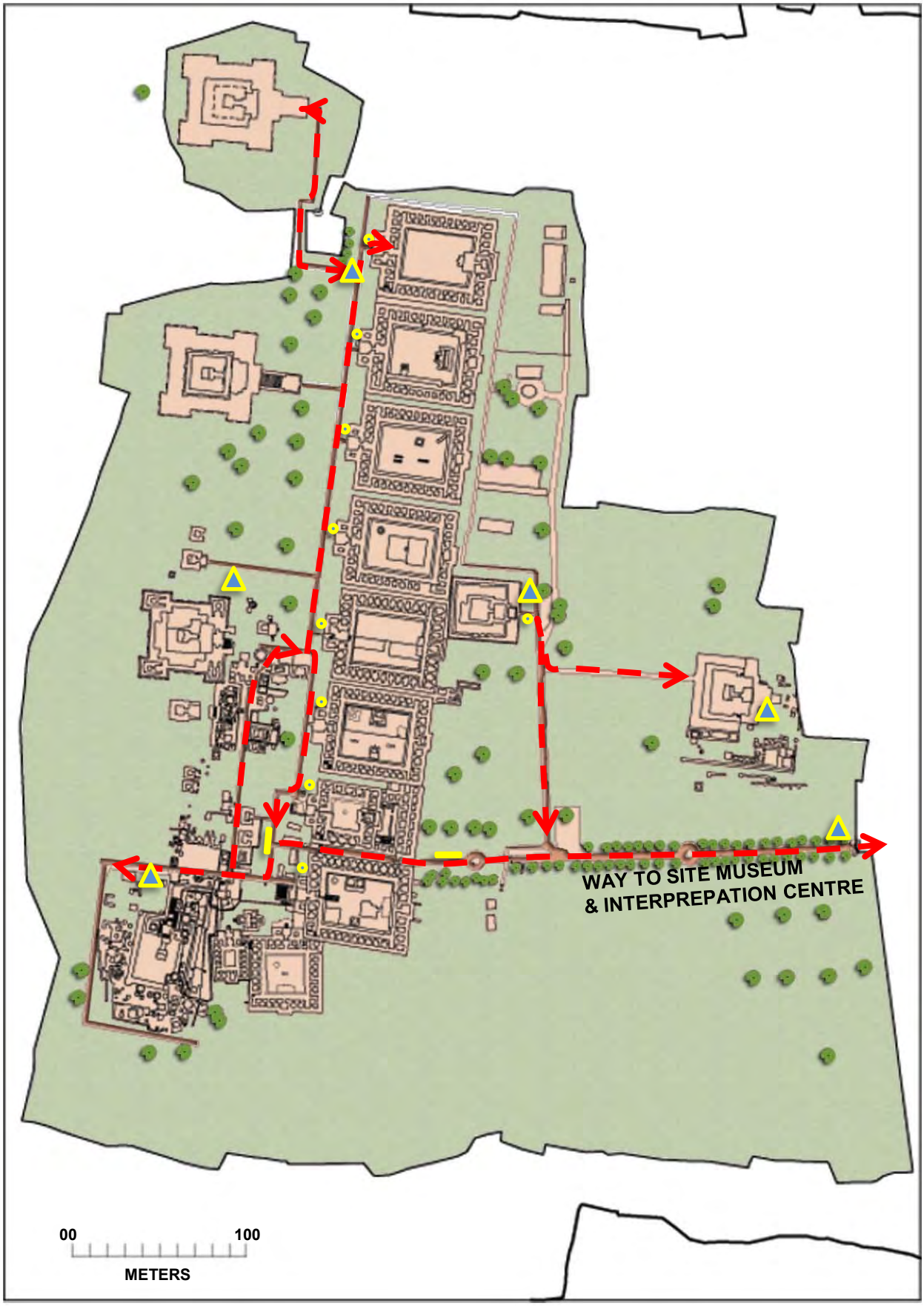



Figure No 22 – Location of staffs posted at the site for the purpose of crowd management and protects excavated remains from further mechanical damage

Archaeological Survey of India
Ministry of Culture, Government of India

### 6. b. Administrating arrangement for monitoring of Property

| Name of Organization | Mandate | Address |
|---|---|---|
| Nalanda Sub-Circle, Archaeological Survey of India<br><br>Nalanda Site Museum, Archaeological Survey of India | • Condition assessment and over-seeing of conservation works<br>• Preparation of conservation plans, estimates and material specification<br>• Reporting of development activities in the area abutting the protected area<br>• Visitor management<br><br>• Protection, conservation and presentation of moveable artifacts collected from site during excavation<br>• Dissemination of information | Office of the Conservation Assistant, Nalanda Sub-Circle Office and Site Museum Archaeological Survey of India, Nalanda District, Nalanda, Bihar Ph: 06112-281824 |
| Patna Circle Office Archaeological Survey of India | • Finalization of budgets and estimates submitted by the Nalanda Sub-Circle Office<br>• Co-ordination with State Government for management of activities in the Buffer Zone<br>• Co-ordination with Archaeological Survey of India Eastern Regional Circle Office for proposal of new projects | Office of the Superintending Archaeologist, Patna Circle Graham's House, J.C. Road Anta ghat, Patna 800001 |
| District Administration Office, Nalanda District | • Management of development activities in the Buffer Zone<br>• Allocation infrastructure in support of area maintenance and habitation in the Buffer Zone<br>• Protection of agricultural land and water bodies against transformation<br>• Maintenance of safety and security | Office of the District Magistrate and Collector Nalanda-803101 |

*Table No 16: Names and Contact address of concerned stakeholders*

**6. c. Results of previous reporting exercise**

The Sites are monitored daily by Monument attendants and anomalies are recorded and reported to the Conservation Assistants posted in the Nalanda sub-circle offices. Conditions reported are assessed, prioritized and estimates are drawn for action. Works undertaken are recorded and published in the Annual Report. The last published record of reporting activities are enlisted below:

| | Name of Structure | *Date of record* | Summary of Record |
|---|---|---|---|
| 1 | Identification of Site | 1870-1916 | The mound located to the south of the village of Bargaon was ascertained as the site of Nalanda Mahavihara by Buchanon Hamilton and later John Marshall. |
| 2 | Principle Stupa-Chaitya (Temple no. 03 or Stupa no. 03) | 1916-22 | First excavation of the Nalanda mound began revealing the oldest structure of the Mahavihara. It records the unearthing of a massive *panchayatan* chaitya which retained at its core an Ashokan stupa. |
| | | 1925-35 | The records detail of the fragile state of conservation of excavated remains and the process of consolidation. It also records the measures taken to divert rainwater away from the structure. |
| | | 1956-2000 | The stucco figures were found to flake and disintegrate being in contact with the natural climatic conditions. These were chemically treated and consolidated without replicating any details. The flooring of the courtyard containing the stupa-chaitya was repaired and consolidated.<br>Architectural documentation was conducted recording the structures. |
| | | 2000-2014 | Records show periodic maintenance measures and architectural drawings of structure. |

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|---|---|---|---|
| 3a. | Chaitya 01 (Temple no. 12)<br><br>Chaitya 02 (Temple no. 13)<br><br>Chaitya 03 (Temple no. 14) | 1916-1934<br><br>1934-2000 | Excavation of the mound to the north of the principle stupa-chaitya revealing a panchayatanchaitya in phases. Its masonry was recovered in a fragile state having remained in a sub-surface condition since 1235 AD.<br>Minor repairs were undertaken.<br>The area to the north, east and south of the chaitya was excavated revealing a series of votive and commemorative stupa which date between 6$^{th}$ to 9$^{th}$CE. These were also consolidated.<br>The area abutting the chaitya was provided with a concrete terrace with requisite slopes and channels to divert rainwater away from the structure.<br>Architectural documentation of excavated remains. |
| | | 2000-2014 | Minor repairs undertaken including repair of out-of-plumb masonry weeding, removal of vegetation and clearance of drainage channel to divert rainwater away from the structure.<br>Provision of roofing over central shrine.<br>Updating Architectural documentation of excavated remains. |
| 3b. | Chaitya 04 (Shrine/ Sarai Mound) | 1973-85 | Excavation of the structure was carried out in phases and was consolidated simultaneously.<br>Excavation of the area abutting the structure was also excavated revealing votive stupas, remains of quadrangular cells possibly habitable spaces and burials of ascetics.<br>Architectural documentation of excavated remains. |
| | | 1985-2014 | Minor repairs were undertaken<br>Minor repairs undertaken including repair of out-of-plumb masonry weeding, removal of vegetation and clearance |

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| | | | of drainage channel to divert rainwater away from the structure.<br>Provision of roofing over central shrine. |
| 4a. | Vihara 01 | 1925-35 | Excavation and consolidation of the structure simultaneously with the principle stupa-chaitya. |
| | | 1974-2014 | Minor repairs were undertaken including provision of a terrace with requisite slope to drain rainwater away from the structure.<br>Weeding and removal of vegetation is undertaken periodically. |
| 4b. | Vihara 02 | 1922-23 | Simultaneous excavation and consolidation of the structure. |
| 4c. | Vihara 03 | 1927-34 | Minor repairs undertaken including repair of out-of-plumb masonry weeding, removal of vegetation and clearance of drainage channel to divert rainwater away from the structure.<br>Architectural documentation of excavated remains. |
| | | 1995-97 | Works of water-proofing and removal of vegetation undertaken. |
| | | 2000-14 | Works of de-vegetation and chemical cleaning undertaken. |
| 4d. | Vihara 04 | 1916-30 | Structure is excavated and consolidated in phases. It was noted as the largest vihara showing 9 phases of occupation and features of each phase was recorded and conserved.<br>The structure was stabilized, water-proofed and provided with reinforcement to support the superstructure especially that above the openings.<br>Elaborate measures were taken to divert water away from the structure by providing new drainage channel |

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| | | | and reviving existing one. |
| | | 1961-74 | Regular de-vegetation and consolidation of out-of-plumb masonry.<br>Architectural documentation of excavated remains. |
| | | 1980-2014 | Regular maintenance and minor repairs, including removal of vegetation and cleaning.<br>Updating of architectural documentation of excavated remains. |
| 4e. | Vihara 05 | 1922-30 | Excavation and simultaneous consolidation of the structure in phases.<br>The structure was stabilized, water-proofed and provided with reinforcement to support the superstructure.<br>Elaborate measures were taken to divert water away from the structure by providing new drainage channel and reviving existing one. |
| | | 1958-80 | Regular maintenance and minor repairs, including removal of vegetation and cleaning.<br>Removal of broken and relaying of flooring including provision of slope and drainage system by reviving original channels and laying new ones.<br>Architectural documentation of excavated remains. |
| | | 1980-2014 | Minor repairs and maintenance work.<br>Regular cleaning and de-vegetation of site. |
| 4f. | Vihara 06 | 1927-30 | Excavation and simultaneous consolidation of the structure in a single phase.<br>Removal of broken and relaying of flooring including provision of slope and drainage system by reviving original channels and laying new ones. |
| | | 1973-2014 | Regular maintenance and minor repairs, including removal of vegetation and cleaning.<br>Water proofing of excavated remains.<br>Regular cleaning and de-vegetation of site.<br>Architectural documentation of excavated remains. |
| 4g. | Vihara 07 | 1928-34 | Excavation and simultaneous consolidation of the structure in a single phases.<br>Removal of broken and relaying of flooring including provision of slope and drainage system by reviving |

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| | | | original channels and laying new ones. |
| | | 1956-2014 | Regular maintenance and minor repairs, including removal of vegetation and cleaning.<br>Water proofing of excavated remains.<br>Architectural documentation of excavated remains. |
| 4h. | Vihara 08 | 1929-34 | Excavation and simultaneous consolidation of the structure in a single phase.<br>Removal of broken and relaying of flooring including provision of slope and drainage system by reviving original channels and laying new ones. |
| | | 1955-75 | Regular maintenance and minor repairs, including removal of vegetation and cleaning.<br>Water proofing of excavated remains.<br>Consolidation of out-of-plumb masonry.<br>Architectural documentation of excavated remains. |
| | | 2000-14 | Regular maintenance and minor repairs, including removal of vegetation and cleaning. |
| 4i. | Vihara 09 | 1930-38 | Excavation and simultaneous consolidation of the structure in a single phase. |
| 4j. | Vihara 10 | | Removal of broken and relaying of flooring including provision of slope and drainage system by reviving original channels and laying new ones.<br>Consolidation of out-of-plumb masonry. |
| 4k. | Vihara 11 | 1954-75 | Water proofing of excavated remains.<br>Consolidation of out-of-plumb masonry.<br>Regular maintenance and minor repairs, including removal of vegetation and cleaning.<br>Architectural documentation of excavated remains. |
| | | 2000-14 | Regular maintenance and minor repairs, including removal of vegetation and cleaning. |
| 4l. | Vihara 12 | 1930-35 | Identification of footprints of the vihara in a fragile state. |

*Table No 17: List of Records*

## Chapter 07: Documentation

### 7a. Photographs and audiovisual image inventory and authorization form

| Id. No | Format | Caption | Date of Photo (mo/yr) | Photographer/ Director of the video | Copyright owner (if different than photographer/director of video) | Contact details of copyright owner (Name, address, tel/fax, and e-mail) | Non exclusive cession of rights |
|---|---|---|---|---|---|---|---|
| **Photographs of Site** | | | | | | | |
| 01 | .jpg | Site during excavation | 1917-18 | Archaeological Survey of India | Same | Archaeological Survey of India<br>Janpath,<br>New Delhi 110011 | Granted |
| 02 | .jpg | Ariel view of Site | 2008 | Archaeological Survey of India | Same | | Granted |
| 03 | .jpg | View of Excavated site from Site no. 03 | 2015 | Janhwij Sharma | Same | | Granted |
| 04 | .jpg | View of Site no.12 | 2014 | Tejaswini Aphale | Same | | Granted |
| 05 | .jpg | View of a typical vihara | 2015 | Rajneesh Raj | Same | | Granted |
| 06 | .jpg | View of Site no. 03 from Site no. 12 | 2015 | Rajneesh Raj | Same | | Granted |
| 07 | .jpg | Buddhists praying in front of Site no 03 | 2015 | Rajneesh Raj | Same | | Granted |
| 08 | .jpg | View of Site no. 03 and structure to north of Site no. 1B from East | 2015 | Rajneesh Raj | Same | | Granted |
| 09 | .jpg | Stone pillars in front of subsidiary shrine of Site no. 12 | 2015 | Rajneesh Raj | Same | | Granted |
| 10 | .jpg | Stucco art of Site no. 03 | 2015 | Rajneesh Raj | Same | | Granted |
| 11 | .jpg | Stone art of Nalanda (Votive stupa to the south of Site no. 12) | 2015 | Rajneesh Raj | Same | | Granted |
| 12 | .jpg | Stone art of Nalanda (Votive stupa to the south of Site no. 12) | 2015 | Rajneesh Raj | Same | | Granted |
| 13 | .jpg | Statue of Avalokiteswar (recovered during excavation now) exhibited in Nalanda Museum | 2015 | Rajneesh Raj | Same | | Granted |
| 14 | .jpg | Stone sculpture of Goddess Bageshwari (Recovered during excavation) | 2015 | Rajneesh Raj | Same | | Granted |
| 15 | .jpg | Stone sculpture of Buddha in sitting posture with bowl in hand (Recovered during excavation) | | | | | |
| 16 | .jpg | Bronze sculpture of Bodhisattva (Recovered during excavation) | 2015 | Rajneesh Raj | Same | | Granted |
| **Cover page** | | | | | | | |
| 17 | .pdf | Cover page | 2013-2014 | Archaeological Survey of India | Same | Archaeological Survey of India<br>Janpath,<br>New Delhi 110011 | Granted |
| **Separators** | | | | | | | |
| 18 | .pdf | Separator (Executive Summary) | 2013-14 | Archaeological Survey of India | Same | Archaeological Survey of India | Granted |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 19 | .pdf | Separator (01. Identification of Property) | 2013-14 | Archaeological Survey of India | Same | Janpath, New Delhi 110011 | Granted |
| 20 | .pdf | Separator (02. Description) | 1916-30 | Archaeological Survey of India | Same | | Granted |
| 21 | .pdf | Separator (2A. Description of Property) | 1916-30 | Archaeological Survey of India | Same | | Granted |
| 22 | .pdf | Separator (2B. History and development) | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 23 | .pdf | Separator (03. Justification for inscription) | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 24 | .pdf | Separator (3B. Comparative analysis) | 1916-30 | Archaeological Survey of India | Same | | Granted |
| 25 | .pdf | Separator (04. State of Conservation and Factors affecting property) | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 26 | .pdf | Separator (4B. Factors affecting Property) | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 27 | .pdf | Separator (05. Protection and Management of Property) | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 28 | .pdf | Separator (06. Monitoring) | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 29 | .pdf | Separator (07. Documentation) | 1916-30 | Archaeological Survey of India | Same | | Granted |
| 30 | .pdf | Separator (08. Contact information of Responsible agencies) | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 31 | .pdf | Separator (08. Signature on behalf of the State Party) | 2013-14 | Archaeological Survey of India | Same | | Granted |
| **Figures as a part of Chapter** | | | | | | | |
| 32 | .pdf | Figure No 01: Nalanda District Survey Map showing location of Property and Buffer Zone | N.D. | Survey of India | Survey of India | Survey of India Dehra Dun | Granted |
| 33 | .pdf | Figure No 02: Map showing Property and Buffer Zone limits | N.D. | Archaeological Survey of India | Same | Archaeological Survey of India Janpath, New Delhi 110011 | Granted |
| 34 | .pdf | Figure No 03: Location of Excavated Remains of Nalanda Mahavihara | N.D. | Sourced | Source | Websource | Not granted |
| 35 | .pdf | Figure No 04: Excavation and consolidation of Nalanda | 1916-2014 | Archaeological Survey of India | Same | Archaeological Survey of India Janpath, New Delhi 110011 | Granted |
| 36 | .pdf | Figure No 05: Map showing component parts of the Excavated Site | 2008 | Archaeological Survey of India | Same | | Granted |
| 37 | .pdf | Figure No 06: Schematic sketch of excavated finds identifying the Ashokan stupa | 1927-28 | Archaeological Survey of India | Same | | Granted |
| 38 | .pdf | Figure No 07: Photograph showing 7th, 6th and 5th layer of construction and method of expansion | 2013-14 | Archaeological Survey of India | Same | | Granted |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 39 | .pdf | Figure No 08: Photograph indicating steps belonging to the 6th and 5th layer of construction | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 40 | .pdf | Figure No 09: Photograph showing part of the compound wall and pavement contemporary to 6th layer of construction | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 41 | .pdf | Figure No 10: Photograph showing votive stupas which were a part of the 5th layer retained as a part of the base of the 6th layer of construction | N.D. | Digital South Asia Library | Same | | Granted |
| 42 | .pdf | Figure No 11: Photograph showing Site no. 12 with votive stupa to its south | N.D. | Archaeological Survey of India | Same | | Granted |
| 43 | .pdf | Figure No 12: Photograph showing Site no. 06 | N.D. | Archaeological Survey of India | Same | | Granted |
| 44 | .pdf | Figure No 13: Impact of Moisture in Nalanda | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 45 | .pdf | Figure No 14: Extent of vegetal growth in Nalanda | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 46 | .pdf | Figure No 15: Impact of pollutants on Nalanda remains | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 47 | .pdf | Figure No 16: Impact of mechanical injury in Nalanda | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 48 | .pdf | Figure No 17: Map showing areas susceptible to transformation | N.D. | Archaeological Survey of India | Same | | Granted |
| 49 | .pdf | Figure No 18: Maps depicting Natural Disasters prone areas in Bihar | N.D. | Archaeological Survey of India | Same | | Granted |
| 50 | .pdf | Figure No 19: Site Map showing visitor circuit and location of Interpretive Panels | N.D. | Archaeological Survey of India | Same | | Granted |
| 51 | .pdf | Figure No 20: Map showing nature of ownership of proposed Property and Buffer Zone | N.D. | Archaeological Survey of India | Same | | Granted |
| 52 | .pdf | Figure No 21: Structure of 3-tier decentralised governance in India | N.D. | Archaeological Survey of India | Same | | Granted |
| 53 | .pdf | Figure No 22: Location and number of staffs posted at the site for the purpose of crowd management and protects excavated remains from further mechanical damage | N.D. | Archaeological Survey of India | Same | | Granted |
| **Plates in Appendix 02** | | | | | | | |
| 54 | .pdf | Plate no. 01 - Site Plan of property | N.D. | Archaeological Survey of India | Same | Archaeological Survey of India<br>Janpath,<br>New Delhi 110011 | Granted |
| 55 | .pdf | Plate no. 02- Plan & section of Site no 1A & 01 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 56 | .pdf | Plate no. 03 - Plan of Site no 04 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 57 | .pdf | Plate no. 04 - Plan & section of Site no 05 | 1916-80 | Archaeological Survey of India | Same | | Granted |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 58 | .pdf | Plate no. 05 - Plan of Site no 06 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 59 | .pdf | Plate no. 06- Plan & section of Site no 07 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 60 | .pdf | Plate no. 07- Plan & section of Site no 08 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 61 | .pdf | Plate no. 08- Plan of Site no 09 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 62 | .pdf | Plate no. 09- Plan of Site no 10 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 63 | .pdf | Plate no. 10- Plan of Site no 11 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 64. | .pdf | Plate no. 11- Plan of Site no 03 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 65. | .pdf | Plate no. 12- Plan of Site no 12 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 66. | .pdf | Plate no. 13- Plan & Section of Site no 13 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 67. | .pdf | Plate no. 14- Plan of Shrine Mound | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 68. | .pdf | Plate no. 15- Plan of Site no 14 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| 69. | .pdf | Plate no. 16- Site no. 02 | 1916-80 | Archaeological Survey of India | Same | | Granted |
| **Sheets in Appendix 02** | | | | | | | |
| 70. | .pdf | Sheet no. 01 - Plan of Site no. 01 | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 71. | .pdf | Sheet no. 02- Eastern side elevation of Site no 03 | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 72. | .pdf | Sheet no. 03 - Eastern side elevation of Site no 12 | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 73. | .pdf | Sheet no. 04 - Northern side elevation of Site no 12 | 2013-14 | Archaeological Survey of India | Same | | Granted |
| 74. | .pdf | Sheet no. 05 - Western side elevation of Site no 12 | 2013-14 | Archaeological Survey of India | Same | | Granted |

**7. b. Texts relating to protective designation, copies of property management plans or documented management systems and extracts of other plans relevant to the property**

| Application | Legislature and Plans applicable |
|---|---|
| **Applicable in the Property** | |
| Protective Designation | Annexure 03: Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010)<br>Annexure 05: Ancient Monument and Archaeological Sites and Remains Rules of 1959<br>Annexure 06: AMASR Act 2010 - Gazette Notification |
| Conservation policy | Annexure 07: National Conservation Policy for Monuments, Archaeological Sites and Remains Protected by Archaeological Survey of India(May, 2013) |
| Moveable articles | Annexure 08: The Antiquities and Art Treasures Act 1972<br>Annexure 09: The Antiquities and Art Treasures Rules 1973 |
| **Applicable in the Buffer Zone** | |
| Area management | Annexure 04: 73rd Amendment Act 1992 |
| Heritage protection and management (State-level) | Annexure 10: The Bihar Ancient Monuments and Archaeological Sites Remains and Art Treasures Act, 1976 |
| Tourism | Annexure 11: Bihar Tourism Policy- 2009 |

## 7. c. Form and date of most recent records or inventory of property

| Name | Date | Format | Content |
|---|---|---|---|
| **Technical records** | | | |
| **Drawings** | 1925-1980 | .jpg | Scanned copies of manual drawings |
| | 2013-onwards | .dwg<br>.dwg | Updated architectural drawings<br>Condition mapping drawings |
| **Photographs**<br>**Inventory** | 1925-2014<br>2014 | .jpg | <br>Inventory of Nalanda Art |
| **Record of Conservation works** | 1916-2003 | Hard copy | Annual report recording works undertaken by conservation, exploration, excavation, chemical treatment, horticulture and museum branches of Archaeological Survey of India |
| **Guide books/ Information** | | | |
| Nalanda – Guide book | 2006 | Hard copy | Guide book for the site |
| Nalanda (felicitation Volume-I, II & III) | 2008 | Hard copy | Compilation of research on art, architecture and history of Nalanda |

**7. d. Address where inventory, records and archives are held**

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# 08. Contact information of responsible authorities

## Chapter 08: Contact Information of responsible authorities

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# Property : Excavated Remains of *Nalanda Mahavihara*

**Submitted by –**

**State Party: India**

**Agency : Archaeological Survey of India**

**Appendix 01**

**Glossary of Terms**

## Appendix 01: Glossary of Terms

| | |
|---|---|
| *A* | |
| *Abhaymudra* | A hand gesture of reassurance and fearlessness. |
| *Acharya* | A scholar and learned teacher (*See Pandita*). |
| *Adhyatmavidya* | Science of Metaphysics. |
| *Airavat* | A mythological elephant that carries Indra, one of the major Brahmanical deities. |
| *Agnishala/ Aggisala (Sanskrit / Pali)* | A firehouse, refectory and kitchen. |
| *Akshamala* | A rosary. |
| *Akshayanivika* | Fixed Deposit. |
| *Akshobhya Buddha* | One of the five dhyani Buddhas, Buddha of 'mirror knowledge'. |
| *Amitabh Buddha* | One of the five dhyani Buddhas, Buddha of 'infinite Light'. |
| *Amlaka* | A truncated elliptical and fluted crown in Hindu and Buddhist sikhara. It resembles an amlaka fruit. |
| *Amoghsiddhi Buddha* | One of the five dhyani Buddhas, Buddha of 'unfailing success'. |
| *Anda* | 'Egg'; or the hemispherical dome in Indian Buddhist stupas. |
| *Anicca* | The doctrine of Impermanence. |
| *Aparajita* | The Buddhist deity who defeated Mara, an evil demon, also literally meant to as Unconquerable Lady. |
| *Apsara* | A class of celestial female dancers ruled by Virudhaka, the lokpala of the South. |
| *Ardhaparyankasana* | A sitting posture with one leg folded and rested on the thigh of the other pendent leg with the fingers of one. hand touching the cheek. Often associated with the pensive bodhisattva. |
| *Arhat/Arhant* | One who has achieved nirvana (enlightenment) by following the Buddha Dharma and will not be reborn. |
| *Ashtamahasthana* | Eight holy places where major miracles took place in Buddha's life. |
| *Ashtamahasthana Buddha* | A stele depicting standing or seated Buddha surrounded by depictions of eight holy places where major miracles took place in Buddha's life. |
| *Avana* | A park or a garden. |
| *Avasa* | A temporary shelter erected during a vassavasa. |
| *Ashokanta Tara* | A Buddhist deity. |
| *Avalokiteshwara* | Bodhisattva of infinite compassion and mercy, one of the most popular of all Buddhist deities. |
| *B* | |
| *Bhakti* | Devotion. |
| *Bhikshu/Bhikkhu* | Fully ordained monk. |
| *Bhikshuni/Bhikkhuni* | Fully ordained nun. |
| *Bhrikuti* | Yellow and angry form of Tara with frowning brows |
| *Bhojanasala* | A Bath house |
| *Bhumi* | Spiritual stage, level or floow |
| *Bhumisparsha-mudra* | A hand gestures of Earth-touching and enlightenment. |
| *Bodhi* | Enlightenment |
| *Bodhisattva* | In Mahayana and Vajrayana, an ideal state attainable by everyone, in which an enlightened being commits to help others attain enlightened being commits to help others attain enlightenment. |

| | |
|---|---|
| *Buddha* | An enlightened one or an *awakened being* who has achieved enlightenment in one lifetime, without the guidance of a predecessor. |
| *C* | |
| *Cankamanashala* | Meditation area |
| *Chikitsyavidya* | Science of Medicine |
| *Chaitya* | Any sanctified religious entity, shrine or structure including temples and stupa. |
| *Chaityagriha* | An assembly hall containing a stupa, often used for prayers. |
| *Chakra* | A wheel |
| *Chan* | The meditation school of Chinese Buddhism (Zen in Japan and Son in Korea). Chan rejects textual study in favour if meditation and intuition as the most effective ways of attaining enlightenment. |
| *Charaka* | Wandering scholars |
| *Chhatra* | A parasol, umbrella |
| *Chulha* | Hearth |
| *Chunda* | A tantrik Buddhist deity in Vajrayana Buddhism |
| *D* | |
| *Dhamma/Dharma (Pali / Sanskrit)* | The Universal Law, truth, mortality, duty and law; teachings of the Sakhyamuni are called Bodhi-Dhamma |
| *Dhammachakrapravartana-mudra* | The hand gesture of Preaching associated with Buddha's first sermon |
| *Dhanushya* | A bow |
| *Dhyana* | Meditation |
| *Dhyani Buddha* | Five Celestial Buddha, considered in Mahayana Buddhism and in particularly Vajrayana |
| *Dipankara Buddha* | Dīpankara was a Buddha who reached enlightenment eons prior to Gautama, the historical Buddha. |
| *Dukkha* | Dissatisfaction; suffering in all its forms, from discomfort and unease to physical and mental pain and agony. It is the First Noble Truth in Buddha`s first sermon |
| *Durga* | A Brahmnical goddess which was created for the slaying of the buffalo demon Mahisasura, by Brahma, Vishnu, Shiva, and the lesser gods who were otherwise powerless to overcome him. |
| *Dwibhanga* | A twice-bent stance |
| *DvaraPandit* | Monks or priests or pundit who would interview prospective pupil at the entrance of Nalanda *Mahavihara*. It is based on this interview that a student would be admitted or be refused tutelage. |
| *E* | |
| *Ekjata Tara* | Blue and ferocious form of Tara, invoked to destroy enemies. She is also known as Ugra-Tara |
| *G* | |
| *Gada* | A mace or a club |
| *Garbha-griha* | (Garba means womb; Griha means a house) Sanctum sanctorum |
| *Ganesha* | A elephant headed Brahmanical god |
| *Gauri* | A Brahmnical goddess, form of Parvati and the consort of Maheshwara |
| *Ghaṭa-pallava* | In Indian art, important decorative motif consisting of a pot filled with flowers and leaves. In Vedic literature it is the symbol of life, the source of vegetation, a meaning that is still retained. The motif occurred in Indian art almost from its inception and has been used prominently in all periods. From the 5th century the *ghaṭa-pallava* began to be used in architecture, particularly in northern India, both as the |

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|---|---|
| | base and capital of a pillar, and it continued in such use until the 15th century.<br>The "full vessel" (*pūrṇa-ghaṭa, pūrṇa-kalaśa*) is also employed in the rituals of Buddhist, Hindu, and Jain sects as a ceremonial offering to the deity or to an honoured guest and as an auspicious symbol used to decorate shrines and buildings. The vessel is filled with water and vegetation, often a coconut, and is encircled with a ritual cord. As a symbol of abundance and the source of life, the full vessel—both as ceremonial object and as decorative motif—may be considered in a Hindu context to be symbolic also of Śrī, or Lakṣmī, the Hindu goddess of wealth and good fortune.<br>http://www.britannica.com/EBchecked/topic/232507/ghata-pallava |
| *Granthadhura* | Study of books |
| *Gupta* | The dynasty that belonged to Magadha (now Bihar) in northeastern part of India and ruled over large parts of India from the early 4th to the late 6th century CE. The rule was considered as Classic Age in Indian History. |
| *H* | |
| *Hayagriva* | a fierce horse-faced Buddhist god who is powerful in driving off unconverted demonic forces |
| *Hetuvidya* | Science of Logic |
| *Heruka* | A fierce protective deity in the Vajrayana Buddhism, popular in Tibet and Central Asia. He is an emanation of the Buddha Aksobhya, whose figure is incorporated in his headdress. |
| *Hinayana* | 'Lesser vehicle'; a term nor seen as pejorative, once used by followers of later Schools such as *Theravada*. |
| *J* | |
| *Jambhala* | A Buddhist god of wealth |
| *Jantagriha* | Hot bath |
| *Jataka* | Buddhist moral folklores recounting past existences of Buddha typically as Gods, humans or animals where he is referred to as Bodhisattvas and the central character in the story. The goal is to inculcate morality to its listeners, glorify Buddha as a perfect and compassionate teacher and expound the theory of Karma. |
| *Jata-mukuta* | A matted ascetic hairstyle coiffured in the form of a high crown |
| *I* | |
| *Indrani* | A Buddhist goddess |
| *K* | |
| *Kamandalu* | A water vessel and personal article of an ascetic; also Maitrya's personal attribute |
| *Kappiyakuti* | Drug store |
| *Karma* | The consequences of all intentional actions, which build up merit (punya) or demerit (papa). The balance of karma and death determines into which of the six realms of the Buddhist universe a person will be reborn. |
| *Kathina* | A ceremony that involves the distribution or offering of robes for monks and nuns. |
| *Khadga* | A sword |
| *Khadiravani Tara* | One of the 21 forms of Tara, often associated with Akshokanta-Marichi |
| *Khasarpana Avalokiteshwara* | A form of Avalokiteshwara |
| *Kothhana* | Service Halls |

| | |
|---|---|
| *L* | |
| *Lalitasana* | A sitting posture of relaxation with one leg folded while the other pendant and rests on a stool or pedestal |
| *Lama* | In Tibetan Buddhism, one who has mastered Tantric meditation and rituals; a guru or a spiritual leader |
| *M* | |
| *Madhyamika/ Madhyamaka* | A Buddhist School founded on the ideas of *Sunyata* (emptiness) put forward by Nagarjuna (2nd century CE) |
| *Mahayana* | 'Greater vehicle'; the second major Buddhist tradition, founded around 1st century BCE. It emphasizes the value of compassion and teaches that all beings can achieve *Buddhahood*. |
| *Mahavihara* | Great *vihara* (also see Vihara), commonly a monastic university |
| *Maheshvara* | One of the forms of Shiva |
| *Maitreya* | future Buddha, presently a bodhisattva residing in the Tushita heaven, who will descend to earth to preach the dharma when the teachings of Gautama Buddha have completely decayed |
| *Mandala* | A diagram to aid the visualization of spiritual realms in meditation<br>Circles representing spheres or fields of individual or groups of divinities like Buddhas, Bodhisattvas and other Tantric deities.<br>Religious devise and medium in Vajrayana rituals to assist Tantric initiates in the process of attaining enlightenment. |
| *Mandorla* | almond-shaped aureole of light surrounding the entire figure of a divine figure |
| *Manjushri* | the bodhisattva personifying supreme wisdom as per Mahāyāna Buddhism |
| *Mantra* | An incarnation invoking and propitiating a particular deity |
| *Mara darshana* | An event associated with Buddha's life; victory over demon of ignorance |
| *Marichi* | the goddess of the dawn as per Mahāyāna mythology, |
| *Matha* | Indigenous temple-run education-facility, equivalent to a college |
| *Middle way* | The Buddha`s path to enlightenment that rejects self-indulgence and asceticism. |
| *Mudra* | A hand gestures; in Tantricism it carries additional esoteric meanings. |
| *N* | |
| *Naga* | A class of terrestrial serpent spirits ruled by Virupaksha, the lokpala of the West; commonly denoting a serpent but infrequently as an elephant |
| *Nandi* | The 'mount' of Shiva |
| *Nirvana* | Extinction; liberation from *samsara*; emptiness; supreme enlightenment |
| *Non-Atman* | The Theravada theory of Non-Soul or Non-Self |
| *P* | |
| *Padmapani* | A bodhisattva holding lotus |
| *Padmasana* | A sitting posture with two legs crossed as in meditation |
| *Pala* | An powerful dynasty that ruled Magadha from 8th Century to 12th Century CE and heavily patronized Nalanda |
| *Panchayatana* | A quincuxial design |
| *Pandita* | *See Acharya* |
| *Parvati* | A brahmnical goddess and wife of Shiva |
| *Parivena* | (Pali) Rooms of monks |

| | |
|---|---|
| *Parinirvana* | Complete nirvana; the complete extension of the individual, characterized by freedom from the effects of *karma*. |
| *Prabhamandala* | Halo or circular backdrop to the image of the Buddha |
| *Pradakshinapatha* | Circumambulation path |
| *Prajna* | Wisdom, insight. |
| *Prajnaparimita* | The deity of wisdom or insight, |
| *Prajnaparamita sutra* | A body of sutras and their commentaries that represents the oldest of the major forms of Mahayana Buddhism |
| *Pralambapadasana* | A sitting posture, often a throne, with both legs pendant |
| *Pranali* | Drainage channel |
| *Pratimagriha* | (Image Chapel). It housed a main Buddha image in the centre and might be flanked by additional Buddhist acolytes like Bodhisattva. This built form emerged around 1st cent AD. which can be an isolated structure or be a part of a larger monastic plan.<br>In the subsequent centuries, a 'hybrid' structure developed that combined the form and function of the *stupa* and the *pratimagriha*. This type had a Buddha image and inters or display relic. Eg Chinese Pagodas, Temples of Bagan in Myanmar or an integral part of the monastery like the central stupa-temple of Sompura. |
| *Pratimokshya* | The head of a monastic discipline. |
| *Pratyalidha* | A standing posture with one leg bent at the knee and other stretched out |
| *Pura* | A town or city |
| *Purnaghata* | A floral vase or Vase of Plenty also known as purna-kalasa |
| *R* | |
| *Raja* | A king |
| *Ratnasambhava* | One of the five dhyani Buddhas |
| *Rahula* | Son of Prince Gautama who later became Gautam Buddha |
| *S* | |
| *Samsara* | The cycle of birth-death in which beings are trapped as a result of negative *karma* (see karma), opposite of Nirvana. |
| *Sangha* | The Buddhist order or community of monks. |
| *Sangharama* | *'Arama*' for the *'Sangha*'; a permanent monastery |
| *Sharvastivada* | One of the early Schools of Buddhism, the name of which stems from the doctrine that everything exists (sarvamasti) |
| *Sanghati* | A monk's robe |
| *Sanghantika* | Stalls or Shops |
| *Saraswati Bhandara* | Library |
| *Sariputta* | A Brahman ascetic and famous early disciple of the Buddha |
| *Shastra* | Treatise or commentaries |
| *Shabdvidya* | Science of Grammar and Philosophy |
| *Shankha* | A divine shell |
| *Shilpasthanavidya* | Fine Art |

| | |
|---|---|
| *Shikhara* | Temple Spire |
| *Shiva* | one of the principal Brahmanical deities |
| *Siddhaikavira* | A form of bodhisattva Manjushri |
| *Son* | *See Chan* |
| *Stupa* | Chedi in Pali, Chorten in Tibetan, Ladaki and Butanese, Dagoba in Sri Lanka (derived from Sanskrit term *dhatugarbha* meaning repository); Pagoda in East Asian countries and is a corruption of the term Dagoba.<br>A monument built to enshrine relics or raised to commemorate significant events. Type of Buddhist structure that typically inters relics and holy objects. |
| *Suchimukha* | One of the deities accompanying Kharsapana Avalokiteshwavara |
| *Sukhasana* | sitting in a simple cross-legged position |
| *Sunyata (Sanskrit)* | Emptiness; the idea that the universe is empty of a permanent essence, since everything changes. It is the hallmark Mahayana philosophical concept of the Mahdyamika sect and also the Vajrayana symbolizing enlightenment. |
| *Surya* | Sun god |
| *T* | |
| *Tantra* | Buddhist scriptures on which Tantric or Vajrayana (*See Vajrayana*) or Tibetan Buddhism is based. |
| *Tantric Buddhisma* | An off-shoot of Mahayana Buddhism based on scriptures called the Tantra (*See Tantra*). This emphasizes techniques to effect rapid enlightenment. |
| *Tara* | Buddhist saviour-goddess with numerous forms, widely popular in Nepal, Tibet, and Mongolia. She is considered as the feminine counterpart of the bodhisattva Avalokiteshvara. The figure of the Amitabha Buddha is shown in her headdress, as she, like Avalokiteshvara, is considered to be an emanation of Amitabha. |
| *Tathagatha* | Literally means 'one who has thus gone'. |
| *Theravada* | The most conservative of the three main Buddhist traditions that still exists. It preserves the Buddha`s original teachings (as contained in Pali Canons). |
| *Tibetan Buddhism* | An offshoot of Mahayana that evolved in Tibet from Indian Vajrayana teachings combined with the Tibetan Bön religion. (*See Mahayana and Vajrayana*) |
| *Tirthasthana* | Site of pilgrimage |
| *Trailokyavijaya* | the King of knowledge having conquered the three worlds, one of the five kings of knowledge of Buddhism |
| *Tribhanga* | A thrice-bent stance at head, waist and feet |
| *Tripitaka* | (*Sanskrit/ Pali*) Three Baskets; the Pali Canon. The earliest form of Buddha`s teachings that has been preserved in its entirety. |
| *U* | |
| *Udapanashala* | Well-House |
| *Uposathagriha* | Meeting halls for performing important ceremonies |
| *Urna* | A turf of hairs resembling a dot between Buddha's eyebrows; one of Buddha's thirty-two major lakshanas |
| *V* | |
| *Vairochana* | One of the five dhyani Buddhas |

| | |
|---|---|
| *Vajra* | A thunderbolt or a unbreakable |
| *Vajrapani* | one of the celestial bodhisattvas & the manifestation of the self-dhyani Buddha Akṣobhya. He carries Vajra (a thunderbolt) |
| *Vajramudra* | a gesture of the knowledge or a fiery thunderbolt |
| *Vajrasattva* | An esoteric aspect of the bodhisattva Samantabhadra as per Vajrayana Buddhist traditions |
| *Vajrasharada* | The Buddhist deity of knowledge, equivalent to Saraswati, Brahmanical deity of Knowledge |
| *Vajrayana* | Diamond vehicle; the third major tradition, which evolved from the Mahayana (*See Mahayana*) during the 8th century CE and influenced the development of Tibetan Buddhism. |
| *Varadmudra* | A hand gesture of charity and boon-granting |
| *Varna* | Caste |
| *Varnasramadharma* | Regulations belonging to different *varna* and asramas |
| *Varika* | Head of a Department |
| *Vassavasa* | Shelters of monks during the monsoon seasons. These were the first instances of community and congregation spaces of the monks. Over time these helped develop the concept of monasticism. (It can also be pronounced as Varshavasa. In Pali, there is no joined words and 'shh' exists) |
| *Vedas* | Compilations in the form of hymns written between 1500-1200 BCE and reflects belief system and knowledge of the Brahmanics. |
| *Vidya* | Knowledge |
| *Vidyadharas* | 'Bearers of Wisdom' or flying figures sprinkling flowers on Buddha symbolizing and celebrating Buddha's attainment of supreme wisdom |
| *Vihara* | Dwelling; a Buddhist monastery or temple depending on context.<br>Originally a dwelling unit or private apartment of a single Bhikshu as regulated by the principles prescribed by the Buddha. Such Vihara usually occurred in clusters where a group of Bhikshu`s who belonged to a sangharama would reside '*together*'. With the passage of time, the term Vihara was denoted to the cluster of *vihara* instead.<br>As a built element, it contained all necessary facilities required to support living of the monastic community together, under the same roof.<br>These were fitted with doors and door posts, bolts, locks and key. Had windows, made with railing network or slips of wood and window blinds and shutters. Solid benches against each wall of a room or under a verandah against the outside walls of the house. Verandah were covered with terraces, inner verandah had overhanging eaves with moveable screens. |
| *Viharapura* | A monastic city centering on a Mahavihara |
| *Vipassana* | 'Inward vision' meditation techniques to promote a clear understanding of the nature of reality. |
| *Vipasanashura* | Meditation |
| *Vyakhyan mudra* | A gesture of an explanation |
| *Y* | |
| *Yamantaka* | One of the eight fierce protective deities |
| *Yashodhara* | Wife of Gautama, who later became Buddha |
| *Yoga* | Cultivation of thought in mind (faculty of consciousness).<br>Also a physical discipline and breathing control practiced to purify min and seek eternal union with the |

| | |
|---|---|
| | Brahman. |
| *Yogachara* | The *Mind-only* (*chittamatra*) School of Buddhism. The School professes that the world of object does not exist and that consciousness is the only reality.<br>It was founded in the 4th century CE and emphasis the practices of yoga and meditation. |
| *Z* | |
| *Zen* | *See Chan*<br>A Mahayana Buddhist School (Japanese form of Chan) that meditation as the path to enlightenment or satori. |

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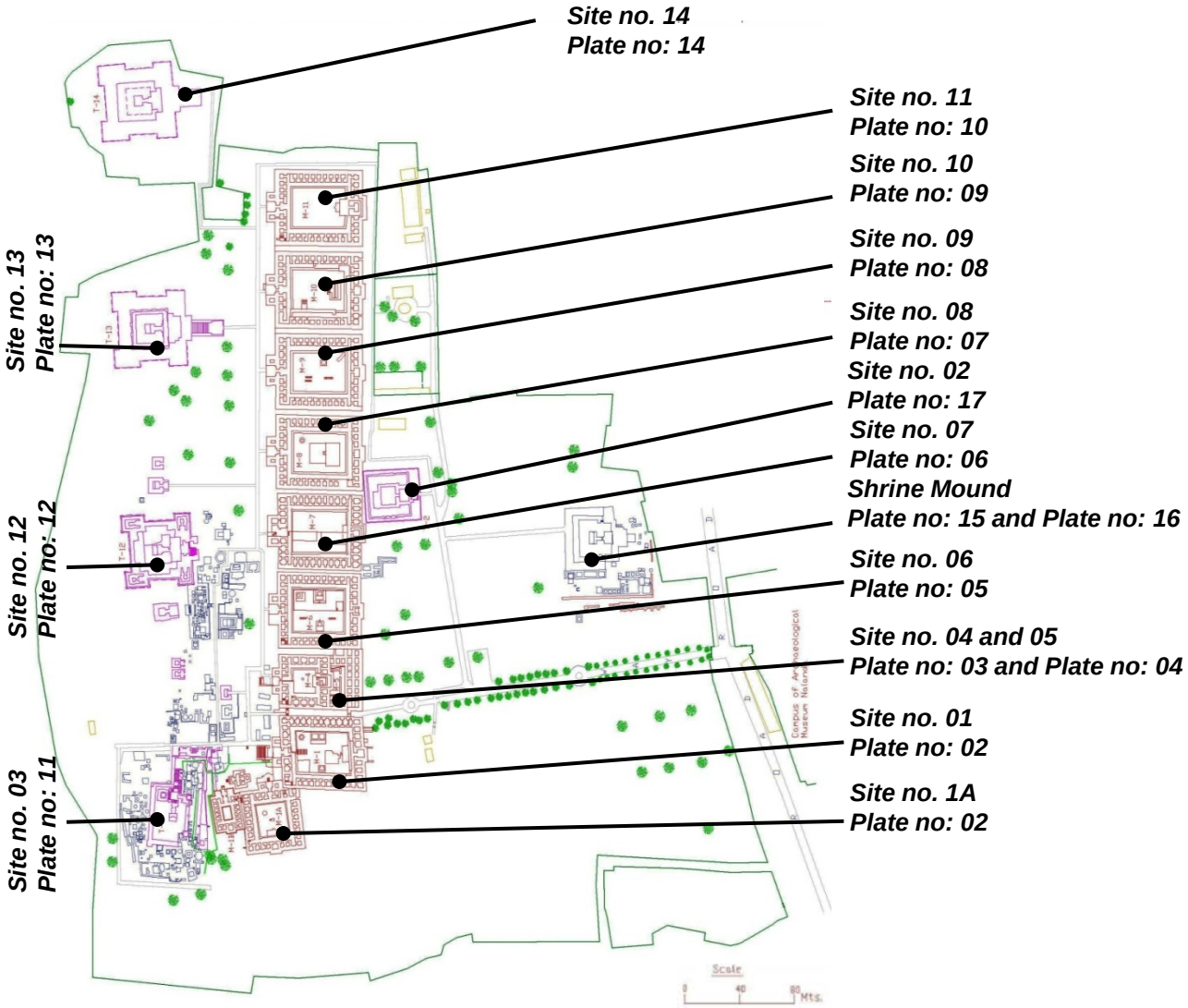
## Index Plan

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Ministry of Culture, Government of India

# Planning Systems

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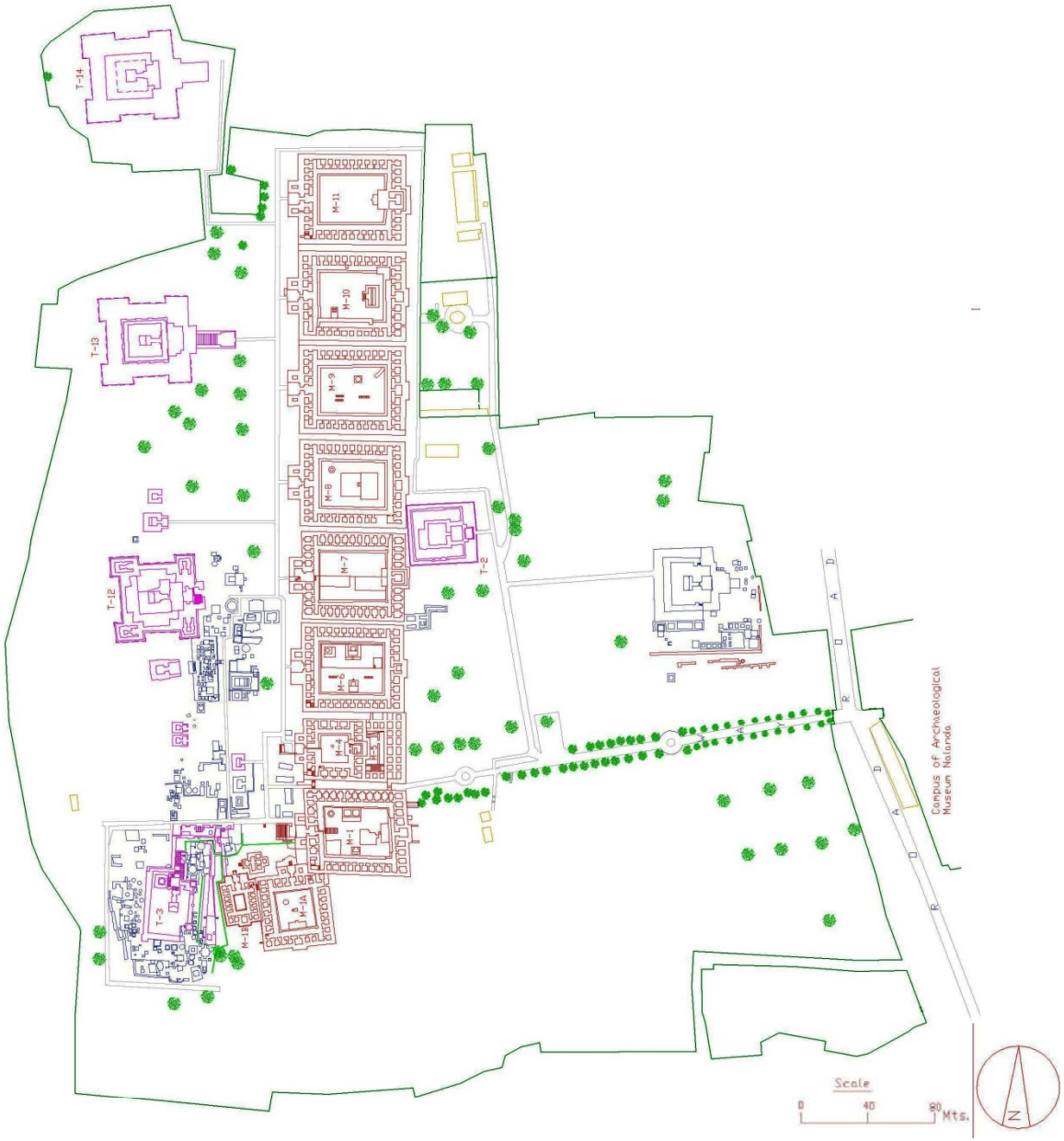



Appendix 02
Page1

| | | | | |
|---|---|---|---|---|
| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Site Plan of property** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 01** |

## Planning system

The built ensembles shows the conscious shift from a clustered layout to a linear alignment reflecting the design principle adopted to accommodate the changes in rituals and the growing scholarship. The oldest structures dateable between 3rd century BCE to 6th century CE constitute the Site No. 03 and viharas no. 01,1A, 1B and unnamed structure north of 1B which show a clustered formation, reminiscent of the layout evident in earlier educational facilities, like Takshashila (Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, WH Ref: 140), Pakistan. Excavation revealed layers of construction which indicate that the earlier viharas, especially no. 01,1A, 1B and unnamed structure north of 1B were located at a greater proximity to the sacred core i.e. the Site no. 03. This clustered alignment accommodated a modest number of bhikshus through whose endearing scholarship Nalanda grew into a gargantuan educational facility. The layout shows initiation of segregating functional spaces for sacred and secular activities. While the clustered planning allowed bhikshus to be proximate to the sacred core, the layout had limited possibility to expand when the studentship and rituals (associated with transformation of teachings of the Buddha into a religion) started growing manifold (by 4$^{th}$ century CE).

The later structures (built post 4$^{th}$ century CE) of Nalanda, in contrast, show a formal and physical segregation of secular and sacred functions. The north-south layout of the later Viharas (04, 05, 06, 07, 08, 09, 10 and 11) and Chaityas (03, 12, 13, 14 and Shrine Mound) follow the topographical feature and has allowed for the systematic expansion of the Mahavihara unlike the clustered layout formed by the Site no. 03 and early viharas. The later (post 4$^{th}$ century CE) layout reflects a heightened emphasis on sacred structures where each chaitya was provided with an open space and were built in monumental scale (*Figure 06: Schematic sketch of excavated finds identifying the Ashokan stupa*). Chaityas also became the dominant element determining the location and orientation of other structures in the Mahavihara. These were located along the western arm, opening eastwards and commanding the row of viharas overlooking it.

Constituting viharas, chaityas, stupas and shrines the built ensembles shows a combination of alignment, where the oldest structures (3$^{rd}$ century BCE-6$^{th}$ century CE) of the site has a clustered arrangement whereas the later structures (6$^{th}$ -11$^{th}$ century CE) assume a prominent north-south arrangement where the focus is Site no. 03. With the former as focus there is a column of 11 viharas and 3 *chaityas* flank the eastern and western sides of the principle axis –suggesting the layout of the Mahavihara. In addition to these structures which depict an organized site-planning, is the remains of a temple till its plinth-level (Temple no. 02), a fourth *chaitya* (referred to as *Sarai* Mound) located further east of the viharas and an unexcavated vihara to the north of vihara no. 11. The alignment of mounds, presence of antiquities, the uniform shape of the water bodies and exploration of area beyond the excavated remains suggest Nalanda would have covered an area of atleast 2 square kilometers and perhaps had two more columns of viharas apart from numerous *chaityas* (Cunningham, 2000)(Ghosh, 2006)(Phuoc, 2010)(Kamini, Kulkarni, Raghavaswamy, & Roy, 2007)(Misra, 2008).

The site broadly shows two zones segregated by a pathway of about 100 feet in width where the core i.e. educational-cum-residential and spiritual facilities are located within the protected area, while ancillary facilities like water bodies and other resources were in the periphery, beyond the walls of the Mahavihara. To the east of the pathway are the quadrangular residential-cum-educational facilities often being referred to as a college (Xuanzang), each called a vihara. To the west of the pathway were the quincunxial *chaityas* accompanied by votive *stupas*, serving as the spiritual centre (Phuoc, 2010)(Dutt, Buddhist Monks and Monasteries of India , 1962)(Misra, 2008).

The Mahavihara is known to have expanded over a period of 1600 years, where each structure also retains traces of several periods of occupation and reconstructions. The expansion of the site is evident in the alignment and uniform scale that distinguish the older structures from those built later. The former shows a stupa-centric planning where the orientation of the viharas is towards the focal stupa, much like the layout of Takh-i-bahi or Takshashila, Swat Valley. This formation is evident in the organization of the cluster of structures constituting the Site no. 03 and the vihara no. 01,1A, 1B and unnamed structure north of 1B datable to 3$^{rd}$ CE. From Vihara no. 4, the site shows a systematic linear layout where the viharas (numbered 04 to 11) are located on the east and chaityas (numbered 12, 13 and 14) to the west of the central pathway, and dateable from the 5$^{th}$ CE to 9$^{th}$ CE(Phuoc, 2010).

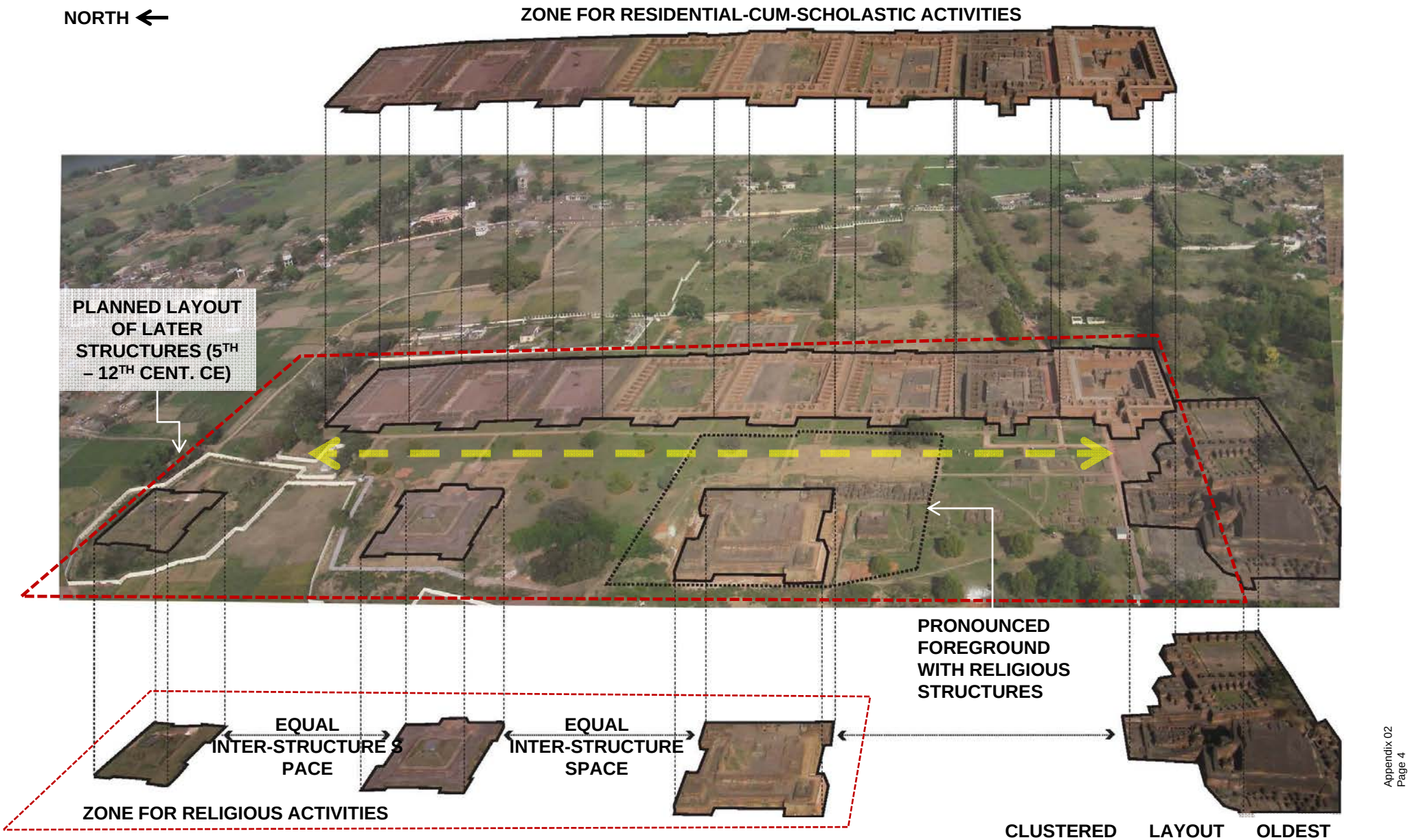
## Planning system

Structures of the Nalanda Mahavihara show (from) 2 to 9 phases of occupation. For example, Vihara no. 01 shows 9 levels of occupation where the (older oldest) layer dates back to Early Later-Gupta times (4th century CE) (Archaeological Survey of India, 1916-2001)

The excavated remains of Nalanda is located atop an elevated (300 meters) plane aligned in an approximately north-south direction, tilting slightly towards east. This slightly elevated landform is located in an otherwise flat land, drained by a palaeo-channel of the Ganges. The drying of the channel led to the formation of a fertile (plan plain) with water-bodies (left behind after drying) and covered by wooded area. (While) habitation patterns changed the original landscape by thinning forest cover, reducing the number of water bodies and flattening(flatting) much of the land,

It needs to be noted that no part of the enclosure or the Gates to Nalanda has as yet been identified. The mound in Begumpur, 2 km north of the excavated site, referred to as the mud-fort of Khamgar Khan is at times considered as the northern gate to the Mahavihara. Scholars like Dr. Stewart mentions that the main gate to the university was in the south, and within it was a large well (Loizzo) – none of which has however been identified (Archaeological Survey of India, 1916-2001). Also, no remains of the libraries- Ratnasagara, Ratnadodhi and Ratnaranjak has been identified till date and hence is not indicated in the plan.

## Elements of the Planning system

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# Architectural Systems

1. ***Vihara*** **(residential-cum-scholastic structure)**
2. ***Panchayatan Chaitya*** **(temple-like sacred structure)**

# Architectural Systems

## 1. *Vihara* (residential-cum-scholastic structure)

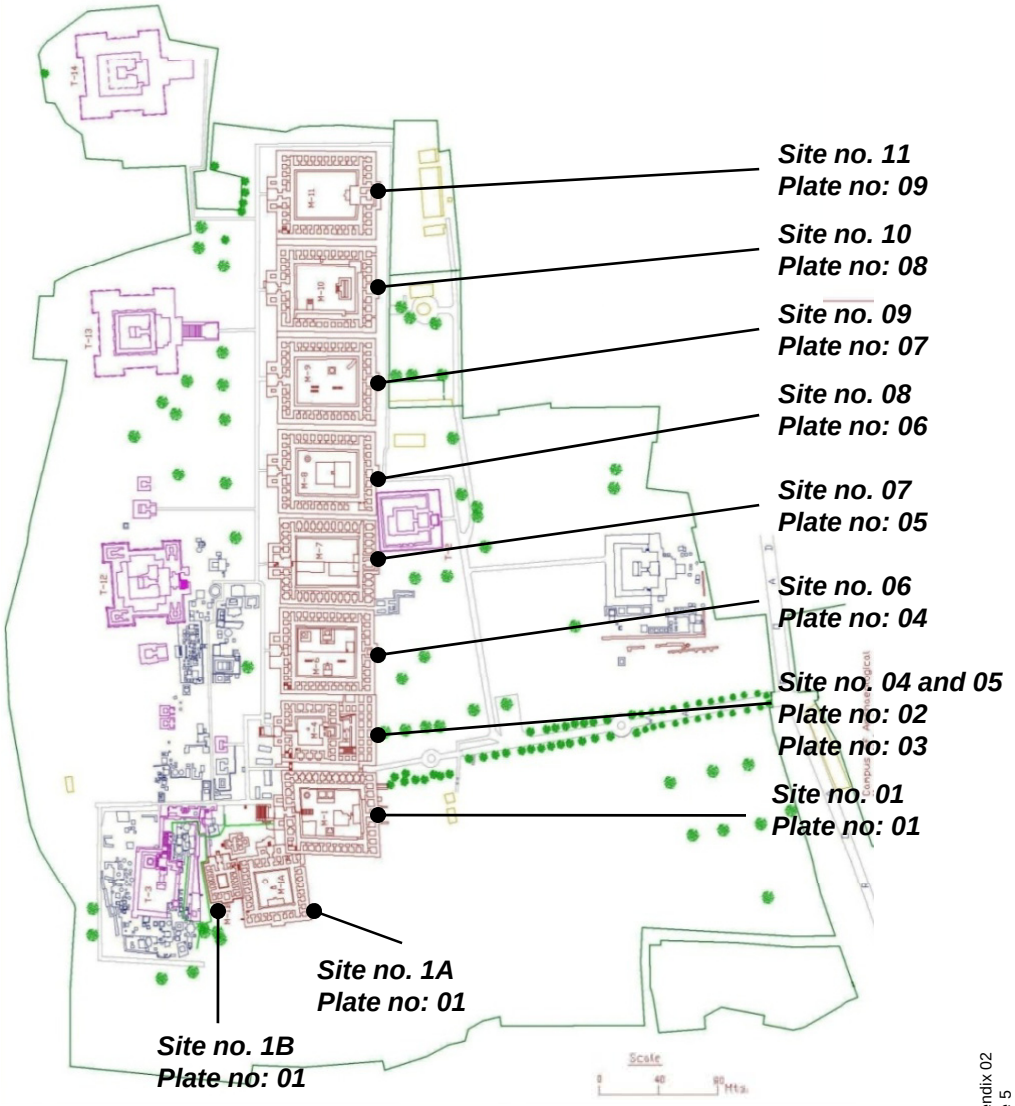
## Sites no. 01, 1a, 1b, 04, 05, 06, 07, 08, 09, 10 and 11 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

The standardization of a quadrangular vihara remains one of Nalanda`s foremost contribution to the sphere of architecture. The vihara which graduated from a single cell to a conglomeration of cells attained its quadrangular form for community-level residential-cum-educational facility in the Mahavihara of Takshashila by the 1$^{st}$century BCE.

At Nalanda, this quadrangular structure attained a regular form and was the hub of scholastic life. Its enclosure measured 10' in length, 175' in breadth with rooms of average dimension of 9'3" by 9'and a clear height of 11', aligned along the four arms of the enclosure and at its south western corner was a staircase leading to the upper floors. Most rooms had provisions for a single scholar and opened onto a continuous verandah which separates the residential spaces from the courtyard. The rooms had niches to house the belongings of its resident and were provided with wooden doors and pad locks. In certain viharas, rooms were provided with berths and at times additional storage space.

Each vihara had a centrally located courtyard which housed community level facility for the conducting of daily classes, debates etc apart from being a stage for religious activities. Scholars have recorded that the courtyard was pulsating with hundreds of pulpits placed for lectures to be conducted and debates be convened. The raised platform on the eastern side of each vihara suggests that the same was a part of the educational facility where a distinguished acharya could assume his seat to conduct lectures or debates. The centrally located brick shrine(s) are contemporary to the reignal period of the Pala dynasty when practice of rituals commenced within the enclosures. The courtyard also shows the presence of brick-lined hearth-like depression which could have been used either for cooking or for dying robes for the scholars and drains to divert rainwater away from the vihara.

The quadrangular form of the vihara crystallized in Nalanda was adopted and further elaborated in scale in the later Mahaviharas of Vikramshila (India), Paharpur and Sompura (Bangladesh)(Phuoc, Buddhist Architecture , 2010).



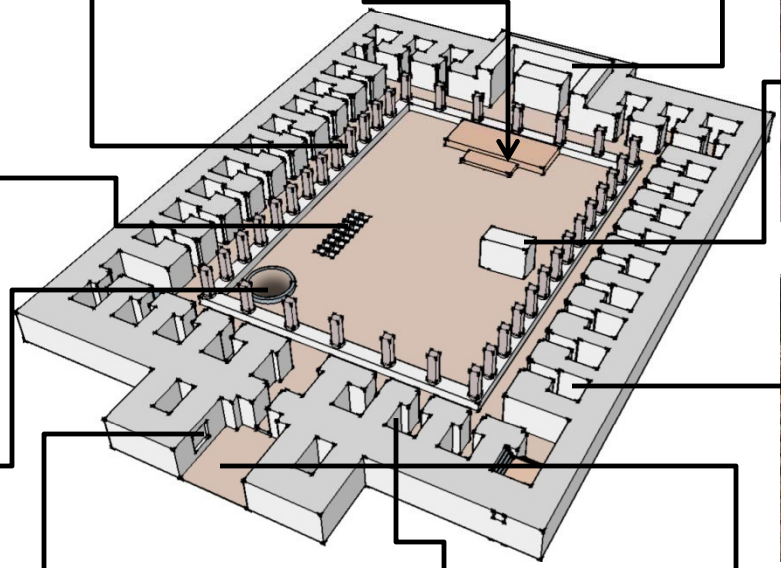
## Parts of a typical Vihara

COLUMN (STONE) ON TOE-WALL ENCLOSING COURTYARD

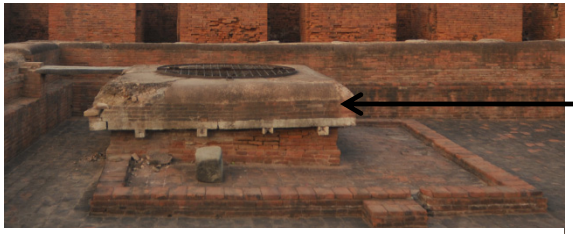
(TEACHING) PLATFORM IN THE COURTYARD

SHRINE (ALONG ARM OF QUADRANGLE)

HEARTH

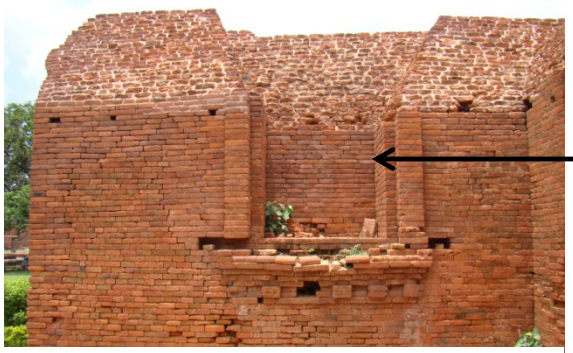


SHRINE (IN COURTYARD)



WELL WITH PLATFORM

CELLS / ROOMS / PARIVENA OF INDIVIDUAL SCHOLARS



SHRINE / RECESS AT ENTRANCE

CELLS/ ROOMS/ PARIVENA

ENTRANCE VENTIBULE

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## Site no. 01 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

This vihara was excavated in a fragile state which was consolidated to ensure physical integrity. The northern, southern and western walls were reinforced, details like niches and openings were retained and to stabilise the superstructure, reinforced concrete lintels were inserted as the original wooden ones had perished. The process of excavation revealed as many as 9 (6th - 12th century CE) levels of occupations i.e. from early Late-Gupta period to Late Pala period and stratigraphic analysis shows that it was inhabited for the longest tenure. The layers of ash, pottery shards, metal figures, heavy brick debris, ashes and finally natural earth corroborate its continuous use, its destruction by fire and finally its abandonment. Continuous use is also evidenced by successive expansion and vertical expansion existing wall by consolidating previous layers. Furthermore inscriptions found from the 8th phase of occupation indicate it to be contemporary to 5th century CE and the top-most layer to the reign of Devapala (9th century CE).

The vihara is entered from a centrally located gateway on the western wall which was bound on the north and south by walls having recessed shrines. The inner wall of the entrance was partly removed to access the lower level of the western verandah and partly retained to support the superstructure. The study of this wall revealed the earliest levels of occupation.

The gateway leads onto the continuous verandah which encloses a quadrangular courtyard. At its south-western corner are the remains of a brick staircase dateable to 9th century CE for accessing the upper level. It must be noted that the earth ramp of the central courtyard was built to reach the lowest level of habitation and retained as an alternate to the original staircase to reach rooms in the upper level hence preventing its damage.

***Rooms***

Opening onto the verandah on ground and upper level are 36 rooms where those in the upper level were provided with an antechamber and had 2 instead of a single berth. The rooms along the western and southern arm of the quadrangle are contemporary to a pre-Devapala period whereas those along the northern arm are 9th century CE (contemporary to Devapala). To support the superstructure, the openings leading to rooms on the eastern, southern and western arm of the quadrangle at the lower level were provided with reinforced concrete lintels.

***Courtyard***

The quadrangular courtyard enclosed by the raised parapet wall shows 3 levels of occupation where the final layer 9th century CE (contemporary to Devapala) is constructed of rammed brick-bats. Corresponding to each level is a brick-lined *pranala* (drainage channel) to divert water away from the courtyard through the north-eastern corner.

Centrally located on the eastern arm of the courtyard is a brick platform affronted by a *chandrashila* which was added during the second phase of occupation. The platform is at a depth of 3' 6" from the level of the courtyard and based on a copper plate inscription its final or third phase of occupation is dateable to 9thcentury CE. The iconography of the bird-bodied human figures revering a lotus plant evident on the panels suggests that the structure is dateable to 6th - 7thcentury CE.

To the west of the platform is a shrine showing 3 phases of occupation. The depth of its plinth was at 3' 6" contemporary to the earliest drain and its final floor was dateable to 9th century CE (contemporary to Devapala). While consolidating its fragile surfaces, traces of a coat of lime finish was noted.

South west of this structure was a smaller shrine entered from a northern platform. The shrine shows three phases of occupation and use of stone in construction.

Apart from the shrines, a brick twin enclosure dateable to the 4th phase of occupation exists along the northern arm of the courtyard. Entered through corbel-arched doorways it was a granary suggested by the remains of charred rice recovered during excavation.

The courtyard also has a well in its north western corner and a centrally located brick-lined hearth.

A Trial Pit was excavated to a depth of 14' below ground level showed 9 levels of occupation. Also 3 layers of habitation levels were identified where each level is demarcated by a drain which channelized water away from the interior when the level was inhabited. The southern wall was also found to extend to a depth of 8 feet below the floor level of the verandah.

The destruction of this structure by fire is evidenced by the remains of vitrified concrete debris and fused bricks.

Excavation unearthed drains which were used to divert water away from the courtyard during its occupation. Drains noted in 3 successive levels suggest that the courtyard was occupied thrice and that the site slopes down eastwards.

## Site no. 01 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Two brick *chabutaras*(podium) on east below the half-moon shaped *chabutara* and 1'-2" above the brick paved courtyard<br>• North-east corner channel<br>• Lowest platform foundation of the vaulted chambers<br>• South-west earliest shrine<br>• Well<br>• Brick-paved courtyard contemporary to that of Site no.-7 | Layer (9)<br>Level (1) | Pre-Pala ($6^{th}$ -$7^{th}$ CE) |
| • North-east corner chamber reused<br>• Lowest but one foundation platform of the vaulted chambers<br>• Middle-shrine in the south-west corner<br>• Well raised-up<br>• Chabutra with half moon design 2" – 10" height above the ruins and concrete foundation below<br>• Cells<br>• Concrete floor of portico | Layer (8)<br>Level (2) | Pre-Pala ($7^{th}$ -$8^{th}$ CE) |
| • Channel changed but in the same corner<br>• Colonnaded chabutra, main shrine, rooms, staircases in south-west corner<br>• Well raised up<br>• Upper-most shrine in south-west<br>• Upper foundation platform below vaulted chambers<br>• Parapet exposed in east-south corner<br>• Concrete floor of portico | Layer (7)<br>Level (3) | Early Pala ($8^{th}$ -$9^{th}$ CE) |
| • Same buildings, courtyards, shrines, channel used<br>• Vaulted chambers constructed on the ruins of the three earlier levels<br>• Concrete floor of portico<br>• Parapet raised by 8" | Layer (6)<br>Level (4) | Pala ($9^{th}$ CE) |

**Figure 01a**

**Figure 01b**

Figure 01a and 01b: Photographs showing levels of occupation

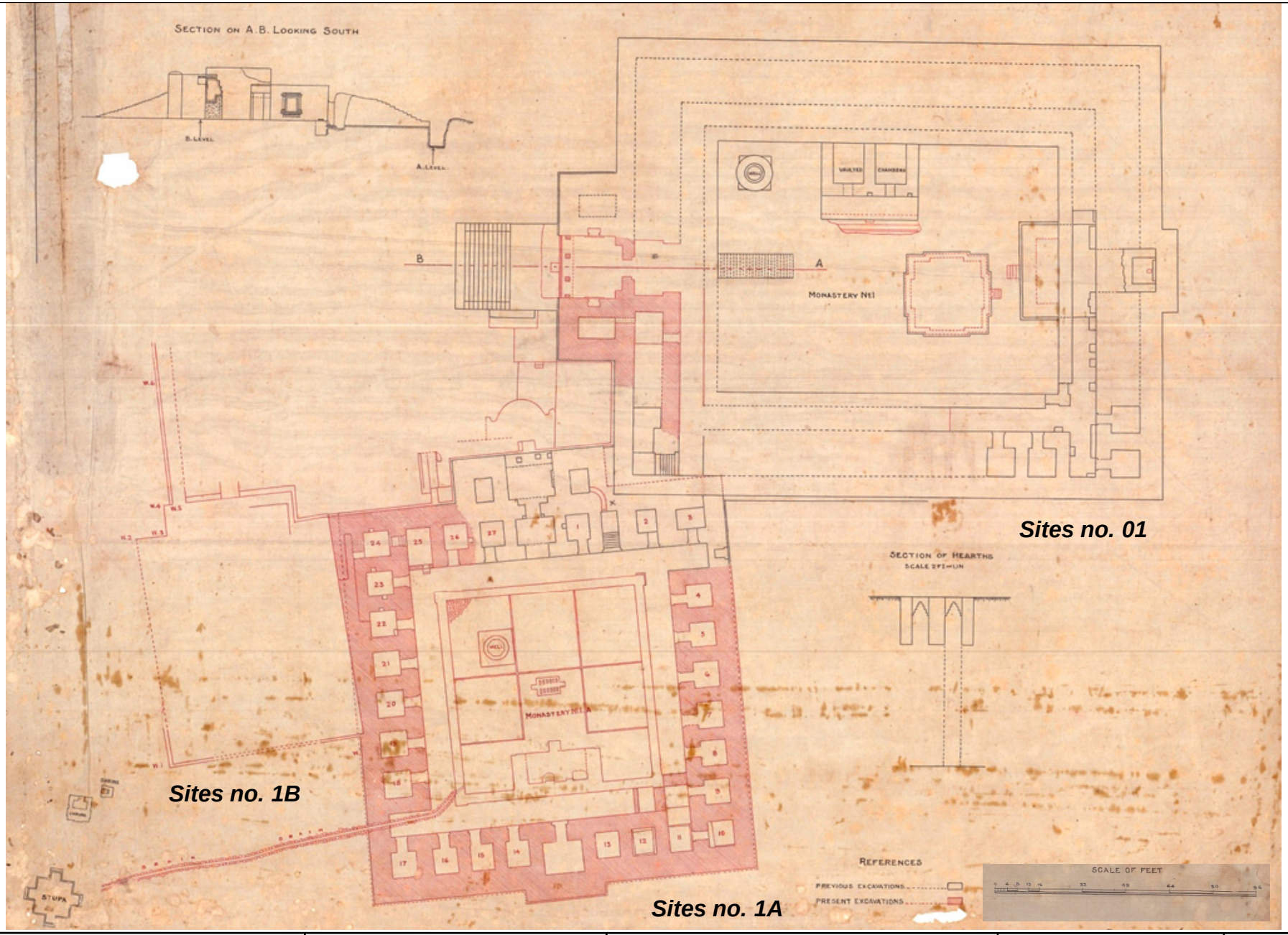
## Site no. 01 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Same structures used with some additions<br>• Central *Chaitya* founded<br>• Conflagration<br>• Two walls added to the east, north and south-west corners | Layer (5)<br>Level (2) | Pala ($9^{th}$ -$10^{th}$ CE) |
| • Parapet raised by about 12'5"<br>• New buildings erected on ruins<br>• New channel in the same corner<br>• Central chaitya in its second stage<br>• Height of steps outside in west raised | Layer (4)<br>Level (3) | Pala ($10^{th}$ CE) |
| • Parapet raised by about 6"<br>• Same building used<br>• Contemporary courtyard of this level seen in south-west corner<br>• Same channel in the same corner used<br>• Central chaitya in its third stage | Layer (3)<br>Level (4) | Pala ($11^{th}$ to $15^{th}$ CE) |
| • Parapet raised by 1'7"<br>• Court raised by 1' or a bit less<br>• Conflagration | Layer (2)<br>Level (5) | Pala & Post Pala ($11^{th}$ to $15^{th}$ CE) |
| • Parapet raised by 1'6"<br>• Court raised by 1' or a bit less<br>• New Buildings erected<br>• Stairs constructed from west into the courtyard | Layer (1)<br>Level (6) | Pala & Post Pala ($11^{th}$ to $15^{th}$ CE) |

**Figure 02a**

**Figure 02b**

Figure 02a and 02b: Photographs showing levels of occupation

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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan and section of *Sites no. 01 and 01A*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 02** |

## Site no. 01 A and 01B (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

**Site no. 01A**

The north-south alignment and the evidence of atleast 5 reconstructions undertaken during its lifetime suggest that this structure existed during the Late Gupta period and occupied till Late-Pala times (Misra, Nalanda (felicitation Volume-I, II, III), 2008).

The gateway leads to a continuous verandah which serves as a transition zone between rooms (27 in number) and the central quadrangular courtyard. The limits of the courtyard are marked by a raised parapet on columns which support overhanging verandahs of the upper floor rested. Its surface is brick-paved, divided into quarters and had a well, a brick-lined hearth and a shrine located to its south.

The structure was excavated in a fragile state and was consolidated to ensure physical integrity. Excavation also unearthed a well from the foundation of the northern wall.

The southern wall was found to extend to a depth of 6' below ground level showing successive levels of reconstruction.

**Site no. 01B**

Located east of the Site no.3 this vihara measures 71' by 100' and shows of two levels of occupation. Its north-south alignment indicates the fact that the structure is a pre Late Gupta construction and contemporary to Site no. 1A and Site no.1B.

Like other viharas, it consists of a continuous verandah which acts as a transition zone separating the 16 rooms from the courtyard. At its north-eastern corner of the verandah is a brick doglegged staircase suggesting that the vihara had an upper storey. The verandah of the upper storey was supported by columns whose base rested on the raised parapet wall which encloses the courtyard.

## Site no. 1A (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • The four lowest wall of Site no.-1 formed a complete square preceded Site 01A.<br>• On its collapsed walls, Site no. 1a was constructed forming a complete square and overlapping the lower ruins of Site no. -1 at the north-east corner. When the Site no.-1A went into ruins, the walls of the Site no.-1 again overlapped Site no.1A and form a complete square. Three of the levels are still apparent in the wall faced of Site no.1 and two in the levels of Site no. | Layer (2)<br>Level (1) | Pre- Pala (Late 6th CE) |
| • This upper occupation level is perhaps analogous to the Devpala level (6th lower level of the Site no.-1)<br>• A flight of concrete-paved steps in the North-east corner of Site no.-1A suggest an upper storey. | Layer (1)<br>Level (2) | Pala (9th CE) |

## Site no. 1B (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Site no.1B was erected first; then after a certain interval, Site no.1A also fell into ruins and was re-erected. . | Layer (2)<br>Level (1) | Pre- Pala (Late 6th-7th CE & 7th – 8th CE) and continued during Early Pala Period (8th-9th CE) |
| • This upper occupation level is perhaps analogous to the Devpala level (6th lower level of the Site no.-1)<br>• A stair case in the North-east corner of Site no.1B suggests an upper storey shows the upper levels of occupation.<br>• A long narrow passage in between Site no.1A and Site no.1B is also suggests the levels of occupation. | Layer (1)<br>Level (2) | Pala (9th CE) |

## Site no. 04 and 05 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

The plan of Vihara no. 05 is an amalgamation of 2 enclosures, one on the east and an annexe on its west. The western enclosure shows 6 phases of occupation where the final level is dateable to 9th century CE (contemporary to Devapala). Each phase is indicated by a corbelled brick-lined *pranala* to divert water away from the structure at that level and in the northern wall flanking the entrance gateway located on the western arm of the quadrangle. Study of fragmented material recovered as debris also suggests that the vihara was destroyed by fire.

To the east of this structure is vihara no.05, smaller in scale and post-dates western enclosure . It shows 4 levels of occupation and its layout differs from the others in the vihara. Some excavators opine that it was perhaps a '*dharamashala*' or an annexe to accommodate increased number of bhikshus.

***Rooms***

The layout of rooms shows contrasting arrangement in the eastern and western enclosures. The western quadrangle has 17 rooms aligned along the arms of the quadrangle which are a combination of single (6' 9" x 3' 5") or double bedded (6'9" x 3'4") with a clear height of 11' indicated by the presence of beam-sockets in the walls. Excavated in a fragile condition, the wall of the structure was stabilized and extended to a height of 3-4 feet above the upper floor level. During this process details such as sockets or holes that contained beams, corbelled openings, niches were retained. To support the superstructure dateable to 9th century CE (contemporary to Devapala) reinforced concrete lintels above the corbelled opening.

The eastern enclosure shows linearly aligned interconnected rooms measuring 7' 8"x 3'6". These were arranged in groups of three entered through a 3' wide corbelled door. The enclosure has double row of rooms, one behind the other, where the row behind is accessed through a corbelled opening in its adjacent room. The first stratum or oldest layer has 7 rooms along the eastern arm and 4 each on the northern and southern arm of the enclosure, respectively.

***Courtyard***

Western enclosure is entered through a centrally located gateway whose fragile remains including details, like running course of the cornice, niches were consolidated. It leads to a continuous verandah which is a transition space onto which rooms open and which inturn encloses a quadrangular courtyard. At the south-western corner of the verandah is a brick staircase dateable to different periods of construction. The western walls had an opening at the level corresponding to that of the landing allowing light and ventilation of the staircase. Charred pieces recovered from the staircase prove that its surfaces were clad with wood.

The quadrangular courtyard is bound by a raised parapet wall and along its eastern arm is a shrine. Centrally located in the courtyard is a hearth and on its north-western corner is a hearth.

It is interesting to note that the drainage channel of vihara 04 leads is discharged through the pranala located on its eastern wall like other viharas suggesting that vihara 05 was built later. The earliest two pranala has been found contemporary to Gupta to Late Gupta period while the third is found contemporary to the reign of Devapala (9thcentury CE).

The clear height is indicated by the location of the holes or socket where the beams were placed in the wall.

Originally the superstructure was supported by wooden lintel which had perished over time. The reinforced concrete lintel was provided as its replacement.

## Site no. 04 and 05 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| **Site no. 04** | | |
| • Two of the earlier channels of this monastery, falling through the Site no.5 belong to Gupta and Late Gupta periods. Shrines opposite entrance. | Layer (6)<br>Level (1)<br>(sub-surface condition) | Pre-Pala Level (7th-8th CE)<br>(Early 6th-7th CE) not exposed |
| • The third channel above surely belongs to the Devpaladeva or the 3rd level; concrete lintels support the upper structures of Pala Periods. | Layer (5)<br>Level (2) | Early Pala (8th -9th CE) |
| • There are two staircases of deferent periods in the north-west corner. There is structural evidence to show that the Devpala level Monastery had a second storey. | Layer (4)<br>Level (3) | Pala (9th CE) |
| • Some of the upper closely occurring pavements provably led in the same period. | Layer (3)<br>Level (4) | Pala & Post Pala (11th -15th CE) |
| • Some of the upper closely occurring pavements provably led in the same period. | Layer (2)<br>Level (5) | Pala and Post Pala (11th -15th CE) |
| • Some of the upper closely occurring pavements provably led in the same period. Height of steps outside in west raised | Layer (1)<br>Level (6) | Pala and Post Pala (11th -15th CE) |
| **Site no. 05** | | |
| • The earliest stratum here consists of seven cells on the east side and four along the north and south sides. | Layer (4a)<br>Level (4) | Pre-Pala (6th - 7th CE) |
| • During the second stratum of occupation some 4' above the earliest stratum a wide staircase was built along the northern front of the southern cells, giving access to an upper level of Site no.4 | Layer (4)<br>Level (3) | Early Pala (8th - 9th CE) |
| • The first and the second stratum are alike in plan, but the third stratum, third from below, differs in plan. The huge staircase was still in huge, but its lower end had been covered through the rise in the level of the court. | Layer (3)<br>Level (2) | Pala (9th CE) |
| • The fourth and latest level seems to have followed the third one below. The fourth period of monastery existed side by side with the fourth period of Site no.4 | Layer (2, 2a, 1, 1a)<br>Level (1) | Pala & Post Pala (11th -15th CE) |

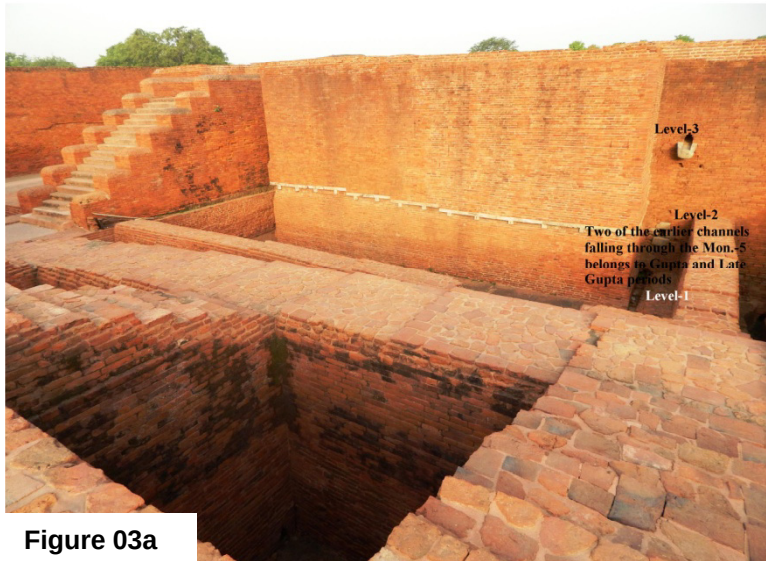
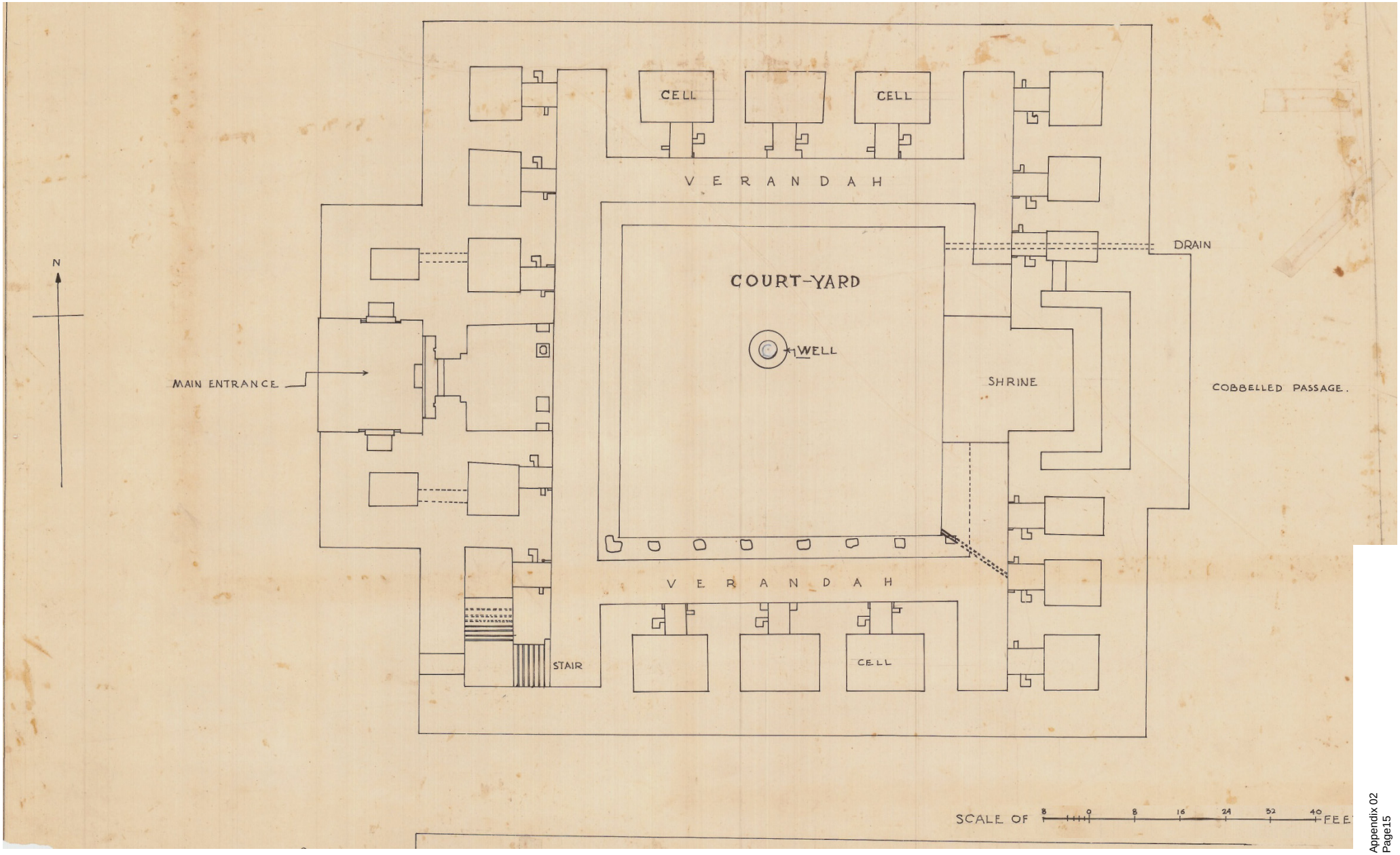



**Figure 03a**

**Figure 03b**

Figure 03a and 03b: Photographs showing levels of occupation

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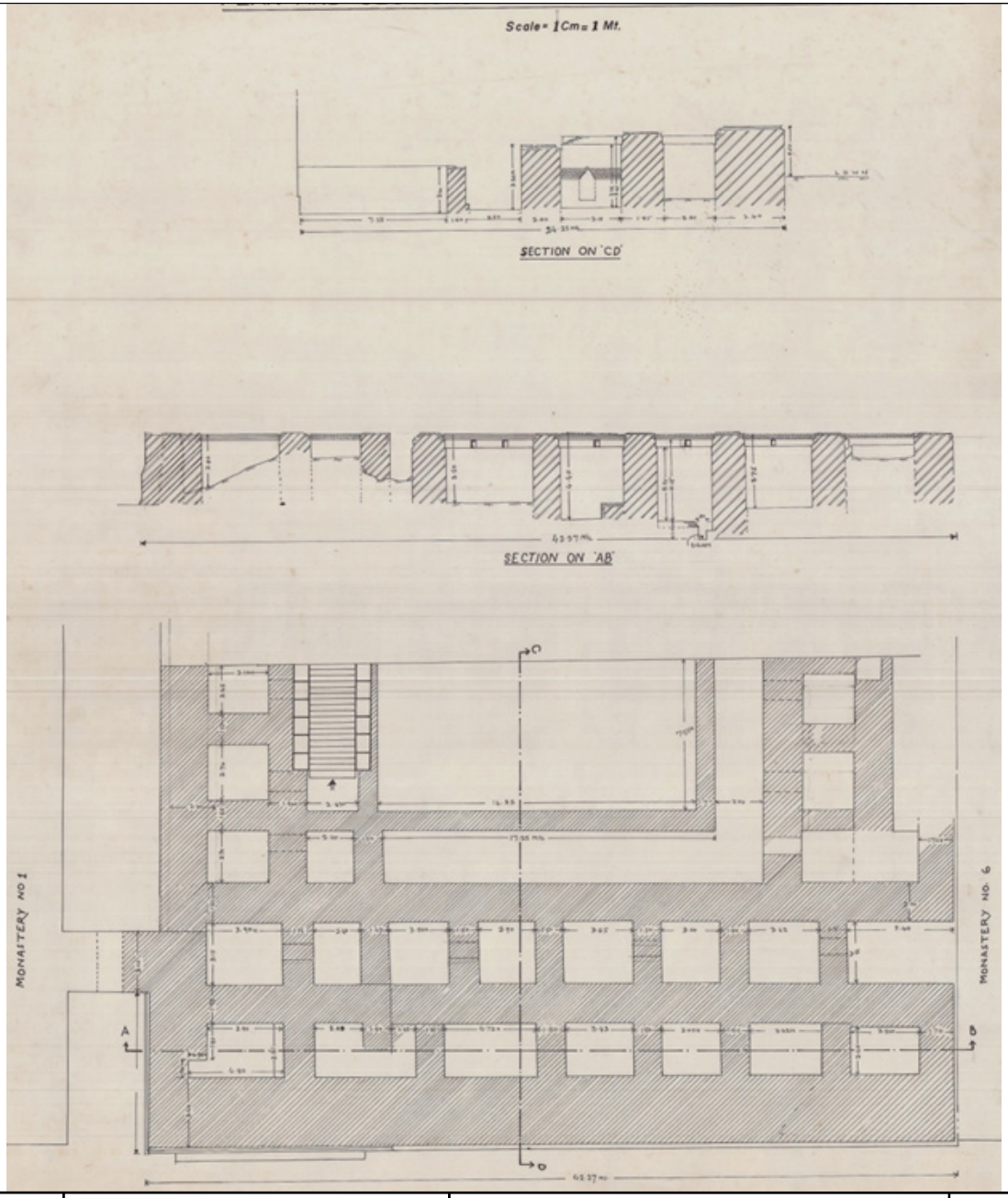
| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan of *Site no 04*** | **Scale as indicated**<br>**Date: 15/09/2014** | **Plate no. 03** |



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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan and section of *Site no 05*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 04** |

## Site no. 06 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

Site no. 06 shows 2 levels of occupation contemporary to a Late Gupta-Pre Pala to Early Pala periods. Entered through a centrally located gateway on the western arm, it is flanked by vestibules and led onto a continuous verandah. The latter is a transition zone between rooms and the quadrangular courtyard. On its south western corner is a brick dog-legged staircase leading to an upper storey.

***Rooms***

34 rooms along with its details like niche, door jambs and sockets for beams have stood the test of time. The walls of the structure retain fragments of concrete flooring indicative of rooms and the adjoining verandah of the upper level is the northern and southern arms.

***Courtyard***

The brick-paved quadrangular courtyard is enclosed by a raised parapet wall and shows 2 levels of occupation. Remains of bases of columns which supported the overhanging *verandah*, are evident on the parapet wall.

At the north-western corner of the courtyard is a raised octagonal well but is devoid of a brick-lined hearth (chulha) or a *pranala* (drainage channel). Along the northern and southern arms of the courtyard are two subsidiary shrines.

## Site no. 06 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| •Lower one marking the Pre-Pala level. | Layer (2)<br>Level (1)<br>(sub-surface condition) | Pre-Pala (6th -7th CE) |
| •The upper one representing the Devpala level. | Layer (1, 1a, 1b,1c)<br>Level (2) | Pala and Post Pala<br>(9th-15th CE) |

**Figure 04a**

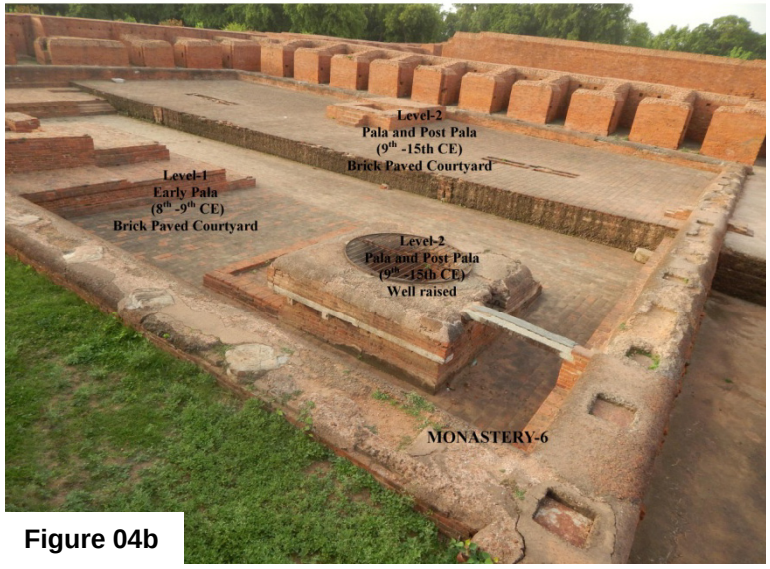
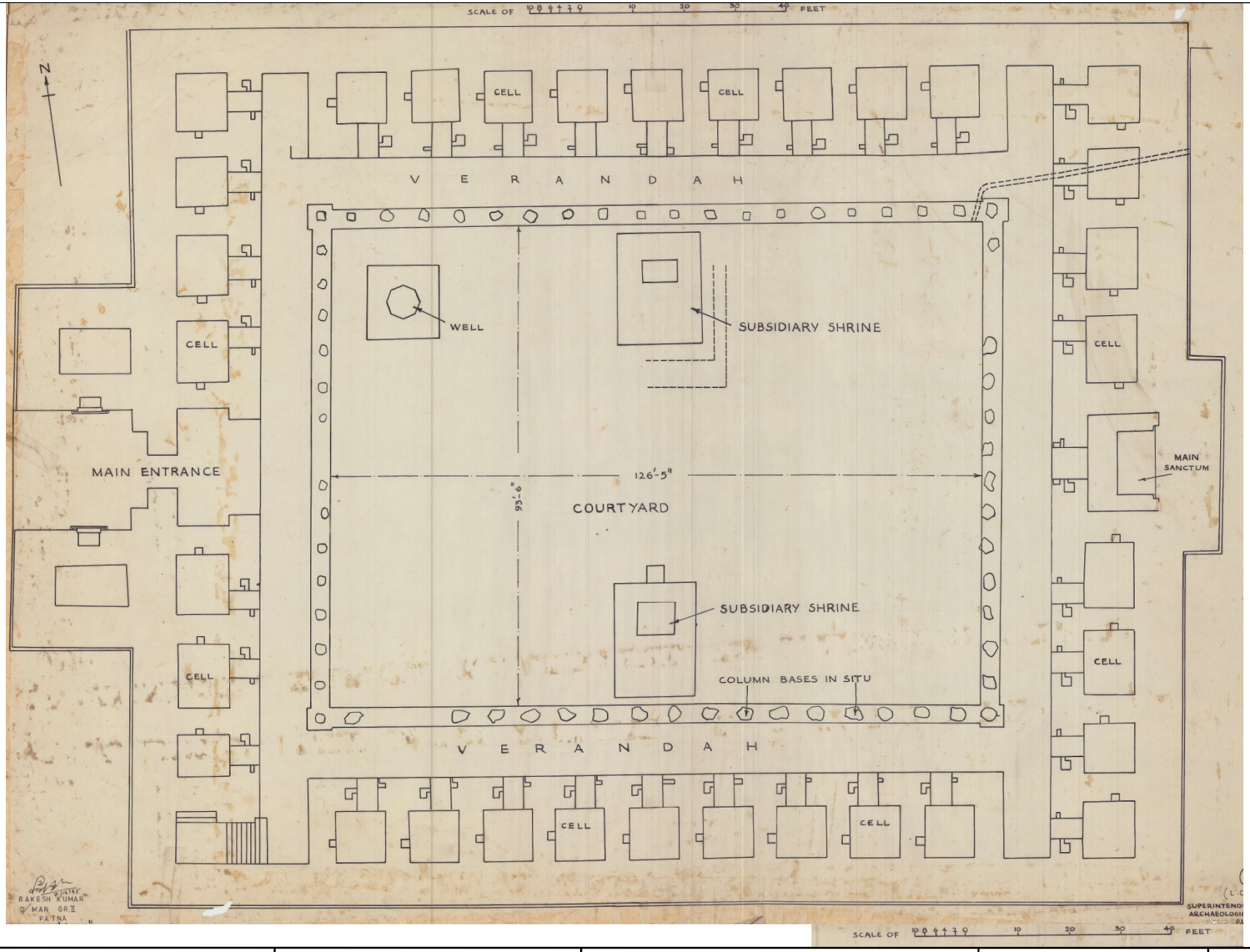



**Figure 04b**

Figure 04a and 04b: Photographs showing levels of occupation



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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan of *Site no 06*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 05** |

## Site no. 07 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

The structure shows 3 levels of occupation and as per Hsuan Tsang its construction was patronised by Siladitya raja. He also recorded that the structure was cladded with brass plates and had a Golden statue of the Buddha installed in its shrine. While the statue remains no more, Tsang notes that it was sculpted for the Prayaga Assembly to commemorate the victory of Mahayana over Hinayana.

The earliest or late Gupta/Pre-Pala to Early Pala or mid-phase of construction is evident in the southern peripheral wall. The eastern, southern and western parts of this structure shows occupation level and details in the form of door-jambs, slots for the bolt etc contemporary to the Late Gupta to late Pala period i.e. mid to last phase of construction. The northern arm of the vihara together with parts of the gateway, fragments of parapet wall enclosing the courtyard and the shrine shows the final or Late or Post Pala phase of construction. The courtyard shows four to five levels of occupation evidenced by greater use of concrete than the larger bricks characteristic of earlier layers. Its layers date between late Gupta/Pre-Pala to late Pala period showing all phases of construction.

The walls of rooms at the upper-level and the enclosure wall of the southern, western and eastern sides were stabilised reusing disintegrated materials. During this process it was noted that the peripheral wall measured 8 feet in depth imparting it the strength to add upper levels.

***Rooms***

35 rooms of the viharas were recovered and each has a berth measuring 6’ 3”x 3’7”. The walls of the room retain remains of two successive floor levels which were supported by (wooden) beams, now missing. The clear height is indicated by the presence of floor-features like door-jambs, slots for the bolt etc. retained in situ while consolidation.

***Courtyard***

The quadrangular courtyard is enclosed by a raised parapet wall whose foundation is 6’ deep. The courtyard is devoid of a well, a centrally located shrine and to its east two brick-lined hearths (chulha) measuring 7’2” in length, 1’ width and 1’ depth, each. The brick platform of the shrine recovered in a fragile state was consolidated retaining original details and construction system.

## Site no. 07 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Lower one marking the Pre-Pala level. | Layer (4)<br>Level (1) | Pre-Pala (6th -7th CE) |
| •Middle one representing the Devpala level. | Layer (3, 2)<br>Level (2) | Early Pala (8th -9th CE) |
| • Upper structure | Layer (1, 1a)<br>Level (3) | Late and Post Pala (11th-15th CE) |

**Figure 05a**

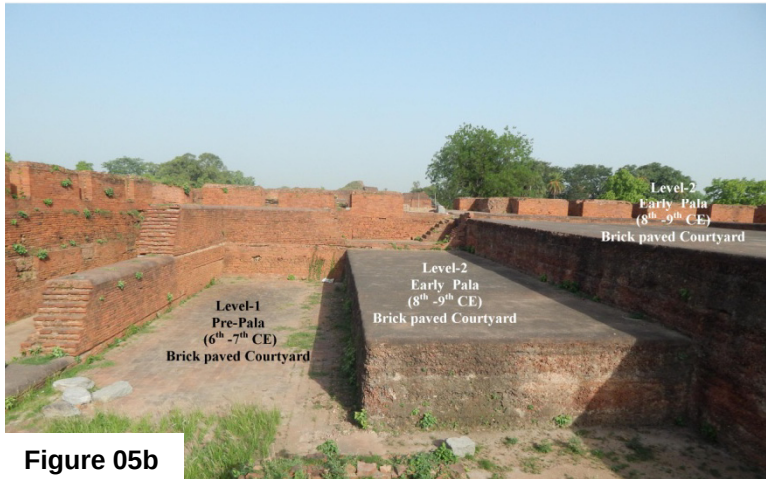
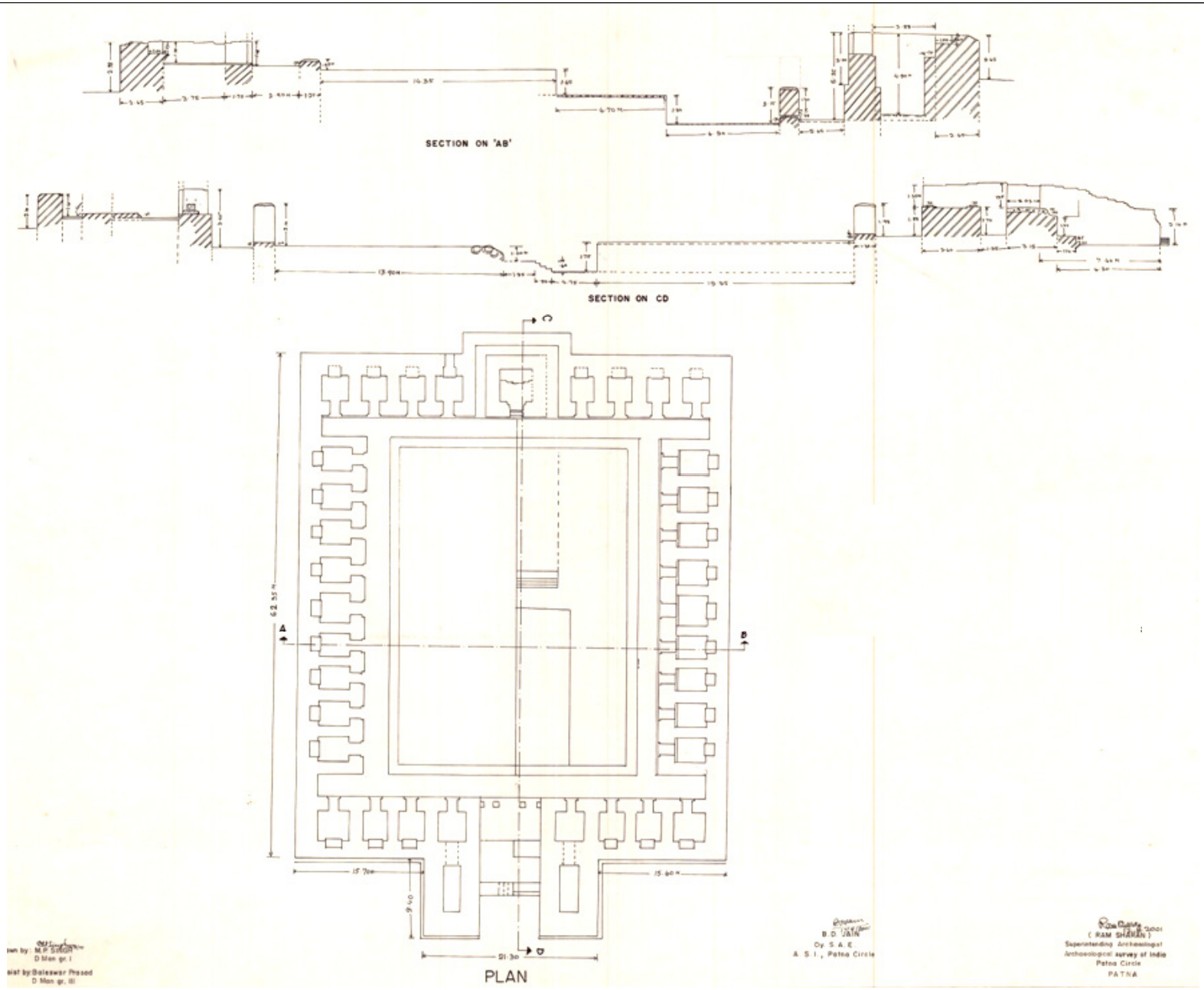



**Figure 05b**

Figure 05a and 05b: Photographs showing levels of occupation

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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan and section of *Site no 07*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 06** |

## Site no. 08 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

The structure shows 2 levels of occupation, one dateable as a pre-Devapala phase followed by one contemporary to Devapala (9th century CE). The viharas are entered through a gateway centrally located on the western arm and the opening is flanked by vestibules used as storerooms. It leads onto a continuous verandah which separating the rooms from the courtyard. At the south-western corner of the verandah is a staircase whose lowest step remains. This and the remains of concrete flooring visible in the eastern, western and southern walls corroborate the fact that the viharas was atleast 2 storeys.

A large quantity of ash and charcoal was noted in the courtyard, verandah and rooms indicating that wood was used for construction and its destruction by fire.

***Rooms***

There are 37 rooms that could be salvaged of this vihara. A section of the wall in the south-east corner shows the original masonry work while the rest had been consolidated to ensure stability. Walls have been extended 8 to 10 feet above the excavated height rendering it stable. To stabilize the superstructure, reinforced concrete lintels were introduced to support walls above the corbelled openings (to rooms) as the original ones were destroyed by conflagration. Dentils were noted as ornamental features in the peripheral walls, which is unique to Nalanda.

***Courtyard***

The quadrangular courtyard of this vihara is provided with a hexagonal well and a shrine located to the eastern quarters. Fragments of a shrine showing two levels of occupation have been unearthed in the eastern section of the courtyard. The northern and eastern surfaces of its plinth are ornamented with a row of alternating squat pillars and brackets. Above this was a simple moulding with lotus flower embossed on it. The shrine was coated with a layer of lime, traces of which was noted on the ornamented panels. Unlike other viharas, no raised pedestal was found on the eastern arm of the courtyard.

***Antiquities***

A number of bronze statues of Buddha and Bodhisattva (6 pieces) from the north-western corner, a figurine associated with Jainism and a 3'9" statue of Avalokiteshwar installed in the shrine was salvaged during excavation. The existence of bronze figures and its iconography prove that the vihara was under continuous habitation.

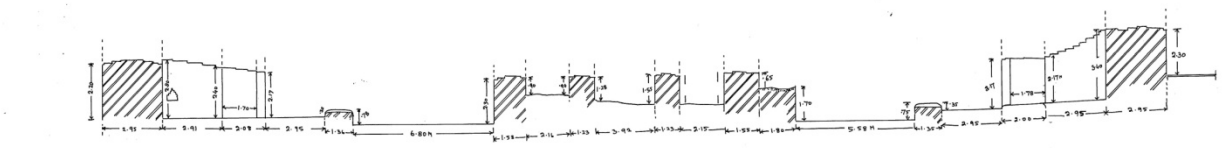
The dating is based on (building archaeology) and the iconography of bronze and stone sculptures.

## Site no. 08 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

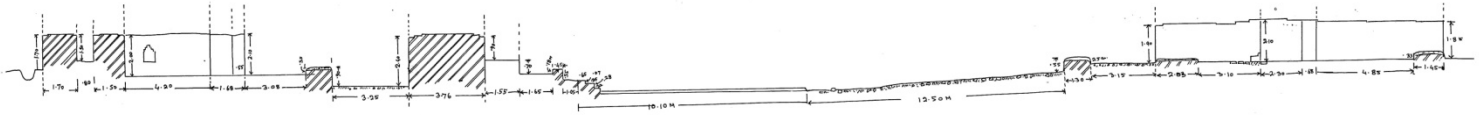
| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Lower one marking the Pre Devpala level. | Layer (2)<br>Level (1) | Pre-Pala Level<br>(7th-8th CE) |
| • Representing the Devpala level.<br>• A staircase in the south-west corner shows that the monastery was a double-storeyed structure. | Layer (1)<br>Level (2) | Pala<br>(9th CE) |

**Figure 06a**

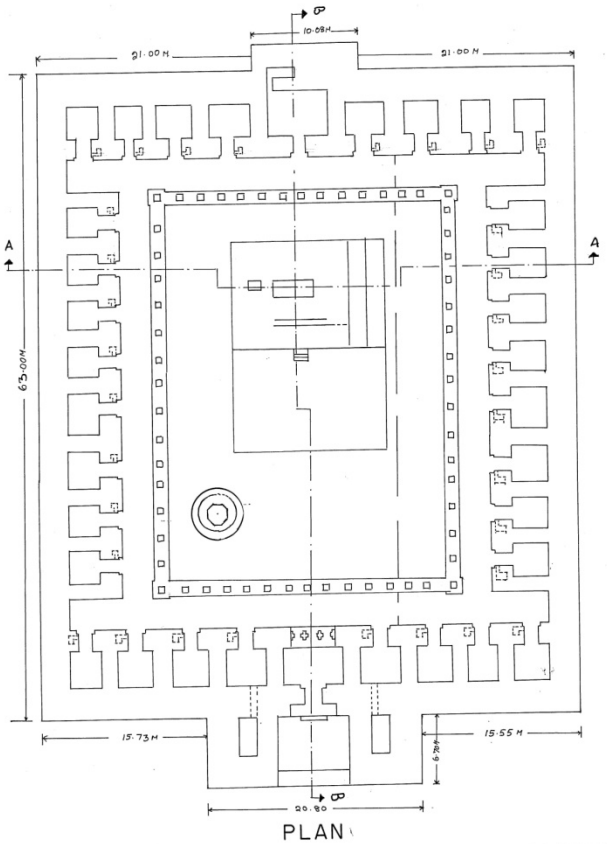
Figure 06a: Photographs showing levels of occupation



SECTION ON 'AA'



SECTION ON 'BB'




PLAN

M. P. SINGH
D/Man gr.1
Baleshwar Prasad

B. D. JAIN
Dy. S. A. E
A. S. I., Patna Circle

RAM SHARAN
Superintending Archaeologist,
Archaeological survey of India,
Patna Circle,
PATNA.



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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan and section of *Site no 08*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 07** |

## Site no. 09 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

This vihara shows a single level of occupation and dateable 9th century CE (contemporary to Devapala). It measures 208' 1" in length, 171' 6" in breadth and its foundation has alternate courses of brick and sand (2" to 6" in depth) efficient to prevent differential settlement of walls and rising dampness.

This vihara is entered through a gateway on the western arm and its opening was flanked by store-rooms. The opening was constructed of stone indicated by the fragments recovered during excavation.

The gate leads onto a continuous verandah which encloses a quadrangular courtyard and leads into the rooms. At the south western corner of the verandah is a 7' 10" wide brick-staircase. At the level of the landing, there is a 3'7" wide opening allowing light and ventilation of the staircase. Charred remains from the staircase show that its surfaces were originally recovered with wood.

The verandah in the north-western corner has been sealed to form a room, entered through a corbelled opening, 4' 11" high.

***Rooms***

Vihara has 37 rooms (9'3" by 9') and is entered through corbelled openings. To support the superstructure, reinforced concrete lintels have been inserted replacing the wooden ones. The openings along the southern arm also show features like door-jambs and sockets. The openings of several rooms in the south western and north eastern corners of the vihara were found sealed. Sealing was a technique used to form the base which supported later phases of construction, evident in vihara no.10.

Study of the walls show that floors were constructed of 10 inch thick concrete layer laid over a bed of long bricks which were supported by wooden beams. The sockets where the wooden beams were inserted into the wall are also discernible.

***Courtyard***

The quadrangular brick-paved courtyard measures 19' 5" in length and 14' in breadth and its oldest layer (concrete paving) is at a depth of 3' 3". The courtyard is divided into 20 quadrangles whose limits are marked by a brick-on-edge layer. Each of these segments are paved with square-shaped brick-tiles laid on a bed of concrete.

The limits of the courtyard are marked by a raised parapet wall on which wooden columns supporting the overhanging verandah of the first floor rested. The courtyard has a shrine (base measures 19' 5" by 14'), located centrally along the northern arm of the courtyard. This apart, the courtyard also has an octagonal well (7' diameter) and 3 sets of *chulhas* (2' 6" length, 1' 5" breadth and 9" in depth). To divert water away from the courtyard a brick-lined *pranala* (drainage channel) covered with stone slab is located at the northwest corner of the courtyard. This channel continues further east, through the verandah and the second room from the north-eastern corner leading outside the vihara.

***Antiquities***

During excavation, 75 bronze and stone images, sealings, terracotta plaques, pottery of different types, iron straps, nails, padlocks, beads and various objects of clay, stone, ivory, iron, bronze, bricks etc. were unearthed. Comparing the properties of the recovered antiquities and the levels of occupation (noted from stratigraphical study of the floor levels) suggest that vihara no. 09 is contemporary to vihara no.06, 07 and 08. While original lintels have perished over time, its presence can be ascertained by the 10' gap atop openings which would have accommodated the wooden lintel.

The fact that these columns were made of wood is corroborated by the remains of charred wooden pieces in the site, recovered during excavation.

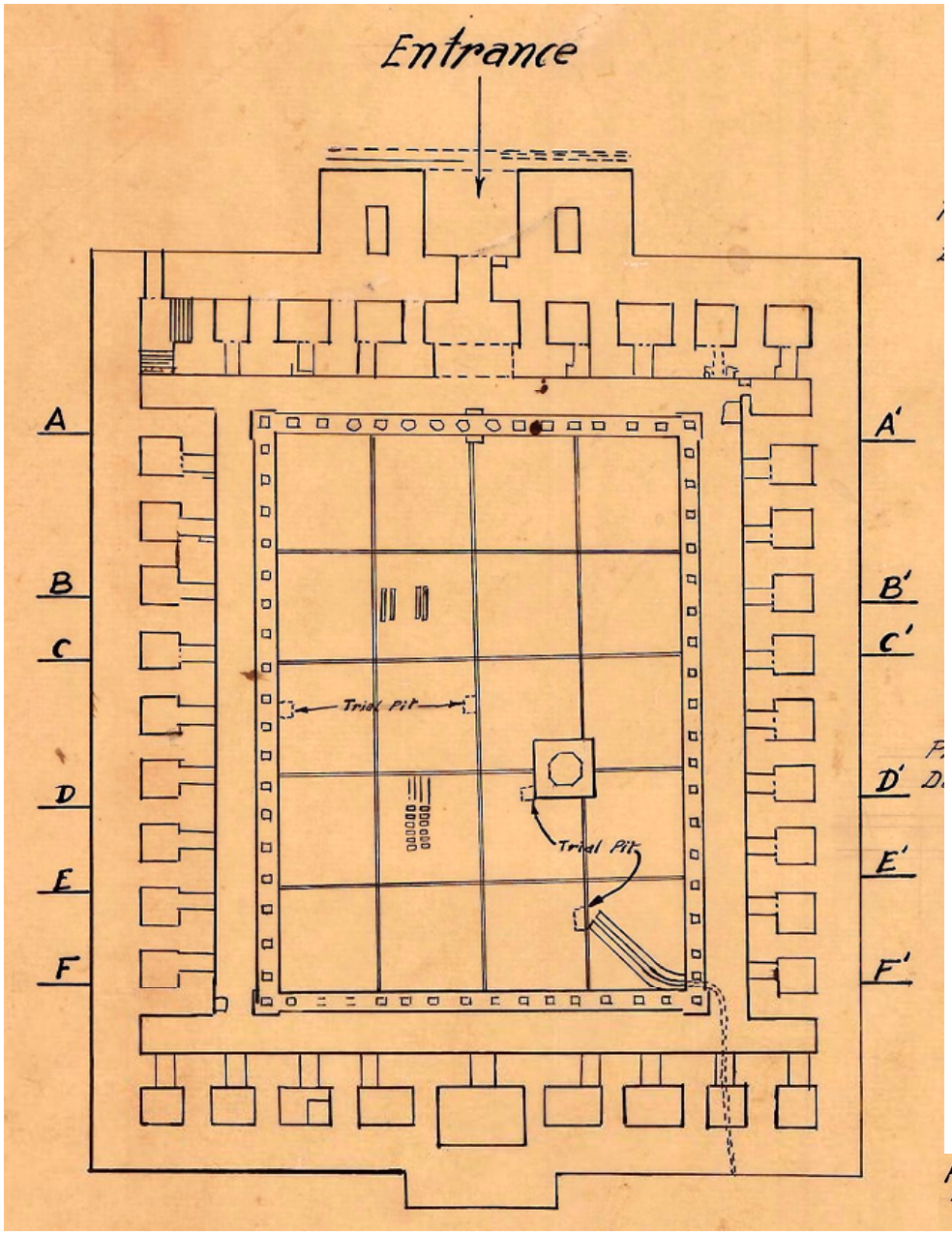
## Site no. 09 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Only one level of occupation representing Devpaladeva level<br>• It was also used during the Post Devpaldeva 10th-12th CE | Layer (6)<br>Level (1) | Pala (9th CE) |

**Figure 07a**

**Figure 07b**

Figure 07a and 07b: Photographs showing levels of occupation



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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan of *Site no 09*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 08** |

## Site no. 10 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

This vihara (173' 9" in length; 209' 9" in breadth) is dateable 9th century CE (contemporary to Devapala) and shows two levels of occupation and successive reconstruction during its lifetime. The foundation of this structure is a composite one, with alternate layers of sand and brick masonry.

It is entered through stone gateway centrally located on the western arm of the quadrangle. It leads to a continuous *verandah* onto which rooms open and which inturn encloses the courtyard. It shows two levels of construction.

Unlike other viharas where the staircase is located at the south-western corner of the *verandah*, a series of steps rising from the western arm of the courtyard was used to access the upper levels. The latter is contemporary to the later phase of construction.

***Rooms***

This vihara retains 35 rooms (for scholars) of which those on the northern, eastern and southern sides show two layers of construction. This is evidenced by the non-uniform size of openings, the staggering of walls, increase in floor level and infill of older openings to serve as foundation for new construction of a superstructure. Also, the new layer replicated the profile and other details like sizes and numbers of openings, niches etc of the earlier one. The openings of the rooms in this viharas is unique as instead of corbelled-openings the door were constructed of curvilinear bricks in mud mortar set in an arched profile. Its door-jambs are still evident on the walls at some places up to the height of the beam which is a unique feature.

At the south-eastern corner adjoined to the outer surface of the peripheral wall are two cubicles. One of which had a bathing platform with pranala (drainage channel) and was possibly a toilet while the other an outhouse.

***Courtyard***

The limits of the courtyard are defined by a raised parapet wall. At either corners of the southern arm evidence of brick wall which enveloped the earlier verandah is discernable. This shows that the verandah has atleast two layers of construction. On this parapet wall are remains of bases (of stone columns) set at regular intervals supporting overhanging verandah of the upper floor.

The floor of the courtyard is dateable to 9th century CE (contemporary to Devapala) and was continuously used through its lifetime. Its floor is divided into 16 uniform quadrangles whose limits are marked by a brick-on-edge layer. Centrally located along the eastern arm of the courtyard is a brick shrine whose base measures 44' 2" in length and 24' in breadth. It shows 2 phases of construction where an older smaller shrine was encased and expanded into a later one.

The courtyard is devoid of a well and it is possible that water was sourced from neighbouring viharas.

The concrete flooring of rooms located at the north eastern, north western and south-western corners show multiple layers of construction. The construction of newer levels was enabled by blocking the openings and in-fill of earlier spaces of earlier ones.

The rooms of the south-eastern corner shows multiple phases of construction where rooms having two doors per room, one of which opens onto the verandah while another further to the east, accessed by a flight of steps. Another indication of different levels of occupation is the changes in floor levels of rooms along the four arms of the quadrangle. The brick on edge-concrete flooring on the north were noted considerable higher than others suggesting successive years of addition and habitation.

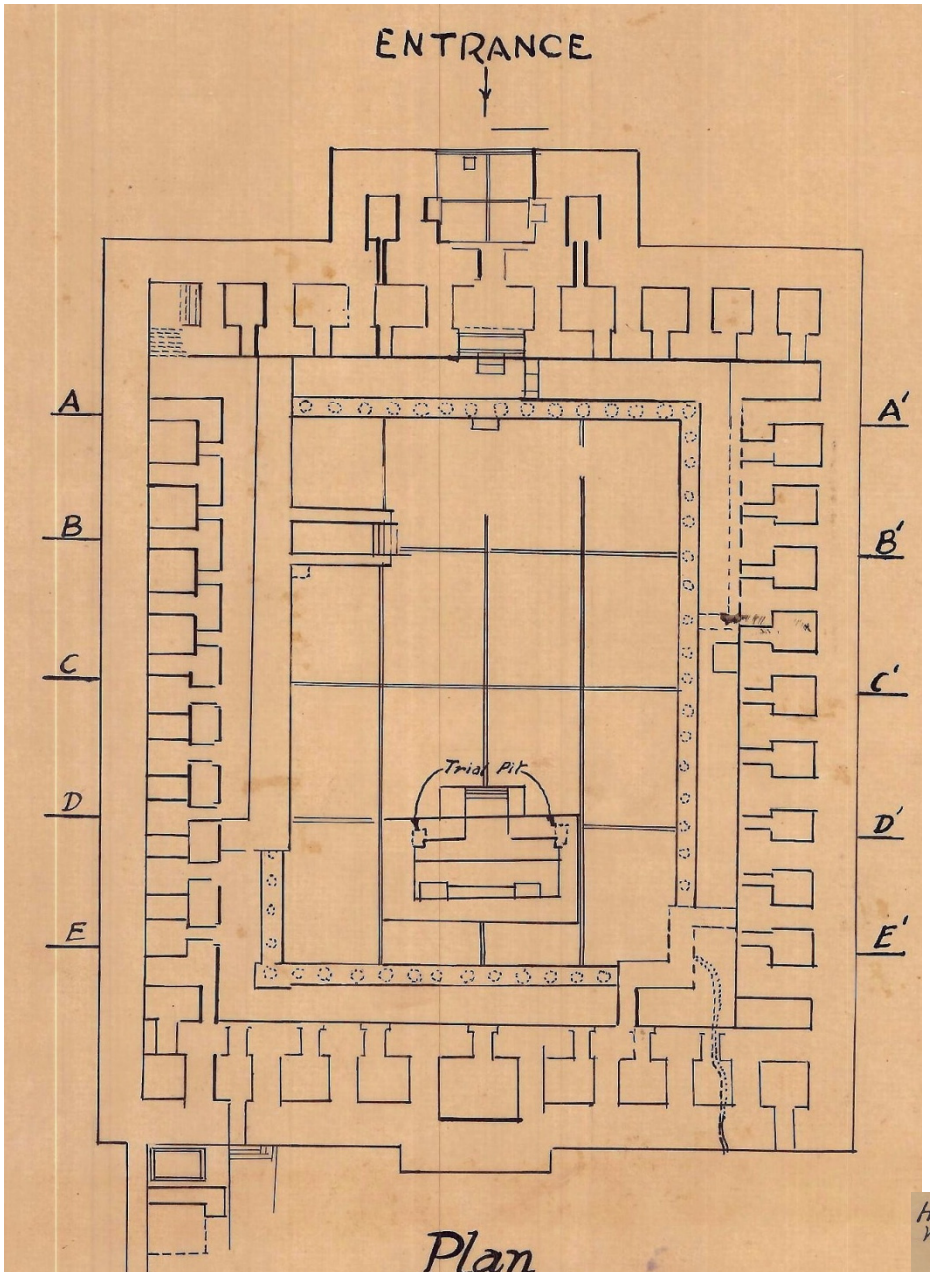
## Site no. 10 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Only one level of occupation representing Devpaladeva level | Layer (2)<br>Level (1) | Pala (9th CE) |
| • Representing the activities of subsequent repairs. | Layer (1)<br>Level (2) | Post Devapala Pala (10th -12th CE) |

**Figure 08a**

**Figure 08b**

Figure 08a and 08b: Photographs showing levels of occupation




Horizontal Scale - 20' = 1 inch
Vertical Scale - 5' = 1 inch



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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan of *Site no 10*** | **Scale as indicated**<br>**Date: 15/09/2014** | **Plate no. 09** |

## Site no. 11 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

Prior to excavation, the area was under cultivation till 1929-30. Excavation unearthed a viharas (173’ 9” length; 209’ 9”) in a considerably flattened state and yielded notable amount of charred wooden pieces corroborating the fact that it was destroyed by fire. The structure shows a single phase of occupation and is contemporary to early Pala period. Excavation also shows that its foundation consists of brick masonry footing supported by a layer of sand packing 3-5 feet in depth a technique protecting the structure from earthquake. It was entered through a stone gateway centrally located on the western arm of the quadrangle, leading onto a continuous verandah. The latter is a transition zone segregating the rooms from the central courtyard. At the south-western corner of the verandah is a staircase leading to an upper levels. At the level of the landing on the western wall is an opening which enabled illumination and ventilation of the staircase. The remains of charred wood recovered from the staircase imply that the steps were covered by wooden planks and were destroyed by fire.

***Room***

Only the profile of 32 rooms remains on the northern, eastern and western arm of the quadrangle due to impact of agriculture. On the southern arm, remains of the original wall show sockets where wooden beams supporting upper floor rested. Unlike others, no remains of niches or berths are discernable in rooms of this vihara.

Centrally located on the eastern arm of this vihara is a shrine affronted by a platform which extends into the courtyard. The platform has a flight of steps accessed from the courtyard.

***Courtyard***

The limits of the courtyard are defined by a raised parapet wall on which are remains of stone columns (7’ tall). These were set at a regular interval of 4’-5’ and supported the verandah of the upper level. The absence of charred wood in the courtyard indicates that stone, instead of wood was used in construction of columns.

Along the eastern arm of the courtyard is a raised platform whose western edge was lined with stone columns. While a pranala was traceable at the north-eastern corner of the quadrangle, no remains of it or any other form of drainage system was identified in the courtyard. Unlike other viharas, this courtyard is also devoid of a well and hearth.

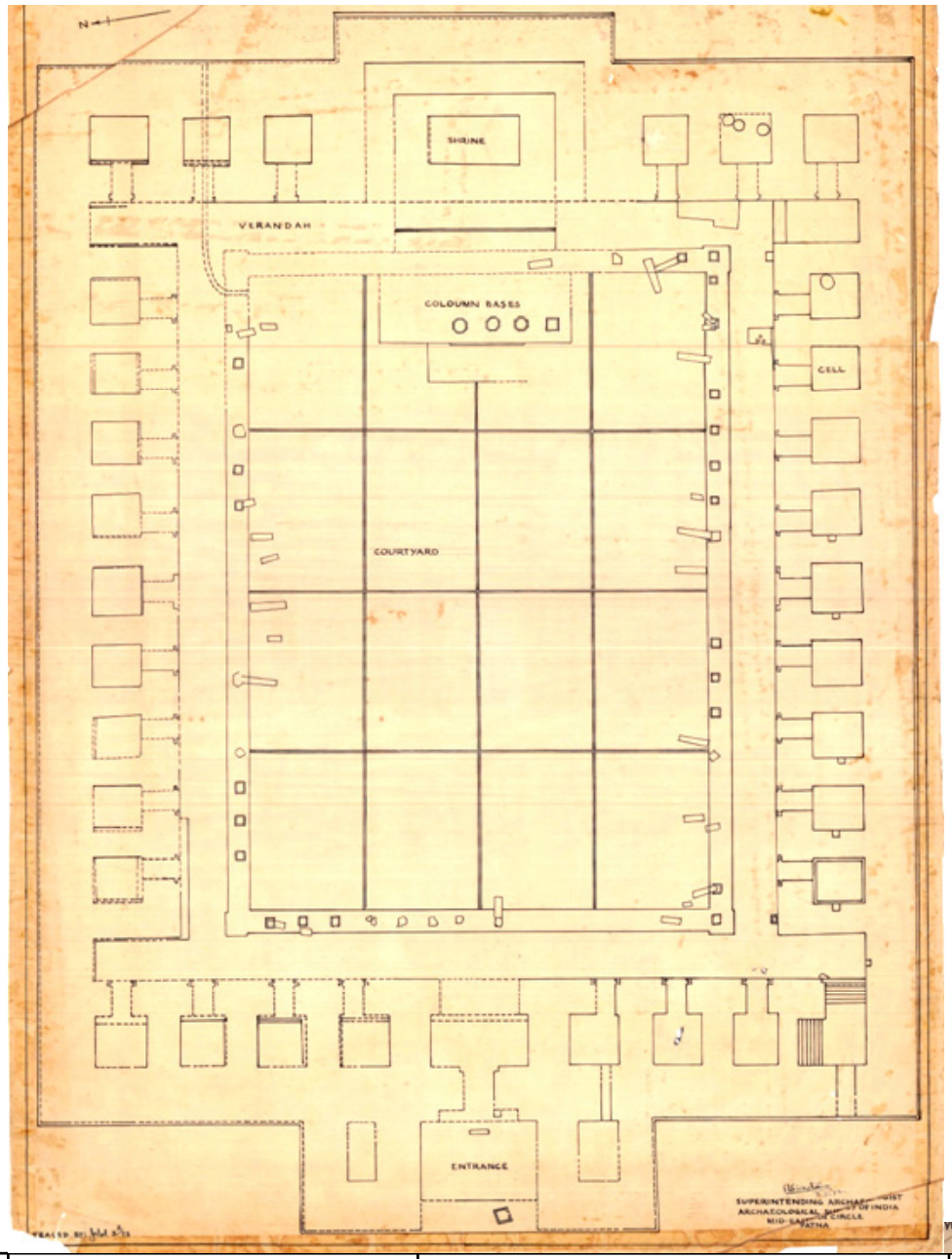
## Site no. 11 (Vihara/ Residential-cum-Scholastic infrastructure of Nalanda Mahavihara)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Only one level of occupation representing Devpaladeva level | Layer (2)<br>Level (1) | Pala (9th CE) |
| • Representing the activities of subsequent repairs. | Layer (1)<br>Level (2) | Post Devapala Pala (10th -12th CE) |

**Figure 09a**

**Figure 09b**

Figure 09a and 09b: Photographs showing levels of occupation



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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | **Plan of *Site no 11*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 10** |

# Architectural Systems

## *2. Panchayatan Chaitya* (temple-like sacred structure)

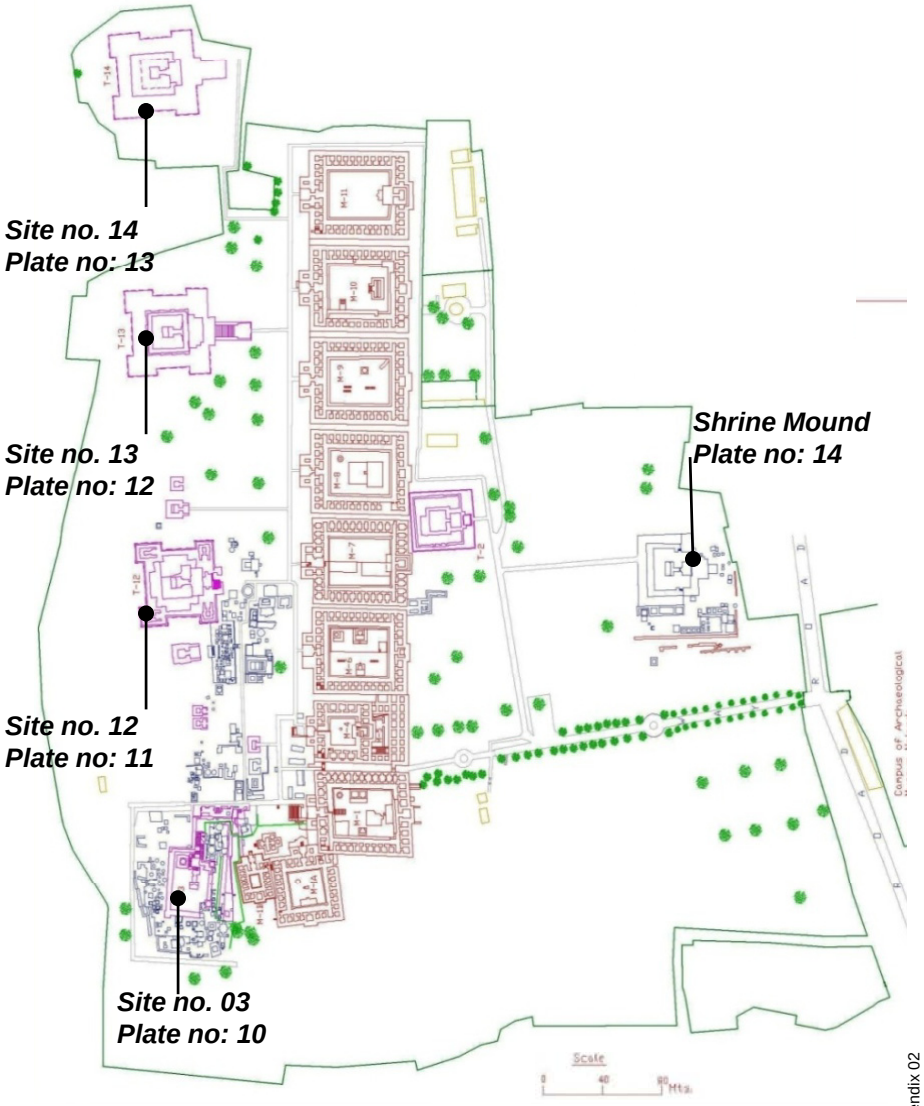
Archaeological Survey of India
Ministry of Culture, Government of India

## Sites no. 03, 12, 13, 14 and Shrine Mound (Panchayatan Chaitya; sacred structure)

The formation of the *panchayatan chaitya* remains Nalanda`s most important contribution to Buddhist architecture. Buddhist Chaityas are primarily of two forms – the panchayatan (quincuxial form) and the cruciform. Of these, only rare examples of panchayatan chaityas have survived. Of these, the Mahabodhi temple and that of Nalanda are worthy to and it is only the latter which retains the original brick and plastered construction of the 4th - 11thcentury CE as opposed to the Mahabodhi temple which was largely reconstructed.

A quincunxial chaitya consists of a quadrilateral base which is a raised platform upon which is centrally placed the principle shrine while on its four corners are subsidiary shrines. The continuous path peripheral to the principle shrine and connecting the subsidiary shrines is the pradakshina patha indicating the changing nature of worship.

This transition is evident only in the built ensembles of Nalanda, where the focal stupa transformed into a chaitya through seven successive phases of construction over a period of seven centuries. The Site no.3 shows this transition of built form to attain the final quincuxial form which was adopted for all construction which post-dates 6thcentury CE.

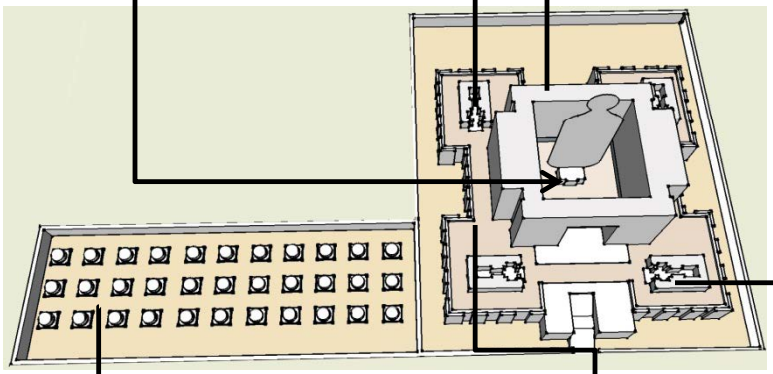


## Parts of a typical *Panchayatan Chaitya* (Panchayatan Chaitya; sacred structure)

**PEDESTAL IN PRINCIPLE SHRINE WITH STATUE OF THE BUDDHA**

**SUBSIDARY SHRINE**

**PRINCIPLE SHRINE OF PANCHAYATAN-CHAITYA WITH STATUE OF BUDDHA**



**SUBSIDARY SHRINE AFRONTED BY A PORCH AND COLUMNS WITH KIRTIMUKHA**

**FORE-GROUND WITH VOTIVE STUPAS**

**PRADAKSHINA PATHA**

Archaeological Survey of India
Ministry of Culture, Government of India

## Site no. 03 (Panchayatan Chaitya; sacred structure)

The structure is the oldest structure and dates back to 3rdcentury BCE. Serving as the reference point for the site, it was initially a stupa and expanded into a chaitya of panchayatan form. Its expansion and innumerable votive stupa constructed in close proximity demonstrates changes in Buddhism with increased number of followers, rituals and elaboration of its pantheon (Misra, 2008).

The Site no.3 has 7 levels of construction where the oldest three shows a stupa form which forms the core and is encased in the later 4 phase's panchayatan plan-form. Today, it is only the latter 4 phases and the votive stupas contemporary to the 7th phase of construction or later are partially exposed and can be seen. To protect the Ashokan stupa encased in the core from further deterioration, the structure was documented and retained in sub-surface condition.

As suggested by the remains, in its final phase the structure would have been a panchayatan chaitya, like the other chaitya in the property. (Phuoc, Buddhist Architecture, 2010) (Archaeological Survey of India, 1916-2001) (Misra, Nalanda (felicitation Volume-I, II, III), 2008)

***7th Level (4th – 8thcentury CE)***

Remains of the 7th phase of construction consists of conical raised central structure, the tall stupa (numbered 05) at the north-western corner, the brick-votive stupas and the top layer of the compound wall peripheral to the Site no.3. The section of wall between the 6th and 7th layer shows the in-fill through which the stupa was expanded to form a chaitya.

***6th Level (4th – 8thcentury CE)***

The series of steps on the north, brick retaining wall supporting the 7th layer and enclosure of the Site no.3, the shrines on the four corners of the raised platform and a part of the pavement abutting the latter are a part of the 6th layer. The eastern wall of the 6th layer of construction retains embedded votive stupas (of the 5th layer) show that older layers were integrated when original structure expanded.

***5th Level (4th – 8thcentury CE)***

The first chaitya formation is evidenced in the 5th layer and was found comparable to Gupta temples of 6th century CE. This layer was in a highly fragmented state and a retaining wall was constructed to consolidate its debris. The flight of steps belonging to this layer shows those of the 6th and 7th were built over it. The part of the pavement to the north-east of this staircase also shows superimposition of layers of the 6th over 5th which encased the 4th phase. In addition, the wall demarcating the limits of the Site no.3 retains masonry layers of the 5th phase of construction.

***4th Level (4th – 5thcentury CE)***

The 4th layer dateable between 4th -5th CE showed a rudimentary panchayatan layout and was re-buried post documentation. The only exposed evidence of the 4th phase is the paving abutting the north-eastern part of the staircase contemporary to the 5th layer and that at the foot of the stupa on the south-eastern corner of the Site no.3.

***1st to 3rd Level of Construction (3rd century BCE – 3rd century CE)***

The three oldest layers of construction dates from 3rd century BCE to 4thcentury CE. Excavation till the core show that the older structure was encased by a new one and the gap between the two was filled with rubble, earth, bricks etc. Repetition of this process increased the height of the plinths and necessitated the addition of a series of steps to access the centrally placed sanctum on the raised platform. This feature becomes most prominent by the 5th level of occupation when the stupa had assumed the form of an elaborate chaitya. It shows the expansion of the brick Ashokan stupa which by 4th -5th century CE (4th phase) assumed the form of a panchayatan chaitya. Presently unexposed, it has a raised platform with square projections at the corners and a staircase on the southern wall. The surfaces of its platform were ornamented by pilasters, panels and images in stucco. Excavation was carried out in the north-western side of the stupa. A large number of Stupa surfaced as a result. It also revealed 3 layers of construction of the main structure. (Archaeological Survey of India, 1916-2001)

Votive stupas contemporary to earlier phases of construction was encased and embedded into the next

## Site no. 03 (Panchayatan Chaitya; sacred structure)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • A tiny stupa or basement built large sized bricks measuring 18" x 13" X 41/2 '' square in plan In sub-surface condition. | Layer (7) Level (1) | 3rd c. BCE-3rd c. CE |
| • Subsequently plastered walls about 2' high were raised round the first structure, thus it is marking the second phase | Layer (6) Level (2) | 3rd c. BCE-3rd c. CE |
| • Slightly to the south-east of these structures were found the remains of a low and later chamber about 9 'north-south by 12' east-wests and filled with earth and debris. These three structures were provably stupas were found buried deep in the interior of mound. | Layer (5) Level (3) | 3rd c. BCE-3rd c. CE |
| • A large square chamber was built over the ruins of the three structures as mentioned above.<br>• Against the south side of this chamber a platform like projection with a rounded concrete-top was made within the chamber. Huge area was now covered around this shrine- chamber and filled-up with earth and debris.<br>• A concrete lintel supporting this masonry in the east (i.e. face of the fourth level) marks this extension.<br>• In the south-east corner a tower and the face of a beam belonging to this fourth level and encased within the eastern faced of the fifth level was discovered. It is one of the fourth corner towers of the structures showing that it was a Panchayatan type of temple. | Layer (4) Level (4) | 4th-5thCE Gupta Period |

**Figure 10a**

**Figure 10b**

Figure 10a and 10b: Photographs showing levels of occupation

## Site no. 03 (Panchayatan Chaitya; sacred structure)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • The four corners towers of which three have been exposed.<br>• Niches containing stuccoes decorated the faced and the towers of this level.<br>• Each tower is square in plan to a considerable height surrounded by a circular dome like drum.<br>• The towers are attached to the main inner structure by a high terrace<br>• Staircase below the level 6th staircase | Layer (3)<br>Level (5) | 4th-5thCE Gupta Period |
| • One of the two votive stupas was covered up by the eastern outer wall belonging to the sixth level of occupation.<br>• In the eastern side there is a wide projecting platform and its contiguous paving belonging to the sixth level.<br>• On this platform stand two compound walls, one built over the other, and held up in a position of a series of concrete piers and lintels. The tower wall starts from a level some 3' above the platform. The later wall was erected when the level of the compound rose sufficiently high.<br>• Its staircase is partly exposed under the seventh level in the north.<br>• The square plan of the original structure was followed up by later additions and in each case a square frame work of encasing-walls supported the earlier structure.<br>• Many small votive stupas are found completely or partly buried under later constructions. | Layer (2)<br>Level (6) | Late 7th or Early 8th CE Early Pala |
| • Its staircase in the north over the staircase of the sixth level<br>• The shrine chamber on the top of the monument faces north<br>• The entire externally structures in area more than 120' in square | Layer (1)<br>Level (7) | Late 9th to Early 11th CE Pala |

**Figure 11a**

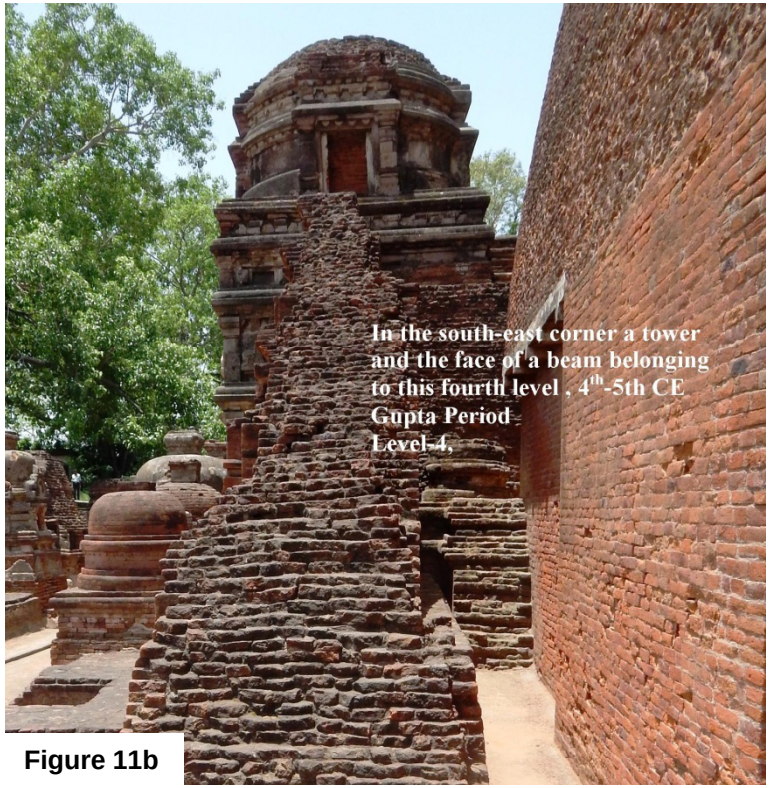
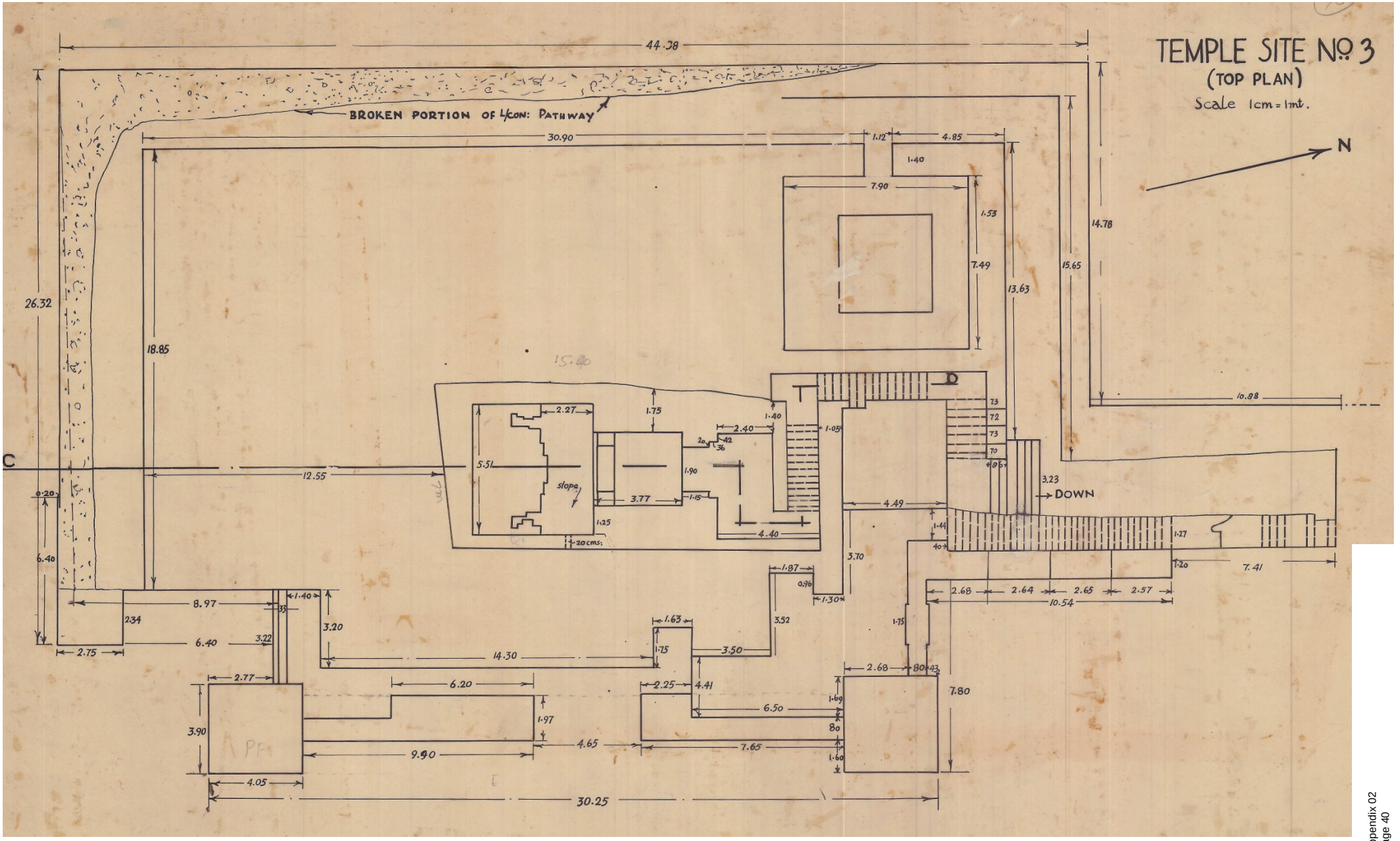



**Figure 11b**

Figure 11a and 11b: Photographs showing levels of occupation




Appendix 02
Page 40

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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | ***Plan of Site no. 03*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 11** |

## Site no. 12 (Panchayatan Chaitya; sacred structure)

Chaitya no.01 dates between 6th-11th century CE and shows 2 phases of construction (Misra, Nalanda (felicitation Volume-I, II, III), 2008) and is the largest among the Nalanda`s chaityas. The raised platform-plinth of the principle structure measures 170' by 194' and is set in a concrete courtyard bound by fragments of the original wall. Within the enclosure of this complex are innumerable brick and stone votive stupas dating between 5th to 10th century CE.

The structure has an east-west orientation and is accessed through a flight of steps located on its eastern arm. The steps lead to a platform (80' by 80') with five shrines (1 principle shrine with 4 sub-shrines) laid in a quincuncial form. The platform is bound by a parapet wall showing several layers of construction.

***Principle Shrine***

At least two storeys (approx 50') high, the square stone base (21' each side) is circumscribed by a 10' 8" wide *pradakshina patha*. The *garbagriha* entered through a corbelled opening was affronted by a porch with stone columns, fragments of which are evident today. The 20' high and 12' wide opening is constructed of 18 stone slabs today held in position by iron clamps. Within the roofless*garbagriha* is placed a raised platform encircled by a 10'8" wide *pradakshina patha*. Upon the raised platform which is aligned parallel to the western wall was an 80' high statue of Buddha seated in *bhumisparsha mudra*

Removal of debris from the *garbagriha* has revealed 2 phases of construction in the floor and an unearthed wall aligned in a north-south direction west of the sanctum.

The presence of an inscription on the 5th slab of the entrance door dateable to the 11th year of the reign of Mahipala I is a source supporting its year of construction.

Excavation shows that the steps to the sanctum were preceded by a ramp devoid of concrete topping layers. Also, (a) concrete flooring, 8" to 12" deep corbelled drains at the four corners was found at a depth of 20' from the present floor level of the sanctum.

The open area to the west and north of the Chaitya was excavated revealing that it was terraced with thick layers of concrete, traces of which are still discernible.

No roofing of either perishable (timber, tiles) or non-perishable material could be recovered from the sanctum during debris removal. The roof discernible today was provided in 1967-68 to prevent further deterioration. Contemporary to the later phase of construction the wall is ornamented with carved pilasters.

The external surface of the *garbagriha* shows successive phases of construction and each layer was ornamented with mouldings, pilasters, recessed niches containing figures of the Buddha, *Kuber* etc. In effect the wall was thickened reducing the final width of the *pradakshina patha* to 9 and ½'.

***Subsidiary Shrine***

At each corner of the raised plinth is a subsidiary shrine entered from the *pradakshina patha*. Each shrine is a single quadrangular structure within which was a stucco idol placed on a pedestal. Affronting the shrine at the south-eastern corner are 7' 8" high pair of columns having a *kirtimukha* carved on it.

***Votive stupa***

To the north and south of the chaitya are several votive stupas of circular plan, decorated with mouldings, niches and images of stone and stucco. A number of them were also noted to bear inscriptions

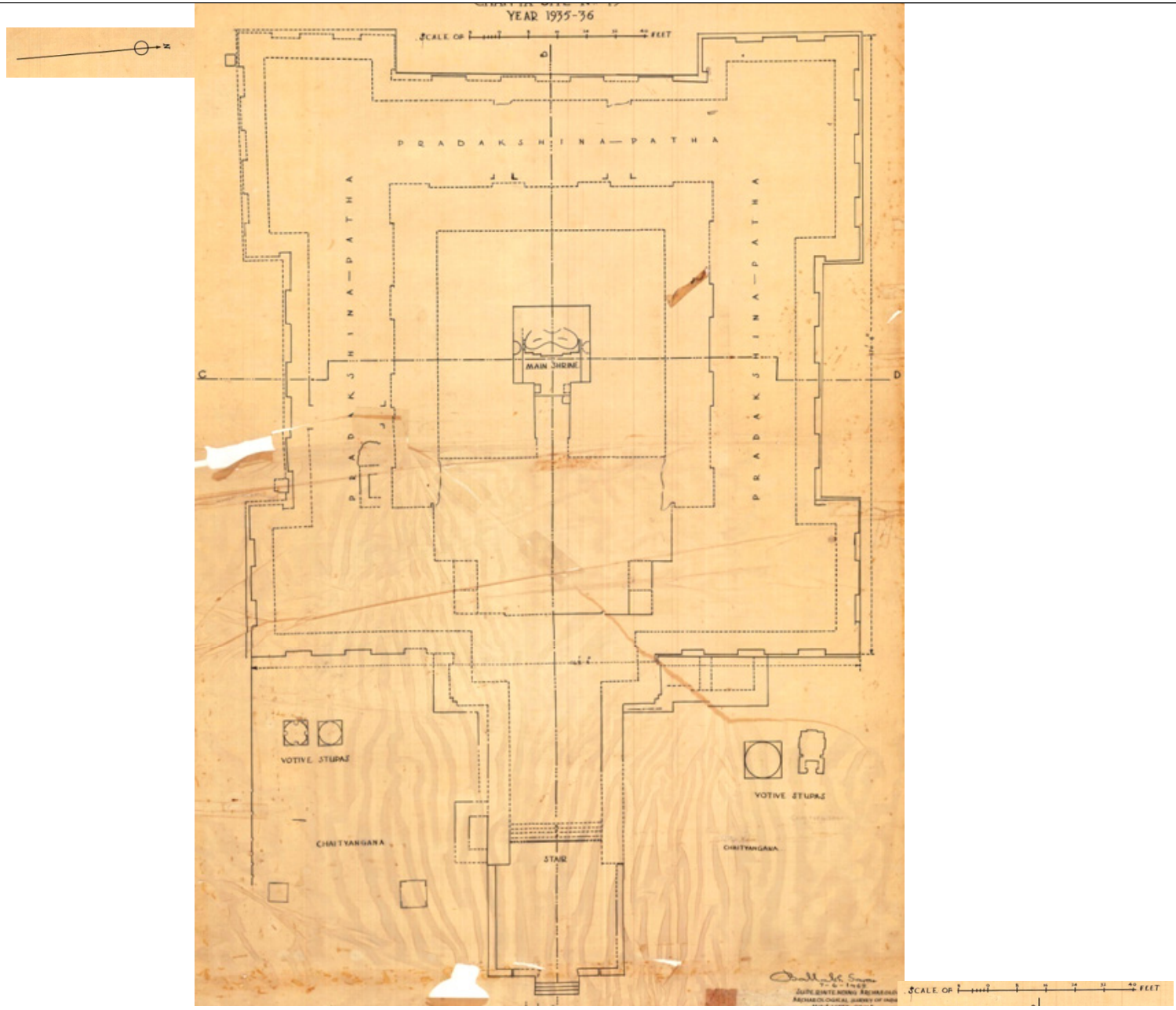
## Site no. 12 (Panchayatan Chaitya; sacred structure)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • The niches on the outer walls of the main shrine-chamber and the corner shrines and the niches on the southern side of the earlier temple have semi-circular or horizontal tops.<br>• A broad flight of steps leads to the temples from the eastern side<br>• The niches on the earlier southern façade have semi-circular or horizontal tops<br>• The features viz. modified pilaster pattern placing a chaitya window over another chaitya-window and four corners shrines instead of four corners towers with stupa shaped tops of the fifth temple would suggest a late 6th CE | Layer (2)<br>Level (1) | 6th – 7th CE<br>Pre Pala Period |
| • This temple is also square on plan and is all plain in its outer facades.<br>• Its shrine has a later porch in front<br>• Its shrine appears to have been a two storied structures and it faces east.<br>• The mandapa covered by stone roof supported on twelve large pillars.<br>• A broad flight of steps leads to the temples from the eastern side | Layer (1)<br>Level (2) | 9th CE<br>Devpala Period |

**Figure 12a**

**Figure 12b**

Figure 12a and 12b: Photographs showing levels of occupation



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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | ***Plan of Site no. 12*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 12** |

## Site no. 13 and 14 (Panchayatan Chaitya; sacred structure)

Both Site no. 13 and 14 were found in a comparatively more fragile state than the Chaitya no. 01. While the form of both is reminiscent of Chaitya no. 01, save the *garbagriha*, the details like subsidiary shrine, porches, ornamental columns, ornamentation etc could not be recovered.

Located to the north and contemporary to the Site no. 13, Site no. 14 was unearthed revealing a few original steps on the eastern side of the raised quadrangular plinth. Upon the platform was a centrally placed *garbagriha* wherein a colossal stucco figure of the Buddha was installed. The thickened walls of the *garbagriha* showed several phases of reconstruction.

Excavation of the area abutting Site no.13 revealed a series of brick votive stupa and remains of a thick layer of concrete flooring to the eastern corner of the chaitya similar to the one on its south.

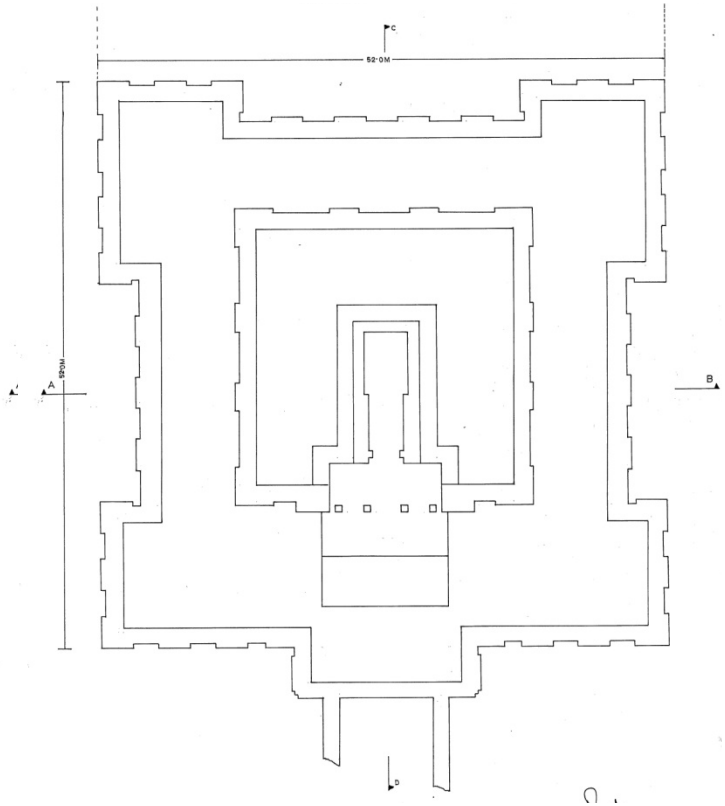
| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| **Site no. 13 and 14** | | |
| • The colossal stucco figure of the Buddha flanked by other stucco figures. | Layer (2)<br>Level (1) | 6th – 7th CE |
| • This temple is also square on plan and is all plain in its outer facades. | Layer (1)<br>Level (2) | 9th CE<br>Devpala Period |

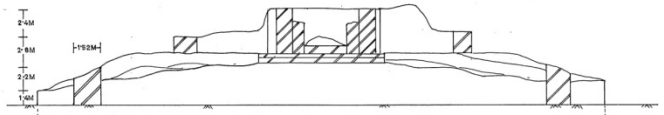
**Figure 13**

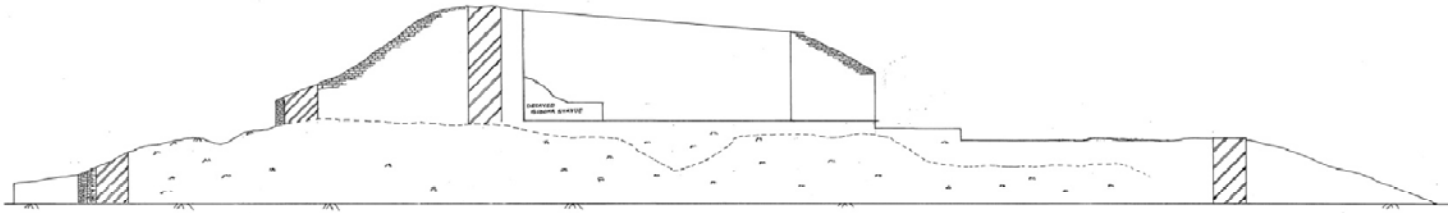
**Figure 14**

Figure 13: Photographs showing levels of occupation of Site 13

Figure 14: Photographs showing levels of occupation of Site 14





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| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | ***Plan and Section of Site no. 13*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 13** |

## Shrine Mound (Panchayatan Chaitya; sacred structure)

Shrine Mound referred to as '*Sarai'* mound or *Shrine* Mound is the eastern most structure in the excavated area. Dateable to 7th – 8th century CE it was mentioned in the inscriptions of Purnavarman and in the records of Hsuan Tsang it had an 80 feet tall statue of the Buddha.

Of the entirety, the principle and the subsidiary shrines on the eastern and western corners of Shrine Mound have remained. The 6 meter wide peripheral *pradakshina patha* has a 90 cm lime-surkhi topping and is accessed by a flight of steps along the eastern arm of the high plinth. The latter is ornamented with moulded decorations, pilasters, niches for housing images of deities and figurines and also showed traces of lime-mortar plastering as a finishing coat. In contrast to the plinth, the walls of the principle and subsidiary shrines were coated with lime-mortar and are bereft of ornamentation. Further along south-eastern corner of this plinth is its enclosure wall which shows three structural phases and was finished with lime plaster.

Originally devoid of any roofing, the *garbagriha* is a quadrangular structure (104' by 74.5') and shows atleast two phases of construction. The older consists of brick while the latter is an ornamental layer of carved bricks and paintings (Misra, Nalanda (felicitation Volume-I, II, III), 2008). The space was entered through a doorway facing east and was flanked by walls (21.32' X 17.55') which project further east and was separated by a toe-wall placed in north-south alignment. Further west from this wall was a flight of steps which led to into the *garbagriha* through a 8.2' wide doorway whose sil is demarcated by a stone slab.

The *garbagriha* has a semi-circular brick pedestal over which remains of large feet till the ankle was noted. It was possibly a part of the 80' standing figure of Buddha noted by Hsuan Tsang. Made of earth mixed with pieces of pottery and bricks and finished with a thick coat of lime, one of its toes damaged. The pedestal was finished with several coats of lime, ornamented with a double row of lotus petals in stucco with floral designs and human figures in red, black and white, of which only traces remain. The figures in the paintings show a seated lady with a raised hand, perhaps *Hariti* along with an unidentified human and a standing elephant. These are painted on a thin layer of lime-plaster on the northern surface of the pedestal and contemporary to the Pala period (8thcentury CE).

***Area adjacent to the chaitya***

Excavation of the area south and south-west of the chaitya revealed innumerable stone and two brick votive *stupas*, two burial pits *sanyasis* (ascetics)(at south) and a brick-lined hearth (south-west). The votive stupas are arranged in rows and show several phases of construction.

To the west of the chaitya is a ring well of 1 meter diameter and 5 meters depth. Its inner surfaces were found to be ornamented with incised floral and geometric patterns.

Area to the north and east unearthed fragments of enclosures from which artefacts like red wares, terracotta seals with legend of Naloksha, balls, stone sculptures and utensils like *lota,* huge earthen jars containing carbonized food articles viz rice, wheat, and barley etc and other vessels were recovered. It also yielded several *prasastis* (inscribed eulogies), figurines of Buddha and other deities of Buddhist pantheon, inscribed shards (NBP and GP) with gold and silver shades, terracotta seals of which one has the image of *Garuda*, terracotta figurines of male and female having elaborate head-dresses, figures of animal (of dogs, elephants, rams, bulls and horses) and stone sculptures. Among the latter the sculpted figurine of a deity mounted on a lion, identified with *Vageshwari* of the Tantrayana worship, a broken image of Surya, a panel with *dhyani* Buddha deserves mention. Other miner objects recovered were terracotta beads, bangles, copper slag, discs etc. These objects of use suggest that the area was an inhabited part of the Mahavihara (Archaeological Survey of India, 1916-2001).

The study of the iconography of the carved bricks and scroll-works for example the *ghata-pallava* at the base of the pilasters suggests that the ornamentation was undertaken in the first half of the 7thcentury CE and followed ones evident in the 5th level of the Site no.3 (early 6thCE) and *chaityas* numbered 12, 13, 14 and Shrine Mound (late 6thcentury CE).

A tiled roof was provided as a shed over the sanctum in1979-80 to prevent damage due to moisture.

Based on iconometric principles (of *talamana*), the complete figure would have been 80' in height upholding Hsuan Tsang's descriptions.

The installation of this statue by Prathamasiva or Purnavarman is mentioned in a Sanskrit inscription was found on a stone slab during excavation

Grave-pits were found to contain the skeletal remains of humans in seated posture with folded arms a system followed for cremating Hindu *sanyasis*. Forensic study suggests that the burial post-dates the shrine.

## Shine Mound (Panchayatan Chaitya; sacred structure)

| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • The colossal stucco figure of the Buddha and Temple Structure | Layer (2)<br>Level (1) | 7th CE<br>Pre Pala Period |
| • Mural paintings in the Sanctum<br>• In this second phase, temple is constructed in square on plan and is all plain in its outer facades. | Layer (1)<br>Level (2) | 10-11th CE<br>Pala Period |

**Figure 15a**

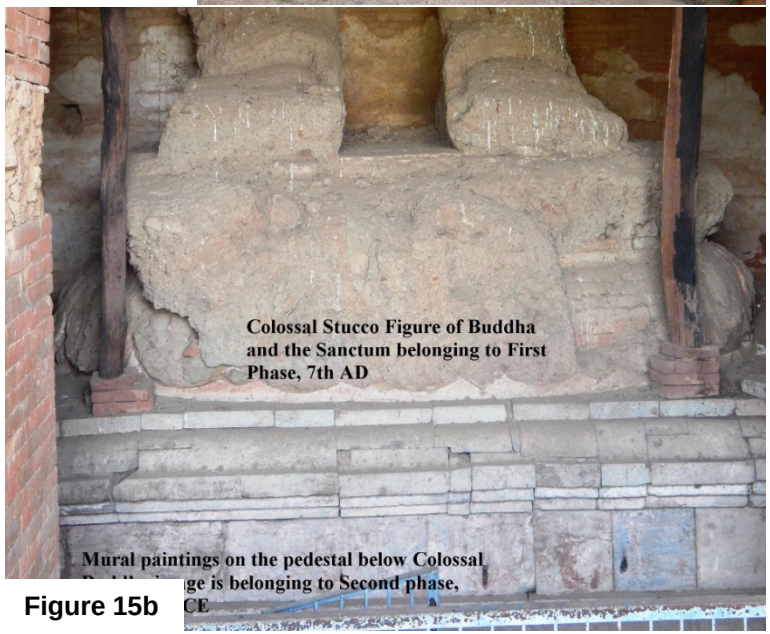
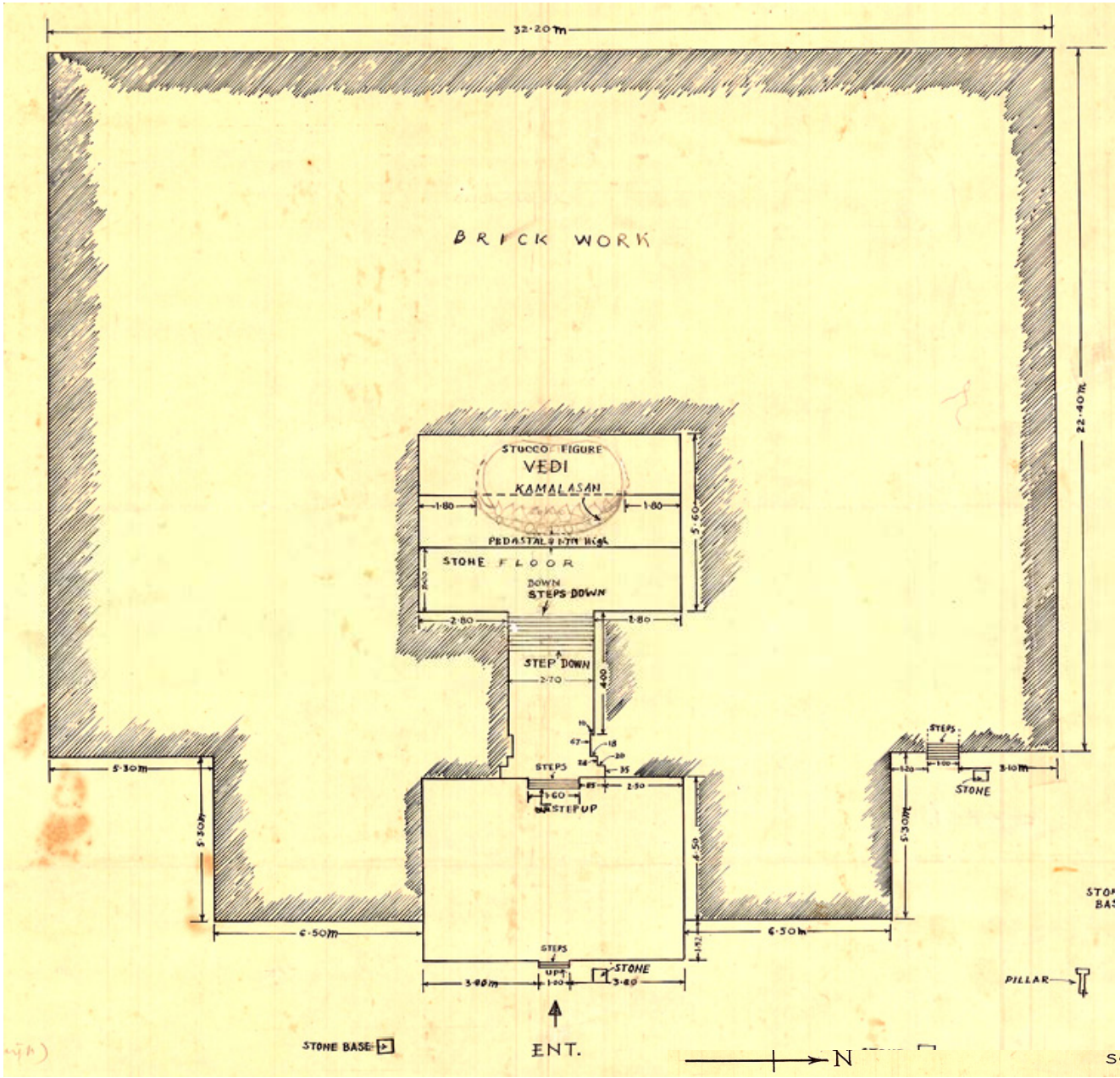


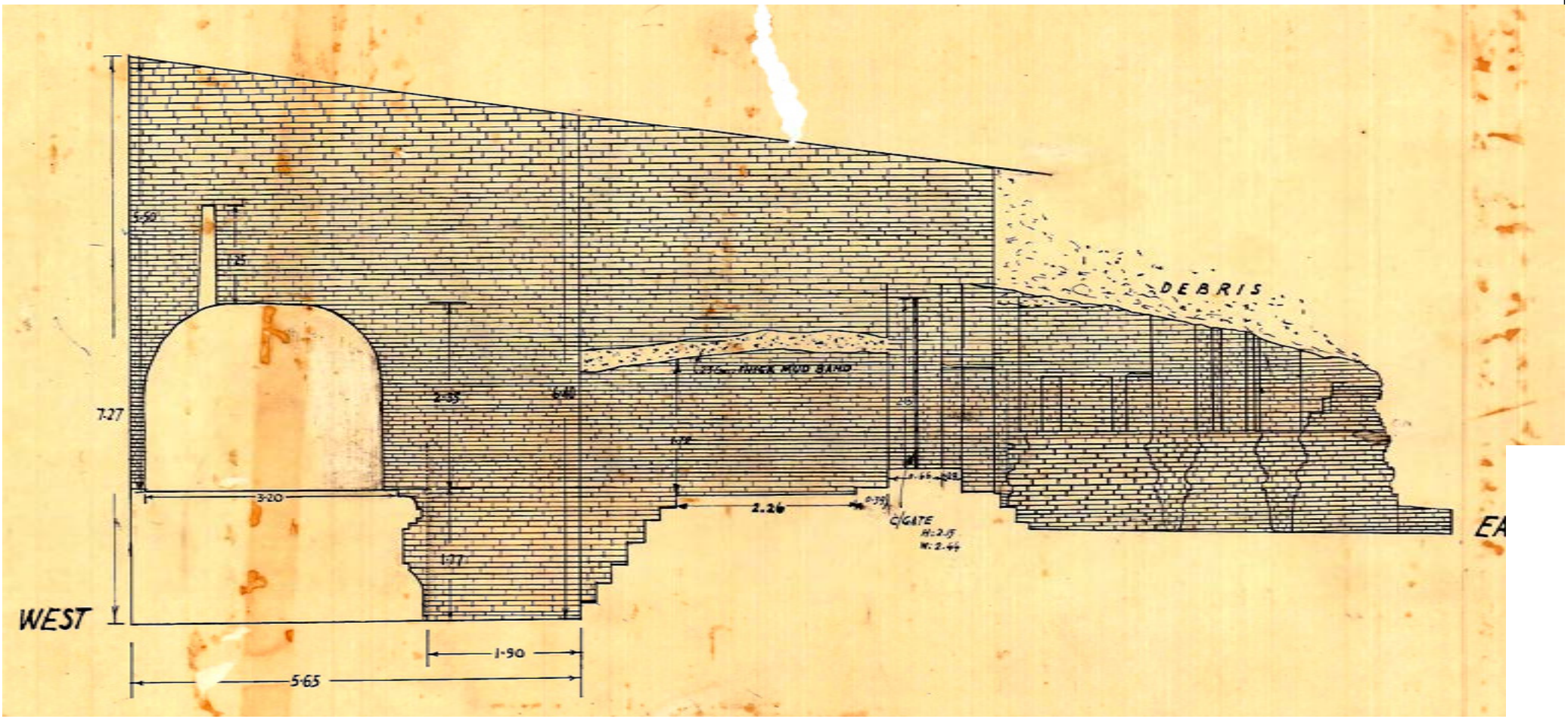

**Figure 15b**

Figure 15a and 15b: Photographs showing levels of occupation




Appendix 02
Page 48

| | | | | |
|---|---|---|---|---|
| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | ***Plan of Shrine Mound*** | **Scale as indicated**<br>**Date: 15/09/2014** | **Plate no. 14** |






| | | | | |
|---|---|---|---|---|
| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | ***Section of Shrine Mound*** | **Scale as indicated**<br><br>**Date: 15/09/2014** | **Plate no. 15** |

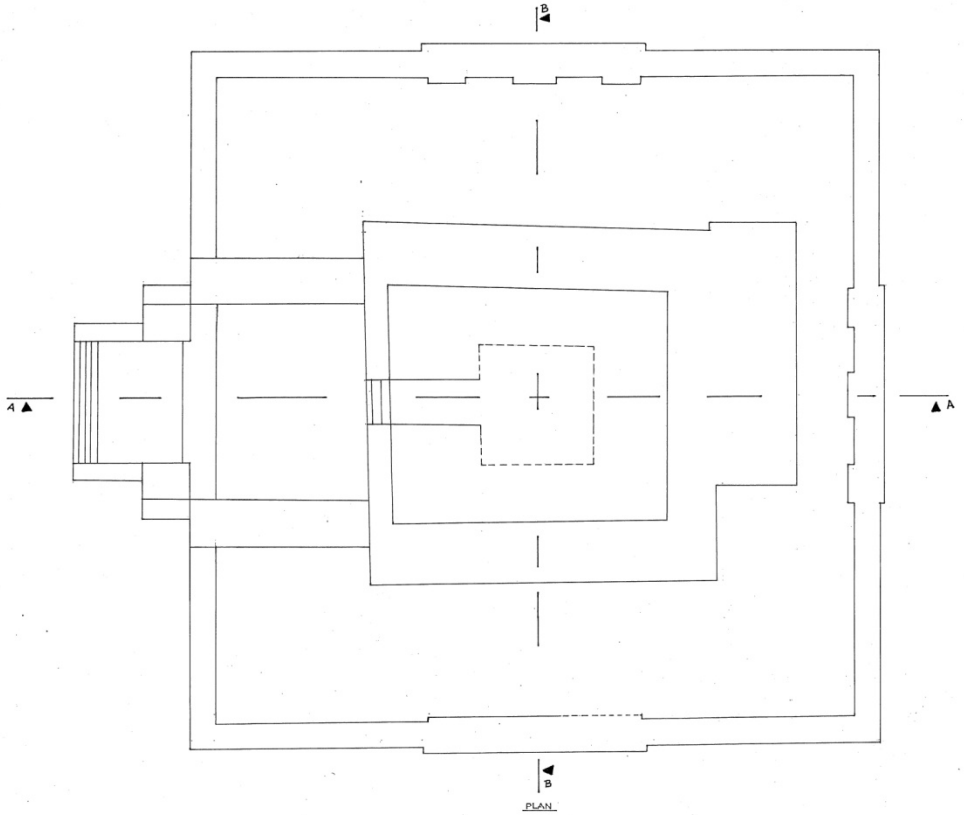
## Site no. 02 (Temple/Chaitya; sacred structure)

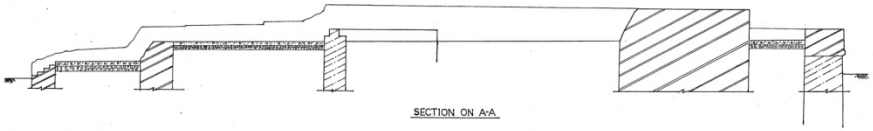
| Structural/Architectural part | Stratigraphic layer & Level of Occupation | Cultural period |
|---|---|---|
| • Only one level of occupation representing Devpala level | Layer (2)<br>Level (1) | 9th CE Pala Period |
| •Representing the activities of subsequent repairs. | Layer (1)<br>Level (2) | 10-12th CE Post Devapala Period |

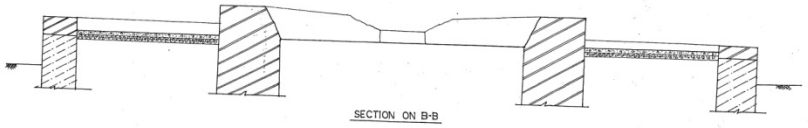
**Figure 16a**

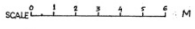
**Figure 16b**

Figure 16a and 16b: Photographs showing levels of occupation



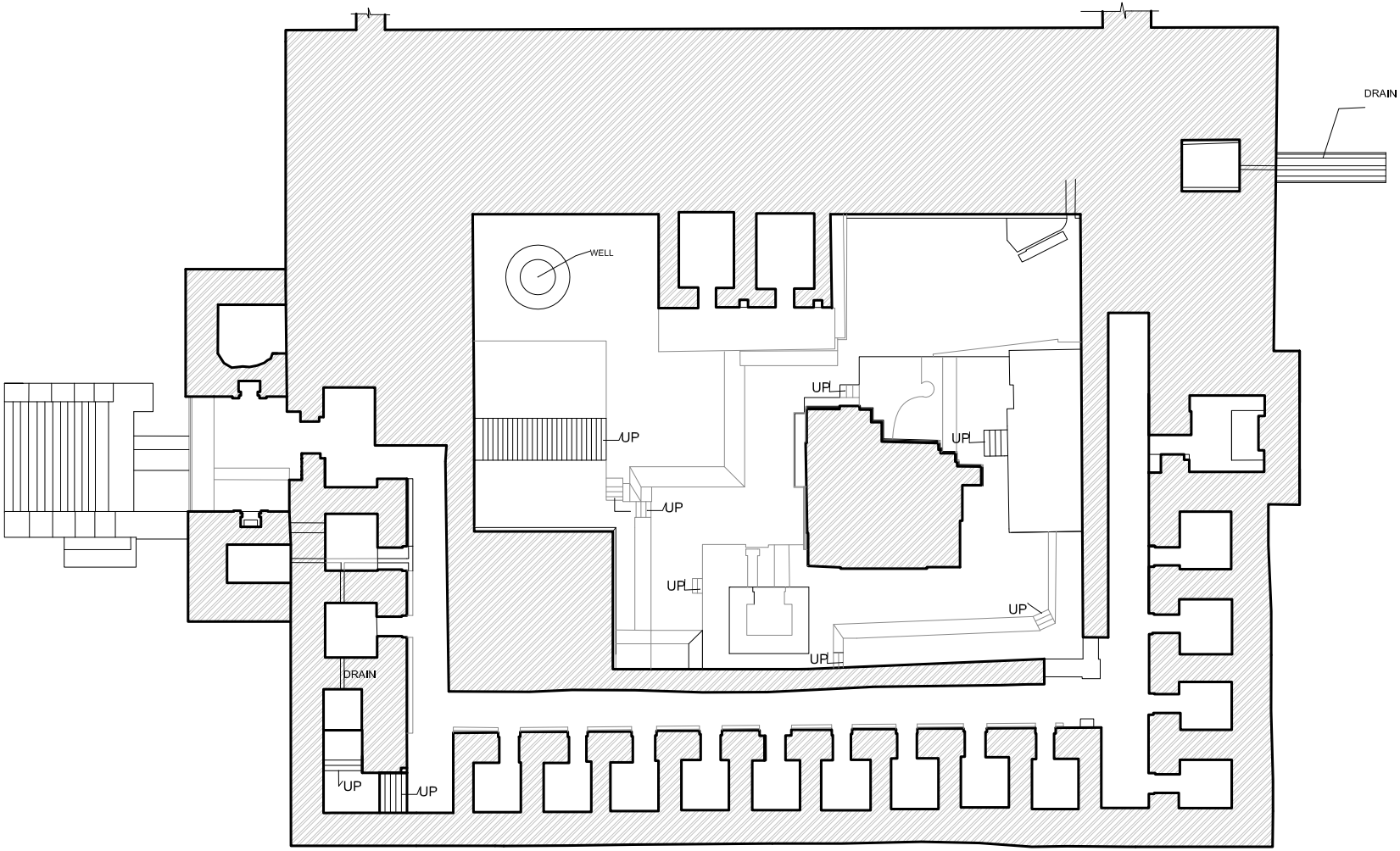



| | | | | |
|---|---|---|---|---|
| **Documentation of Excavated Remains of Nalanda Mahavihara** | **Archaeological Survey of India Ministry of Culture, Government of India** | ***Plan and Section of Shrine 01*** | **Scale as indicated**<br>**Date: 15/09/2014** | **Plate no. 16** |

# Ongoing documentation

1. *Plan of Site no. 01*
2. *Eastern side elevation of Site no 03*
3. *Eastern side elevation of Site no 12*
4. *Northern side elevation of Site no 12*
5. *Western side elevation of Site no 12*




# Excavated Remains of *Nalanda Mahavihara*

**Legend**

0 100 200 Mts.
0 200 500 Feet

**Drawn by:**

***Sh. K.K. Rai***
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Bhopal Circle

***Sh. N. Srivastava***
Surveyor
Bhopal Circle

**Reviewed by:**

***Sh. K. C. Srivastava***
Dy. Superintending Archaeologist
Patna Circle

**Issued by:**

***Sh. H.A. Naik***
Superintending Archaeologist
Patna Circle

## Plan at Level 1
## Site No. 1

**Archaeological Survey of India**

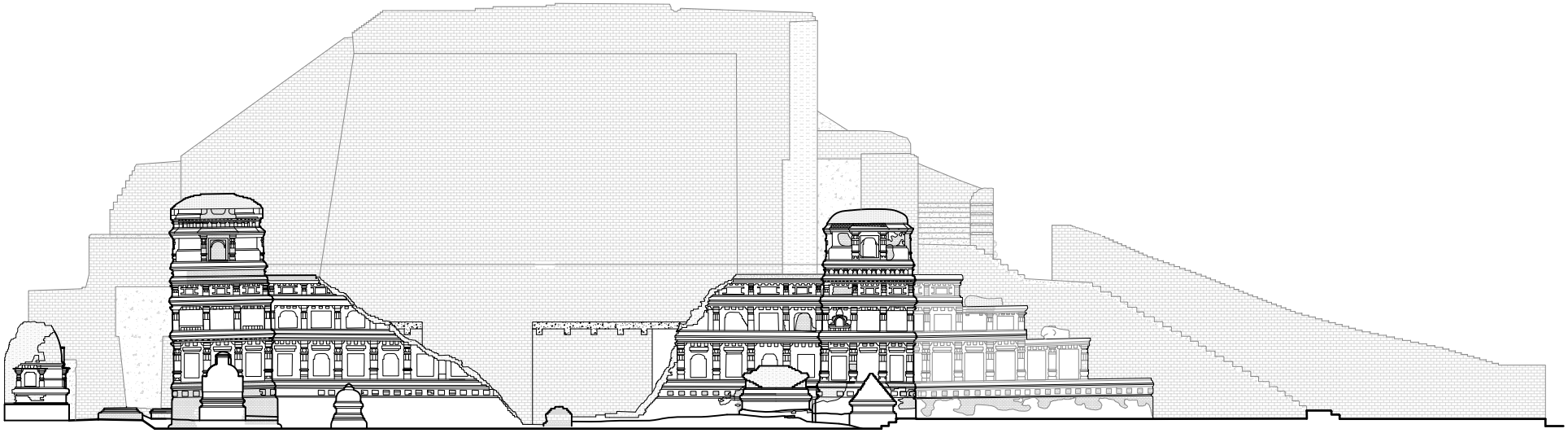
**Note**

**Scale:** *1:200*
All dimensions in millimeter

**Submitted by:**
**State Party** - *India*

**Issued on:**
*15th Jan'15*

**Sheet no**
**01**



# Excavated Remains of *Nalanda Mahavihara*

**Legend**

- Orignal Brick Surface
- Exposed Brick Surface
- Cement Concrete
- Peeling of Plaster
- Lime Brick Bats Concrete

0 100 200 Mts.
0 200 500 Feet

**Drawn by:**

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Dy. Superintending Archaeologist
Patna Circle

**Issued by:**

***Sh. H.A. Naik***
Superintending Archaeologist
Patna Circle

## Eastern Side Elevation
## Site No. 3

**Archaeological Survey of India**

प्रत्नकीर्तिमपावृणु

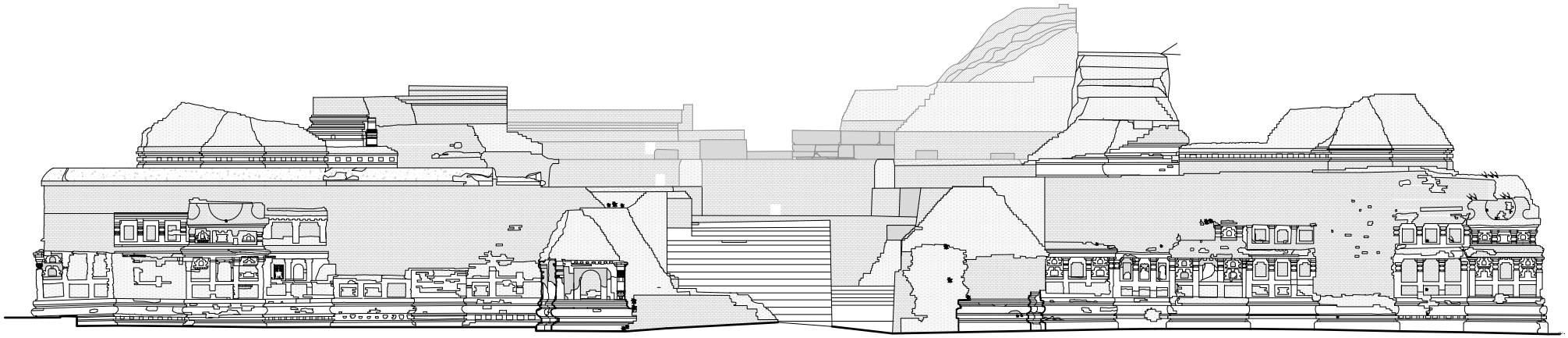
**Note**

**Scale:** *1:250*
All dimensions in millimeter

**Submitted by:**
**State Party -** *India*

**Issued on:**
*15th Jan'15*

**Sheet no**
**02**



# Excavated Remains of *Nalanda Mahavihara*

**Legend**

- Orignal Brick Surface
- Exposed Brick Surface
- Lime Brick Bats Concrete
- Lime Plaster
- Temporary Vegetation
- Waste Material

0 100 200 Mts.
0 200 500 Feet

**Drawn by:**

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***Sh. N. Srivastava***
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**Issued by:**

***Sh. H.A. Naik***
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## Eastern Side Elevation
## Site No. 12

**Archaeological Survey of India**

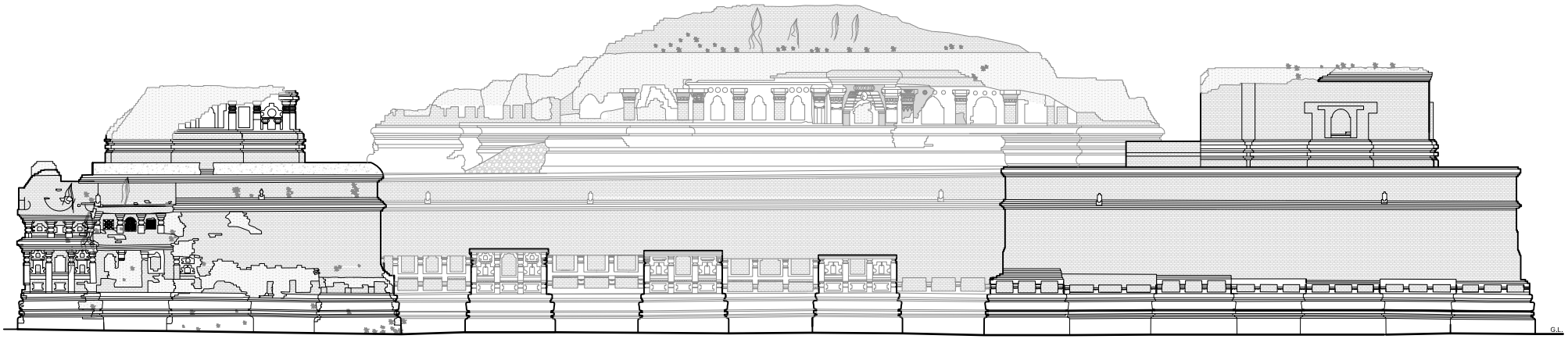
**Note**

**Scale:** *1:200*
All dimensions in millimeter

**Submitted by:**
**State Party -** *India*

**Issued on:**
*15th Jan'15*

**Sheet no**
**03**




# Excavated Remains of *Nalanda Mahavihara*

**Legend**

- Orignal Brick Surface
- Exposed Brick Surface
- LIme Brick Bats Concrete
- Lime Plaster
- Temporary Vegetation
- Waste Material

0 100 200 Mts.
0 200 500 Feet

**Drawn by:**

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Patna Circle

**Issued by:**

***Sh. H.A. Naik***
Superintending Archaeologist
Patna Circle

## Northern Side Elevation
## Site No. 12

**Archaeological Survey of India**

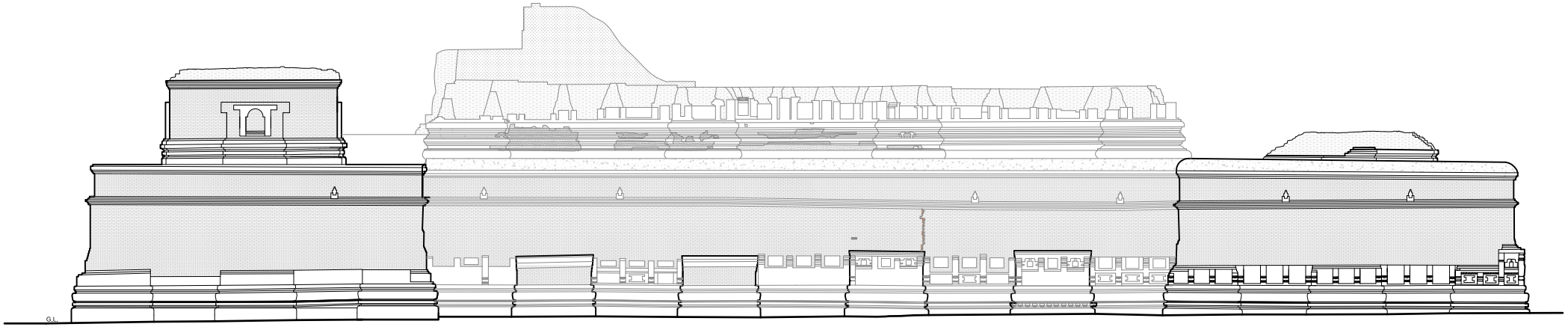
**Note**

**Scale:** *1:200*
All dimensions in millimeter

**Submitted by:**
**State Party -** *India*

**Issued on:**
*15th Jan'15*

**Sheet no**
**04**



# Excavated Remains of *Nalanda Mahavihara*

**Legend**

- Orignal Brick Surface
- Exposed Brick Surface
- Lime Brick Bats Concrete
- Lime Plaster
- Temporary Vegetation
- Waste Material

0 100 200 Mts.
0 200 500 Feet

**Drawn by:**

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**Issued by:**

***Sh. H.A. Naik***
Superintending Archaeologist
Patna Circle

## Western Side Elevation
## Site No. 12

**Archaeological Survey of India**

प्रत्नकीर्तिमपावृणु

**Note**

**Scale:** *1:200*
All dimensions in millimeter

**Submitted by:**
**State Party -** *India*

**Issued on:**
*15th Jan'15*

**Sheet no**
**05**

# Property : Excavated Remains of *Nalanda Mahavihara*

**Appendix 03**

**Submitted by –**

**State Party: India**

**Agency : Archaeological Survey of India**

**Inventory of Sculptures (Stucco, Stone and Metal Art)**

## List of Stucco sculptures


| Name | Page no |
|---|---|
| Dipankara Buddha | 01 |
| Buddha | 02 |
| Rahula's Inheritance | 03 |
| Buddha | 04 |
| Avalokiteshwara | 05 |
| Manjushri Kumara | 06 |
| Potalak Loknath | 07 |
| Buddha | 08 |
| Buddha | 09 |
| Bodhisattva Maitreya | 10 |
| Buddha | 11 |
| Buddha | 12 |
| Buddha | 13 |
| Buddha | 14 |
| Tara | 15 |
| Bodhisattva | 16 |
| A Seated Buddha | 17 |
| A Standing Figure | 18 |
| Buddha | 19 |
| Buddha | 20 |
| Buddha | 21 |
| Buddha | 22 |
| Bodhisattva | 23 |
| Bodhisattva | 24 |
| Buddha | 25 |
| Bodhisattva | 26 |
| Buddha | 27 |
| A Wheel | 28 |


## List of Stone sculptures


| Name | Page no |
|---|---|
| Buddha | 01 |
| Bodhisattva | 02 |
| Siddhaikavira | 03 |
| Buddha | 04 |
| Diademed Buddha (Ashtamahasthana Buddha) | 05 |
| Manjushri | 06 |
| Diademed Buddha | 07 |
| Trailokyavijaya | 08 |
| Marichi/Marici | 09 |
| Manjushri Kumara | 10 |
| Vajra-sharada | 11 |
| Avalokiteshwara | 12 |
| Seated Buddha | 13 |
| Seated Buddha | 14 |
| Ashtamahasthana Buddha | 15 |
| Crowned/Diademed Buddha | 16 |
| Khasarpana Avalokiteshwara | 17 |
| Khasarpana Avalokiteshwara | 18 |
| 12 Armed Khasarpana Avalokiteshwara | 19 |
| Nagraj | 20 |
| Aparajita | 21 |
| Seated Buddha | 22 |
| Khasarpana Avalokiteshwara | 23 |


## List of Stone sculptures


| Name | Page no |
|---|---|
| Trailokyavijaya | 24 |
| Yamantaka | 25 |
| Seated Buddha | 26 |
| Tara | 27 |
| Marichi/ Marici | 28 |
| Heruka | 29 |
| Manjushri | 30 |
| Bodhisattva | 31 |
| Surya | 32 |
| Avalokiteshwara | 33 |
| Shiva-parvati | 34 |
| Kubera | 35 |
| Avalokiteshwara | 36 |
| Khasarpana Avalokiteshwara | 37 |
| Khadiravani Tara | 38 |
| Durga | 39 |
| Vajrasattva | 40 |
| Manjuvara | 41 |
| Manjushri/ Jambhala | 42 |
| Vajrapani | 43 |
| Padmapani | 44 |
| Surya | 45 |
| Vishnu | 46 |
| Shiva-parvati | 47 |
| Surya | 48 |


## List of Metal sculptures


| Name | Page no |
|---|---|
| Standing Buddha | 01 |
| Prajnaparimita | 02 |
| Standing Buddha | 03 |
| Standing Buddha | 04 |
| Buddha | 05 |
| Standing Buddha | 06 |
| Standing Buddha | 07 |
| Seated Buddha | 08 |
| Bodhisattva | 09 |
| Bodhisattva | 10 |
| Prajnaparamita | 11 |
| Indrani | 12 |
| Prajnaparamita | 13 |
| Chunda | 14 |
| Prajnaparamita | 15 |
| Prajnaparamita | 16 |
| Prajnaparamita | 17 |
| Tara | 18 |
| Tara | 19 |
| Tara | 20 |
| Tara | 21 |
| Tara | 22 |

# Stucco art

Archaeological Survey of India
Ministry of Culture, Government of India

# DIPANKARA BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

One of the few Jataka Panels in Nalanda. The prostrated male on the right of the master spreads a long hair beneath the right foot of the Buddha. The other figure standing on the left of the Buddha, draws his palms near the chest. In between the standing figure and Buddha appears a queer object which looks like a three hooded snake. Wavy lines at the bottom are suggestive of water. Similar to other Jataka panels, principal figure of Dipankara Buddha is shown on the same plane but much larger to other figures.

The transparent *sanghati* covers both the shoulders. Alignment of the feet and gentle sweep at right hip suggests the walking Buddha.

**State of Conservation**

Fair

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

The Buddha is shown in Dhammachakrapravartana-mudra and seated in Pralambapadasana. He is reclining against a huge pillow with circular ornamental ending in circular ornamentation. Two horns are part of decorative seating arrangement. Diaphanous drapery 'sanghati' has covered both the shoulders . Two bodhisattvas are shown flanking on both the sides of Buddha. Prabhamandala are shown for Buddha and both the Bodhisattvas.

**State of Conservation**

Damaged but stable

# RAHULA'S INHERITANCE

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

The scene in the panel depicts a female figure with a child identified as Yashodhara and Rahula on Buddha's right hand side. Left side figure is Sariputta, Buddha's disciple who performed ordination of Rahula.

**State of Conservation**

Fair

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

Buddha in Dhammachakrapravartana mudra is depicted seated in Pralambapadasana. Two bodhisattvas are shown flanking both the sides of the Buddha. A couple of flying Vidyadharas are added just under the arch of the niche.

Diaphanous drapery 'sanghati' has covered both the shoulders. The end of the drapery is shown attached to both the hands.

The firmness of the torso suggest the powerful depiction of the Buddha by the artists than just a delicate modeling.

**State of Conservation**

Stabilized/ remodeled

# AVALOKITESHWARA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

Principal figure of Avalokiteshwara is flanked at the both sides by goddesses, gods as well as worshippers. Seated dhyani Buddhas are shown under the arch inside the niche. The Avalokiteshwara is shown in varad mudra and with prabhamandala behind the head.

**State of Conservation**

Fair

# MANJUSHRI KUMARA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

Seated figure of Manjushri bodhisattva is shown leaned on an oval cushion. The figure has a prabhamandala and two bejeweled horns.

Seated in padmasana, Manjushri Kumara is bedecked with rich and princely ornaments including ear-discs, armlets, bracelets and waist-belts. The necklace is studded with tiger-paws, tubular ornament and wheels shaped jeweled pendant.

**State of Conservation**

Poor

# POTALAK LOKNATH

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

The damaged figure of Bodhisattva is shown seated in Padmasana on a lotus and flanked by two goddesses. The hair strands, a necklace, remains of crown and a waist-belt helps in identifying the figure as a Manjushri Kumara.

Old photograph shows two seated images of dhyani Buddha flanking on both the sides of the Bodhisattva along with the present camaraderie.

**State of Conservation**

Poor/ remodeled/ features lost

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

The remains of diaphanous drapery, a torso and legs indicate standing figure of Buddha.

**State of Conservation**

Stabilized/ remodeled/ features lost

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

The panel has a headless standing figure of a Buddha, flanked by two Bodhisattvas.

**State of Conservation**

Stabilized/ remodeled/ features lost

# BODHISATTVA MAITREYA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A standing figure is of Maitreya shown here as Bodhisattva. Maitreya is flanked by kneeling figures on both the sides. Both figures have prabhamandala behind them similar to the principal figure of Bodhisattva. Two figures of Dhyani Buddhas are shown in meditating posture at the shoulder level of the main figure.

**State of Conservation**

Poor/ remodeled/ features lost/ altered

# BUDDHA

**Location** East face of Stupa no. 3

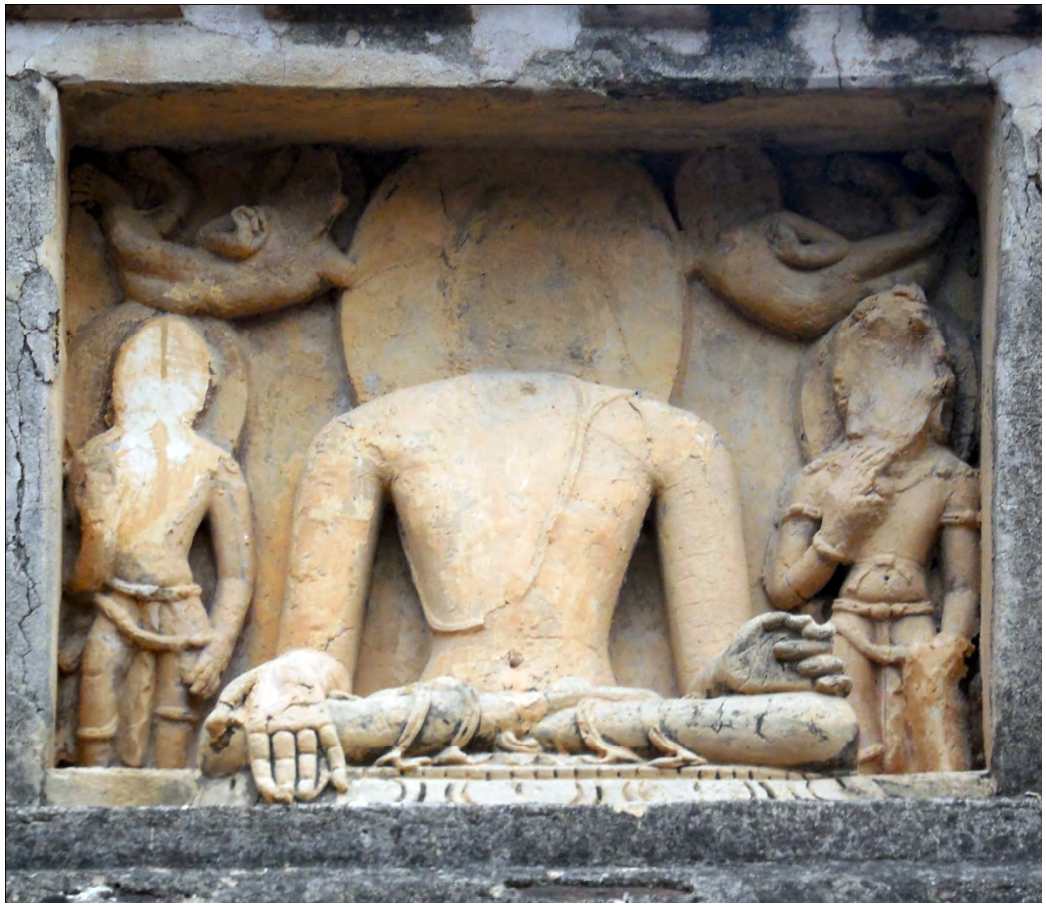
**Date** 7th century

**Description**

A seated figure of Buddha is seated in padmasana. His right hand touching the ground suggest the bhumisparsh-mudra. The principal figure is flanked by two standing Bodhisattvas on both the sides as well as flying vidyadharas.

**State of Conservation**

Stabilized/ remodeled/ features lost/ altered



# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A seated figure of Buddha has been damaged.

**State of Conservation**

Stabilized/ remodeled/ features lost

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A seated headless male figure which can be identified with Buddha has been damaged.

**State of Conservation**

Stabilized/ remodeled/ features lost

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A seated headless male figure which can be identified with Buddha has been damaged.

**State of Conservation**

Stabilized/ remodeled/ features lost

# TARA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A seated Tara figure has her legs drawn up and placed one before another. Her right hand is in varad-mudra and holds half-open lotus in another hand. Her drapery is shown with the fine lines on the left shoulder and near ankles. Wavy hair strands are shown on both the shoulders. Jewelry includes armlets and ear-discs.

**State of Conservation**

Stabilized/ remodeled/ features lost/ altered

# BODHISATTVA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A seated headless male figure has been damaged beyond recognition. Arm-lets and remains of hair strands indicate figure of Bodhisattva. The right hand touching the ground in varad-mudra.

**State of Conservation**

Poor

# A SEATED BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

Lower part of the seated figure of Buddha is damaged beyond recognition to identify his hand gestures.

**State of Conservation**

Poor/ remodeled/ features lost

# A STANDING FIGURE

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A standing figure with prabhamandala is damaged beyond recognition.

**State of Conservation**

Poor

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A seated headless male figure which can be identified with Buddha has been damaged.

**State of Conservation**

Poor

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

Standing figure of Buddha is shown wearing diaphanous drapery.

**State of Conservation**

Poor/ remodeled/ features lost

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

Seated figure of Buddha in meditative pose.

**State of Conservation**

Poor

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

Buddha is shown standing with slight bend to the hip on right side showing dwibhanga pose. He is shown holding his drapery in both the hands . The palms of his hands are broken.

**State of Conservation**

Stabilized/ remodeled/ features lost/ altered

# BODHISATTVA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

The figure is identified as Bodhisattva from his armlets, waist-bands and hair locks on the shoulders. His drapery is shown in the form of lower garments. During preservation of the panel, many of the features have been altered.

**State of Conservation**

Stabilized/ remodeled/ features lost/ altered

# BODHISATTVA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

The figure is identified as Bodhisattva from his armlets, waist-bands and necklace. His drapery is shown in the form of lower garments. He is holding a stalk of a flower.

**State of Conservation**

Stabilized/ remodeled/ features lost/ altered

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

Buddha is shown in seated in padmasana.

**State of Conservation**

Poor

# BODHISATTVA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A seated image is identified as Bodhisattva due to jewelry and waist-band. His right gestures varad-mudra and left hand is holding half-blown lotus.

**State of Conservation**

Poor/ remodeled/ features lost/ altered

# BUDDHA

**Location** East face of Stupa no. 3

**Date** 7th century

**Description**

A headless figure is shown on a (possibly) lotus in padmasana. The figure has been damaged beyond recognition. His mediation posture suggests Buddha.

**State of Conservation**

Poor

# WHEEL

**Location** At the base of Panchayatana stupa behind Stupa no. 3

**Date** 7th century

**Description**

Nalanda not only accommodated figurative panels , but also have symbols like wheel.

**State of Conservation**

Poor

# Stone art

Archaeological Survey of India
Ministry of Culture, Government of India

# BUDDHA

**Location** Reserve Collection of Nalanda Museum

**Date** First half of 5th century

**Description**

An earliest surviving statue produced by a Nalanda artist, is a standing figure in abhay-mudra. The figure lacks refinement in finishing and features, however its stylistic affinity to Gupta art is certain.

**State of Conservation**

Good

# BODHISATTVA

**Location** Nalanda Museum

**Date** 7th century

**Description**

A standing Bodhisattva is flanked by two small female figures. The right hand is in varad-mudra and other hand is holding full blown lotus. Figures of three dhyani Buddhas adorn the prabhamandala. A dhyani Buddha is depicted in head dress of the principal figure.

**State of Conservation**

Good

# SIDDHAIKAVIRA

**Location** National Museum, New Delhi

**Date** 8th century

**Description**

A standing Bodhisattva is flanked by two small female figures. The right hand is in varad-mudra and other hand is holding full blown lotus. Figures of three dhyani Buddhas adorn the prabhamandala. A dhyani Buddha is depicted in head dress of the principal figure.

**State of Conservation**

Good

# BUDDHA

**Location** National Museum, New Delhi

**Date** 8th century

**Description**

Buddha seated in padmasana on lotus pedestal. His hands are folded in vyakhyan-mudra. Two deer signify the event of first sermon by Buddha.

**State of Conservation**

Good

## DIADEMED BUDDHA (Ashtamahasthana Buddha)

**Location** National Museum, New Delhi

**Date** 8-9th century

**Description**

A diademed or crowned Maitreya Buddha is shown seated on the lotus pedestal in padmasana. His right hand is touching ground in bhumisparsha mudra. Depictions on the back slab behind Buddha are 7 major events of Buddha's life .

**State of Conservation**

Good

## MANJUSHRI

**Location** National Museum, New Delhi

**Date** 8th century

**Description**

Bodhisattva Manjushri is shown standing on a lotus pedestal. His left hand is holding lotus stalk while right hand gestures varadmudra. Prabhamandala behind his head is plain. He is shown wearing exquisite jewelry.

**State of Conservation**

Good

# DIADEMED BUDDHA

**Location** National Museum, New Delhi

**Date** 10th century

**Description**

A fragmentary piece has crowned Buddha in standing position. Drapery of Buddha is shown with incised lines.

**State of Conservation**

Good

# TRAILOKYAVIJAYA

**Location** National Museum, New Delhi

**Date** 9th century

**Description**

Trailokyavijaya is shown standing in pratyalidha posture trampling Shiva and Parvati. Back slab of this image has a unique depiction of separate flames.

**State of Conservation**

Good

# MARICHI/MARICI

**Location** National Museum, New Delhi

**Date** 9th century

**Description**

Marichi is shown in pratyalidh posture holding various weapons in her 8 hands. She is standing on chariot driven by 7 pigs.

**State of Conservation**

Good

# MANJUSHRI KUMARA

**Location** Nalanda Museum

**Date** 7th century

**Description**

A pre-Pala sculpture with strong influence of Sarnath art made of local black basalt is identified as Manjushri. Standing slightly in a abhanga pose on a lotus base, the image consists of rows of rising petals from the seed pod.

**State of Conservation**

Good

# VAJRA-SHARADA

**Location** Reserve Collection of Nalanda Museum

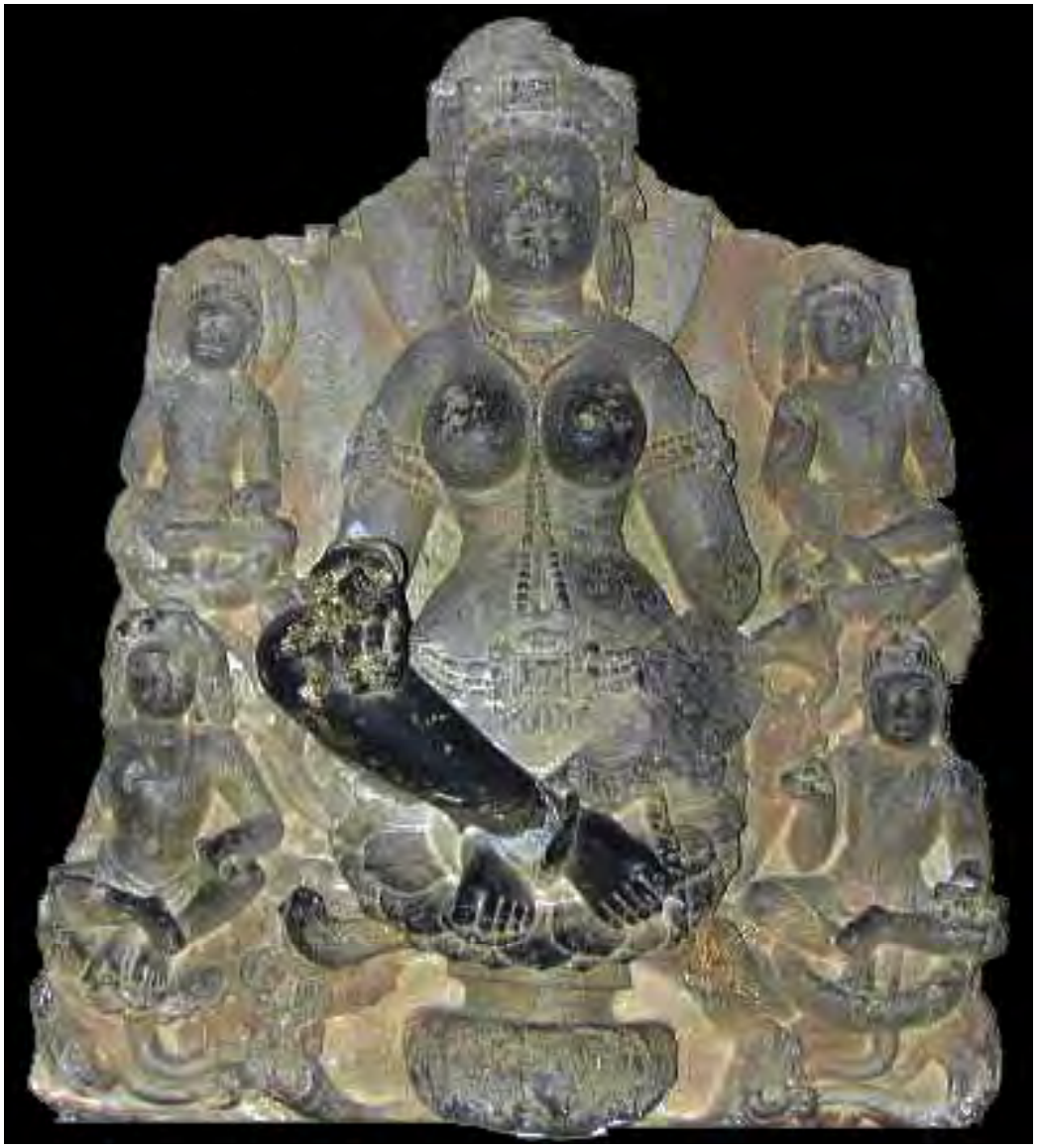
**Date** 7th century

**Description**

Considered as uncommon icon, Vajrasharada is shown seated on the lotus seat coming out of a pot which is guarded by pair of snakes. As per the iconography of Vajrasharada, this image may have held manuscript in her, now broken left hand.

**State of Conservation**

Good



# AVALOKITESHWARA

**Location** Reserve Collection of Nalanda Museum

**Date** Mid-9th century

**Description**

It is also called as Padmapani Avalokiteshwara. An image of Standing Avalokiteshwara is an example of the stylistic blend of the mid-9th century as well as a demonstration of the distinctiveness of Nalanda art.

As per his popular iconography, Avalokiteshwara is shown holding lotus in left hand and varad mudra by right hand.

**State of Conservation**

Good

# SEATED BUDDHA (IN BHUMISPARSHAMUDRA)

**Location** Teliya Bhairava temple, outside the property

**Date** Mid- 10th century

**Description**

Buddha is seated on a lotus pedestal in bhumisparsha mudra. Samghati worn by Buddha is shown in the form of incised lines.

**State of Conservation**

Poor

# SEATED BUDDHA (IN BHUMISPARSHAMUDRA)

**Location** Reserve Collection of Nalanda Museum

**Date** 10th century

**Description**

A seated Buddha shown in bhumisparsha mudra. He is sitting on lotus pedestal under the bodhi tree..

**State of Conservation**

Poor

# ASHTAMAHASTHANA BUDDHA

**Location** Rukmini janmasthan, Jagadishpur village

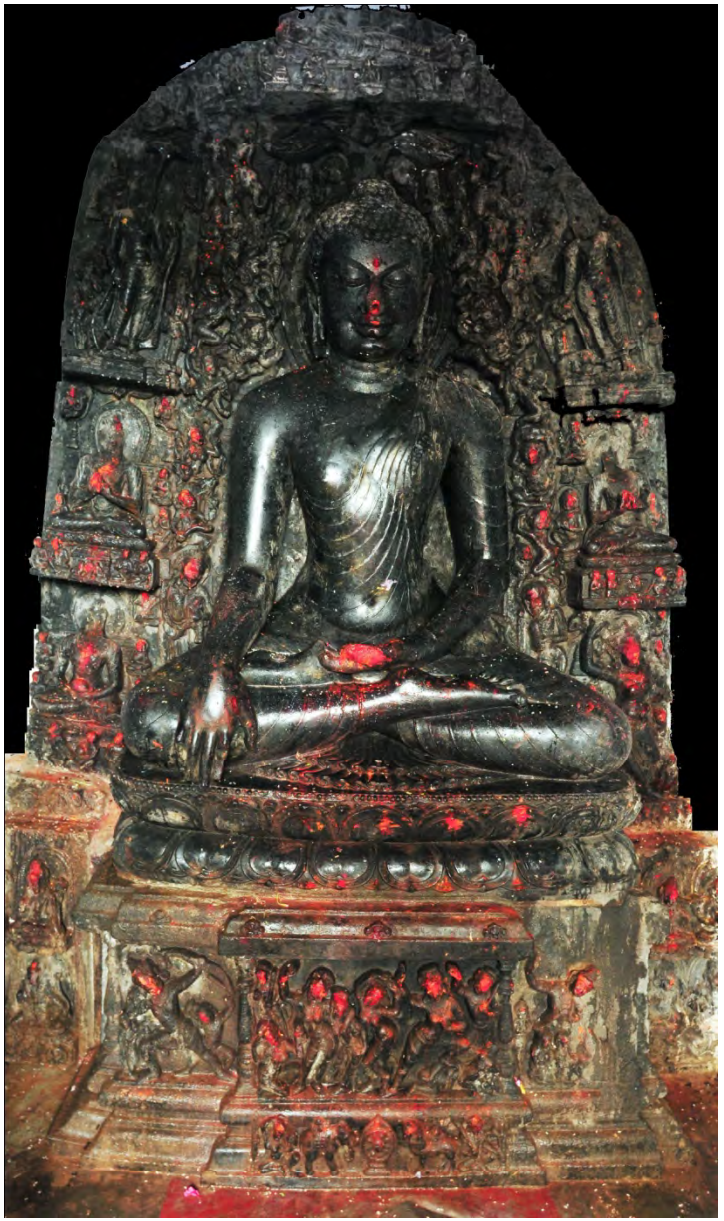
**Date** 10th – 11th century

**Description**

A seated Buddha in bhumisparsha mudra is surrounded by the eight scenes of miracles in Buddha's life.

**State of Conservation**

Poor



# CROWNED/DIADEMED BUDDHA

**Location** Outside Surya temple, Bargaon

**Date** 11th century

**Description**

Diademed or crowned Buddha, Maitreya is shown seated under the branch of Bodhi tree in Bhumisparsha mudra. He is flanked by two seated Dhyani Buddhas and two standing Buddhas.

**State of Conservation**

Poor

# KHASARPANA AVALOKITESHWARA

**Location** Nalanda Museum

**Date** Late 11th century

**Description**

Khasarpana Avalokiteshwara is shown standing on lotus in tribhanga posture. He is holding lotus stalk in left hand. His right hand is in broken. 5 dhyani buddhas are shown surrounded Avalokiteshwara. He is flanked by companion figures. Sleek appearance and delicate modeling of the body and cloths suggest refined skills of Pala artists.

**State of Conservation**

Good

# KHASARPANA AVALOKITESHWARA

**Location** Nalanda Museum

**Date** Late 11th century

**Description**

Khasarpana Avalokiteshwara is shown standing on lotus in tribhanga posture. He is holding lotus stalk in left hand. His right hand is in broken. He is flanked by seating dhyani Buddha at shoulder level. Smaller figures of female deities are flanking the figure.

**State of Conservation**

Good

# 12 ARMED KHASARPANA AVALOKITESHWARA

**Location** Nalanda Museum

**Date** 8th - 9th century

**Description**

An unique piece of Nalanda imagery, Khasarpana Avalokiteshwara remains a focal point of this composition. He is standing in sam bhaga posture. An image of Dhyani Buddha Amitabh is placed in Jata-mukuta. Long hair locks meander down the shoulders. Major space in the stele is occupied by the multiple arms of the principal figure. Rest of the available space is filled with a host of subsidiary deities including Tara, Suchimukha, Bhrikuti and Hayagriva. Dhyani Buddhas, Amoghsiddhi and Ratnasambhava occupied spaces besides plain prabhamandala. Ornately carved Chhatra is placed over Buddha.

**State of Conservation**

Good

# NAGRAJ

**Location** Nalanda Museum

**Date** Mid- 8th century

**Description**

A figure of a Naga king is shown seated on the coils of a huge serpent and protected by the canopy of its seven hood. He is holding a rosary in right hand and a pot in left hand. The image is bedecked with jewelry.

**State of Conservation**

Fair

# APARAJITA

**Location** Nalanda Museum

**Date** Mid- 8th century

**Description**

A fragmentary figure of Buddhist deity Aparajita is depicted trampling on Ganesha..

**State of Conservation**

Good

# SEATED BUDDHA (IN BHUMISPARSHAMUDRA)

**Location** Vishnu temple, Surajpur village

**Date** Late 11th century

**Description**

A seated Buddha shown in bhumisparsha mudra. Samghati worn by Buddha is shown in the form of incised lines. Buddha's body is less fleshy and more taut in appearance. Bhumisparsha mudra is a clear indication of Mara darshana aspect of the enlightenment.

**State of Conservation**

Poor

# KHASARPANA AVALOKITESHWARA

**Location** Vishnu temple, Surajpur village

**Date** Late 11th century

**Description**

Khasarpana Avalokiteshwara is standing in tribhanga posture He is bedecked with jewelery. An image of dhyani Buddha Amitabh is placed in Jata-mukuta. Major part of the stele is taken by the principal image while the rest of the available space is filled with a host of subsidiary deities. Two lotus stalks are shown flanking the image. Effigies of three dhyani Buddhas have surrounded the image.

**State of Conservation**

Poor

# TRAILOKYAVIJAYA

**Location** Nalanda Museum

**Date** Mid- 8th century

**Description**

A fragmentary image has Trailokyavijaya standing in Pratyalidha attitude, trampling upon the head of Maheshvara with left leg, while the right upon the bosom of Gauri.

**State of Conservation**

Good

# YAMANTAKA

**Location** Nalanda Museum

**Date** Mid- 8th century

**Description**

The six-headed and six-armed deity aggressively strides on a prostrate buffalo. Matching with the mood, he is wearing a garland of skulls and snake ornaments throughout. The effigy of Akshobhya in the crown identifies the figure as Yamantaka.. Mandorla behind Yamantaka has a design of flames.

**State of Conservation**

Good

# SEATED BUDDHA

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Buddha wearing samghati on both the shoulders is sitting on lotus in Padmasana. Both the hands are broken. Vidyadharas are shown flanking Buddha.

**State of Conservation**

Good

# TARA

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Tara is shown seating in sukhasana on a lotus pedestal. Her right hand is in abhay mudra while left hand is in mediating posture. Back slab is plain and oval shaped with the flamelike design on the edge.

**State of Conservation**

Good

# MARICHI/ MARICI

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Marichi, an emanation of Vairochana, rides on a chariot which is drawn by seven varahas (pigs). She is holding various weapons in her 8 hands. She is shown standing in pratyalidh posture.

**State of Conservation**

Good

# HERUKA

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Heruka, an emanation of Akshobhya, is shown standing on the corpse. Though the slab behind the image is intact, image itself has lost many of its body parts.

**State of Conservation**

Good

# MANJUSHRI

**Location** Surya temple, Bargaon

**Date** 10th century

**Description**

Manjushri is shown seated in sukhasana on a lotus pedestal. His right hand is now broken and left hand is resting on his thigh. He is bejeweled with various delicate ornaments. Buddhist creed on the back slab suggest that the image dates back to 10th century.

**State of Conservation**

Poor

# BODHISATTVA

**Location** Surya temple, Bargaon

**Date** 10th century

**Description**

Standing on a lotus pedestal, Bodhisattva is in standing posture. He is shown here with 6 hands. Heavily ornamented image has two female figures flanking both the sides. Broken back stele has only one image of vidyadhara flanking right side of the prabhamandala behind Bodhisattva.

**State of Conservation**

Poor

## SURYA

**Location** Surya temple, Bargaon

**Date** 11th century

**Description**

Surya is shown standing on a pedestal. His left hand is holding a lotus while right hand is partially broken. Back stele is broken. He is flanked by two male figures.

**State of Conservation**

Poor

# AVALOKITESHWARA

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Avalokiteshwara is shown sitting on lotus in ardhaparyankasana. He is adorned with the exquisite jewelry. Instead of prabhamandala, the back slab behind him forms a frame containing trefoil arch supported by columns and flying vidyadharas with garlands in hand. Two female figures are shown sitting below the lotus throne.

**State of Conservation**

Good

## SHIVA-PARVATI

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Shiva and Parvati is shown seating together on lotus pedestal in lalitasana. Their respective attributes of Nandi and lion are shown at their foot steps.

**State of Conservation**

Good

# KUBERA

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Kubera, god of the wealth is seating lalitasana. He shown seated under a structure with columns supporting well decorative canopy. He has four hands; left lower hand is resting on his thigh, upper left hand is holding a spear while upper right hand is holding khadga and right lower hand is varad mudra.

**State of Conservation**

Good

# AVALOKITESHWARA

**Location** Surya temple, Bargaon

**Date** 11th century

**Description**

Rarest image of Avalokiteshwara with eight hands and three heads has two images of dhyani buddha on his head. These two dhyani Buddhas are arranged in seated position, one on top of the another.

**State of Conservation**

Poor

# KHASARPANA AVALOKITESHWARA

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Khasarpana Avalokiteshwara is shown standing in dwibhanga posture on lotus. He is holding stalk of lotus in left hand and right hand is holding a rosary.

**State of Conservation**

Good

# KHADIRAVANI TARA

**Location** Surya temple, Bargaon

**Date** 11th century

**Description**

Khadiravani Tara is shown standing on lotus with companion figures, Ashokanta Marichi and Ekajata Tara, is holding utpala in left hand and varad mudra in right hand. Dhyani Buddhas including Amoghsiddhi are shown around her head.

**State of Conservation**

Poor

# DURGA

**Location** Surya temple, Bargaon

**Date** 11th century

**Description**

Durga is shown seating on a lion in ardhaparyankasana. She has khadga, dhanushya and lotus in her hands. Fourth hand is in varad-mudra.

**State of Conservation**

Poor

# VAJRASATTVA

**Location** Nalanda Museum

**Date** 9th -10th century

**Description**

Vajrasattva with three heads is shown sitting in padmasana on lotus. Ornate arch forms the back slab for the image of Vajrasattva. His hands are in vajramudra.

**State of Conservation**

Good

# MANJUVARA

**Location** Nalanda Museum

**Date** 11th century

**Description**

Manjuvara is shown sitting on a lion in lalitasana. He is reclining on a cusion while holding a lotus stalk bearing Prajnaparamita sutra in left hand. Back stele of the image has flamelike design on its edge.

**State of Conservation**

Good

# MANJUSHRI/ JAMBHALA

**Location** Nalanda Museum

**Date** 11th century

**Description**

Manjushri/ Jambhala is shown seated on the lotus throne with plain back slab. He is sitting in lalitasana posture, resting his right leg on a tortoise which is considered as a aspect of Manjushri. He has four hands; right and left upper hands are holding khadga and lotus respectively.

**State of Conservation**

Good

# VAJRAPANI

**Location** Nalanda Museum

**Date** 11th century

**Description**

Vajrapani is sitting on a throne in lalitasana resting his right leg on full blown lotus. The throne has a plain back slab. He is resting is left hand on the asana and right hand is holding, probably now broken Vajra which is his family symbol.

**State of Conservation**

Poor

# PADMAPANI

**Location** Nalanda Museum

**Date** 11th century

**Description**

Padmapani is shown seating in lalitasana on the lotus. A lotus stalk is seen behind the left hand.

**State of Conservation**

Poor

## SURYA

**Location** Surya temple, Badgaon Village

**Date** 7th century

**Description**

Two handed image of Surya is shown standing. He is holding stalks of lotus on both the hands. He is wearing shoes which is not an uncommon feature in iconography of Surya. The chariot and charioteer Aruna are absent here. His companion male figures, Dandi and Pingal are flanking the principal figures of Surya.

**State of Conservation**

Poor

# VISHNU

**Location** Nalanda Museum

**Date** 8th - 9th century

**Description**

Four handed image of Vishnu is shown standing on a lotus. Two flanking figures are his consorts, Lakshmi and Saraswati. He is holding chakra, shankha, gada. His right hand is in varad mudra.

**State of Conservation**

Good

# SHIVAPARVATI

**Location** Nalanda Museum

**Date** 8th - 9th century

**Description**

Shiva & Parvati, both are sitting in Lalitasana on a lotus throne with a back frame. Shiva has rested his right leg on the nandi and Parvati's leg is rested on a lion. Shiva is shown with four hands. One of his right hand is holding trident. Celestial figures of Vidyadharas are shown flying.

**State of Conservation**

Good

# SURYA

**Location** Surya temple, Bargaon

**Date** 11th century

**Description**

Surya with two hands holding lotus is shown on chariot. The chariot is driven by seven horses. The charioteer is Aruna. Two male and female companions are flanking the principal figure of Surya.

**State of Conservation**

Poor

# Metal art

Archaeological Survey of India
Ministry of Culture, Government of India

# STANDING BUDDHA

**Location** Reserve Collection of Nalanda Museum

**Date** Late 7th and early 8th century

**Description**

Buddha is shown standing on the lotus pedestal. His right hand is in abhay mudra and left hand is holding the edge of the samghati.

**State of Conservation**

Poor

# PRAJNAPARIMITA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Prajnaparimita is seated in padmasana on a lotus placed on a throne. The throne is shown covered with a cloth, typical of 10th century Pala metal sculptures. Edges of the throne is supported by lions. Prajnaparamita is identified with a book on lotus in her upper most left hand..

**State of Conservation**

Fair

# STANDING BUDDHA

**Location** Nalanda Museum

**Date** 10th – 11th century

**Description**

Buddha is shown standing on a lotus pedestal. Flamelike projections on the mandorla behind the image of Buddha became features of Nalanda metal art. Right hand of the Buddha is in varad mudra and left hand is holding edge of the samghati.

**State of Conservation**

Poor

# STANDING BUDDHA

**Location** Nalanda Museum

**Date** 10th – 11th century

**Description**

Buddha is shown standing on a lotus pedestal. Right hand Buddha is in abhay mudra.

**State of Conservation**

Good

# BUDDHA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Buddha is shown sitting on a lotus throne in padmasana. His right hand is touching ground in bhumisparsha mudra. Mandorla behind Buddha has a design of flame.

**State of Conservation**

Good

# STANDING BUDDHA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Buddha is shown standing on a lotus. Right hand of the Buddha is in abhay mudra.

**State of Conservation**

Good

# STANDING BUDDHA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Buddha is shown sitting on the lotus throne in padmasana. He is touching ground in bhumisparsha-mudra. His throne back is exquisitely ornamented and contains prabhamandala at the centre. An empty urna suggests that the image was studded with semi-precious stones which later became features of Nalanda metal art.

**State of Conservation**

Good

# SEATED BUDDHA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Buddha is shown sitting on the lotus throne in padmasana. He is touching ground in bhumisparsha mudra.

**State of Conservation**

Good

# BODHISATTVA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Bodhisattva is standing on a lotus pedestal with a right hand in varadmudra. Mandorla behind him is broken.

**State of Conservation**

Good

# BODHISATTVA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Bodhisattva is standing with his left hand on the waist. His mandorla and right hand is broken.

**State of Conservation**

Good

# PRAJNAPARAMITA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Prajnaparamita is shown standing on a lotus pedestal with mandorla at the background. She is shown four-handed, holding books in both upper hands. Her lower right hand is in abhaymudra. Many of the features are not clearly visible due to deterioration.

**State of Conservation**

Fair

# INDRANI

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Indrani is shown standing on an elephant (Airavat) which in turn is standing on the lotus pedestal. She is holding vajra in left hand and right hand is holding her flowing drapery.

**State of Conservation**

Fair

# PRAJNAPARAMITA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Prajnaparamita is shown seating on a lotus pedestal. Upper left hand is holding a book and lower left hand is holding kamandalu. Right upper hand is holding akshamala and lower hand is in varadmudra. Mandorla behind Prajnaparamita is broken.

**State of Conservation**

Fair

# CHUNDA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Four handed image of Chunda is shown standing on a pedestal. An image of Ganesha and few more images are shown attached to the pedestal. A worshipper and Ganesha are shown as a part of retinue. Prabhamandala and supporting frame is broken. Hands are broken. Weathering of the sculpture has erased some of the features including jewelery.

**State of Conservation**

Fair

# PRAJNAPARAMITA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Four handed image of Pragnaparamita is one of the most intact images in the museum. She is sitting on lotus pedestal in padmasana with two hands engaged in dhammachakra-mudra. Her upper two hands are holding books on the lotus. Mandorla behind the image has flamelike projections on regular intervals.

**State of Conservation**

Fair

# PRAJNAPARAMITA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Four handed Pragnaparamita is sitting on lotus pedestal in padmasana. Her upper left hand is holding books on the lotus, and upper right hand is holding an akshamala while lower right hand gestures varadmudra.
Part of the mandorla is broken.

**State of Conservation**

Fair

# PRAJNAPARAMITA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Four handed Pragnaparamita is sitting on lotus pedestal in padmasana. Her upper left hand is holding a book on a lotus and upper right hand is holding an akshamala, while lower right hand gestures varadmudra.
Mandorla behind the image is intact and has flamelike projections typical of Pala period metal sculptures.

**State of Conservation**

Fair

# TARA

**Location** Nalanda Museum

**Date** 10th century

**Description**

Tara is sitting in padmasana on lotus pedestal rested on throne. Her left hand is resting on her knees while right hand is in vyakhyan mudra.

**State of Conservation**

Fair

# TARA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Tara is sitting in padmasana on lotus pedestal rested on throne. Mandorla behind the goddess is broken.

**State of Conservation**

Fair

# TARA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

An image of Tara is standing and right hand gesturing varadmudra. Her left hand, pedestal and mandorla is broken.

**State of Conservation**

Fair

# TARA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Tara has four hands and standing on lotus pedestal. Hands are broken beyond recognition.

**State of Conservation**

Fair

# TARA

**Location** Nalanda Museum

**Date** 9th – 10th century

**Description**

Tara with two hands is standing on lotus pedestal. Left hand is holding lotus stalk while other hand is in varad-mudra. Mandorla behind the image is broken.

**State of Conservation**

Fair

# Property : Excavated Remains of *Nalanda Mahavihara*

**Submitted by –**

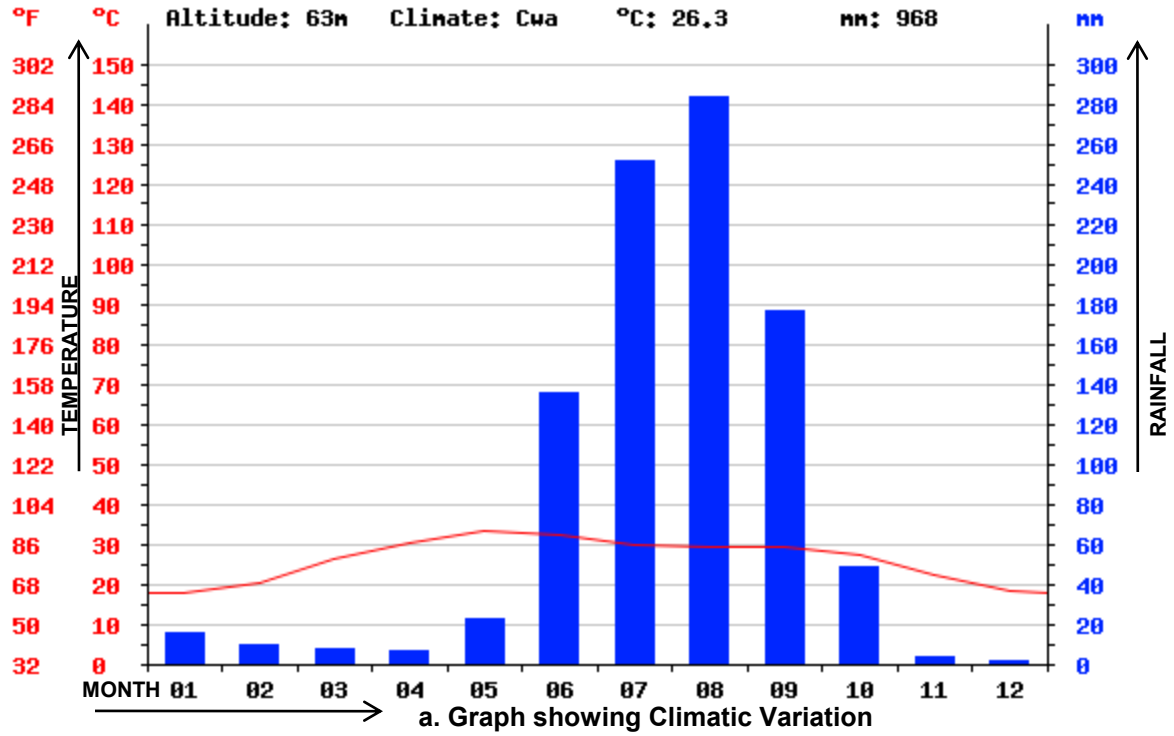
**State Party: India**

**Agency : Archaeological Survey of India**

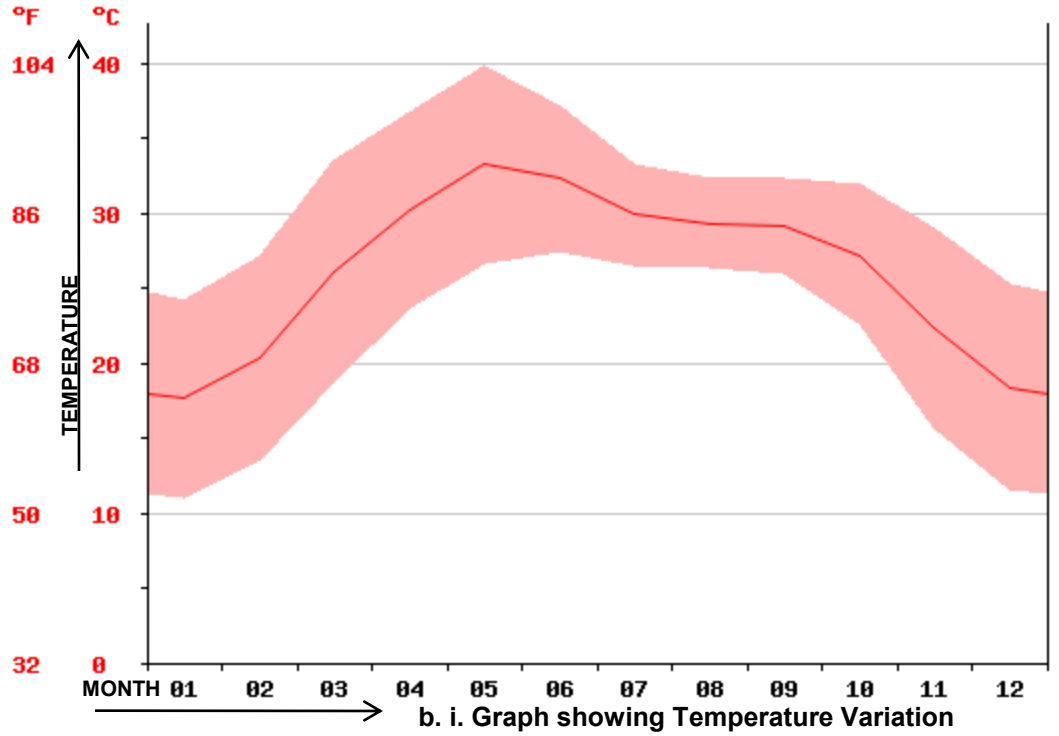
प्रत्नकीर्तिमपावृणु

**Annexure**

# Annexure 01: *Annual Temperature and Humidity levels at Nalanda*




a. Graph showing Climatic Variation




b. i. Graph showing Temperature Variation

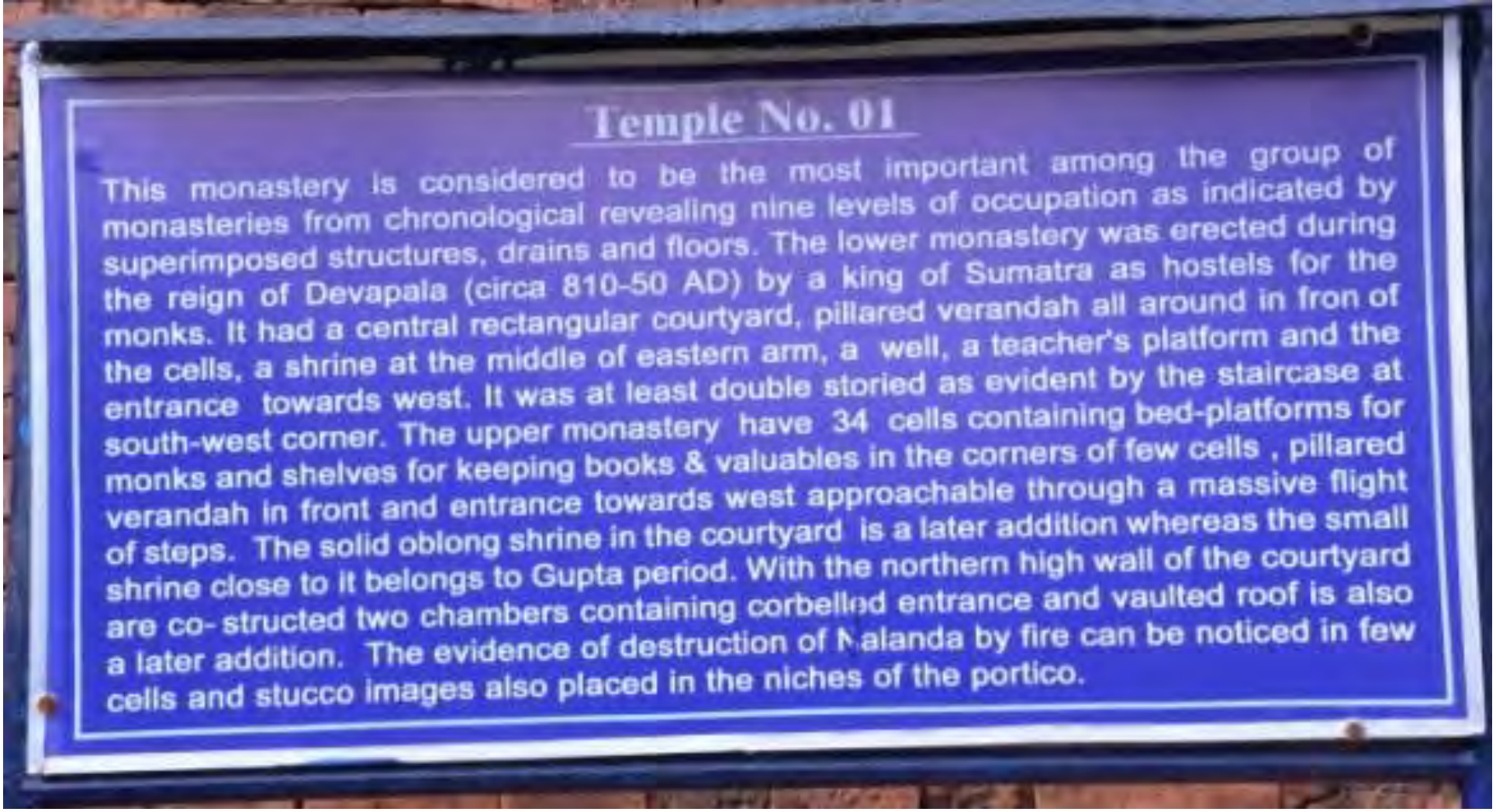
| month | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| mm | 16 | 10 | 8 | 7 | 23 | 136 | 252 | 284 | 177 | 49 | 4 | 2 |
| °C | 17.6 | 20.4 | 26.1 | 30.2 | 33.2 | 32.3 | 29.9 | 29.3 | 29.2 | 27.2 | 22.3 | 18.4 |
| °C (min) | 11 | 13.6 | 18.7 | 23.7 | 26.6 | 27.4 | 26.5 | 26.4 | 26 | 22.6 | 15.7 | 11.5 |
| °C (max) | 24.2 | 27.2 | 33.5 | 36.7 | 39.8 | 37.2 | 33.3 | 32.3 | 32.4 | 31.9 | 29 | 25.3 |
| °F | 63.7 | 68.7 | 79 | 86.4 | 91.8 | 90.1 | 85.8 | 84.7 | 84.6 | 81 | 72.1 | 65.1 |
| °F (min) | 51.8 | 56.5 | 65.7 | 74.7 | 79.9 | 81.3 | 79.7 | 79.5 | 78.8 | 72.7 | 60.3 | 52.7 |
| °F (max) | 75.6 | 81 | 92.3 | 98.1 | 103.6 | 99 | 91.9 | 90.1 | 90.3 | 89.4 | 84.2 | 77.5 |

b. ii. AnnualTemperature Variation

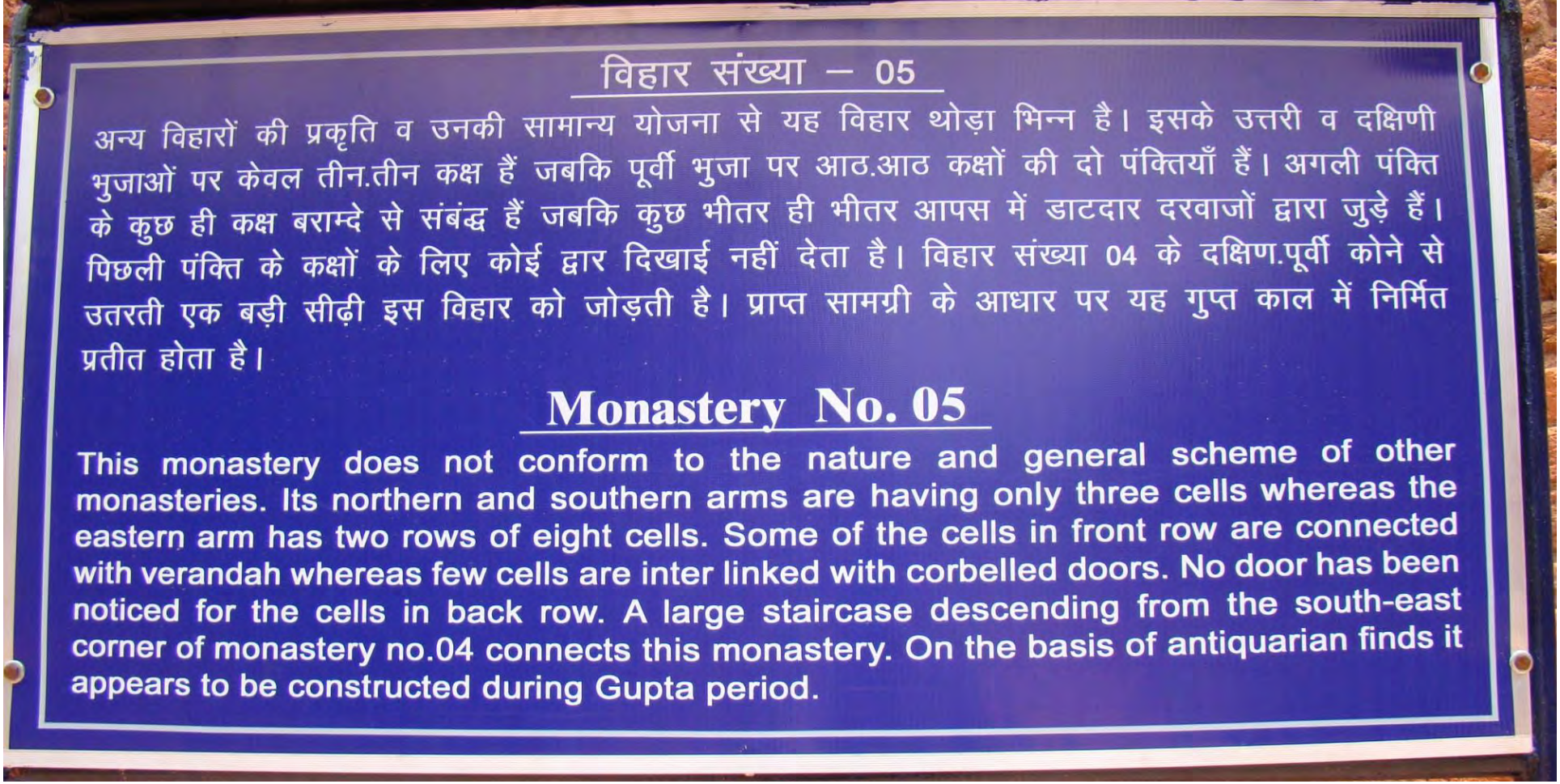
Annexure 01 - Annual Temperature and Humidity levels at Nalanda

*Source: http://en.climate-data.org/location/2841/*

# Annexure 02: *Content of the Interpretive Panels*


Temple No. 01
This monastery is considered to be the most important among the group of monasteries from chronological revealing nine levels of occupation as indicated by superimposed structures, drains and floors. The lower monastery was erected during the reign of Devapala (circa 810-50 AD) by a king of Sumatra as hostels for the monks. It had a central rectangular courtyard, pillared verandah all around in fron of the cells, a shrine at the middle of eastern arm, a well, a teacher's platform and the entrance towards west. It was at least double storied as evident by the staircase at south-west corner. The upper monastery have 34 cells containing bed-platforms for monks and shelves for keeping books & valuables in the corners of few cells , pillared verandah in front and entrance towards west approachable through a massive flight of steps. The solid oblong shrine in the courtyard is a later addition whereas the small shrine close to it belongs to Gupta period. With the northern high wall of the courtyard are co- structed two chambers containing corbelled entrance and vaulted roof is also a later addition. The evidence of destruction of Nalanda by fire can be noticed in few cells and stucco images also placed in the niches of the portico.

विहार संख्या – 04
यह विहार आधार विन्यास में लगभग वर्गाकार है जिसमें एक प्राचीनतर विहार के ऊपर दूसरा विहार बनाया गया है। सीढ़ी से अनुमान होता है कि पहला विहार भी कम से कम दो मंजिला अवश्य रहा होगा। उसके ऊपर कालान्तर में दूसरा विहार बना जो बीस कमरों से युक्त है। दोनों काल के विहारों में पूर्वी भुजा के मध्य में देवालय, उसके सामने आचार्य पीठ खुले प्रांगण के चारों ओर स्तंभयुक्त बरान्दे से जुड़े आवासीय कमरे, प्रांगण में कुआँ, दोनों स्तरों की अलग अलग नाली, पश्चिम में प्रवेश द्वार तथा ऊपर चढ़ने के लिए सीढ़ियाँ बनी है। सीढ़ी के निकट रोशनदान तथा कुछ कक्षों में शैय्या का प्रावधान इस विहार का विशेष आकर्षण है।
Monastery No. 04
This monastery is almost square on plan having two phases, the later constructed over the ruins of an earlier one. The staircase exposed at the south-west corner suggests that the earlier monastery was at least double storied. The later monastery contains twenty cells for the monks. It has a shrine at the middle of the eastern arm, teacher's platform in front of the shrine, an open courtyard with residential cells all around attached to a pillared verandah, well in the courtyard, drainage, entrance towards west and staircase at both the levels. Provision of ventilator for skylight near the staircase and provision of bed in few cells are the special attractions of this monastery.

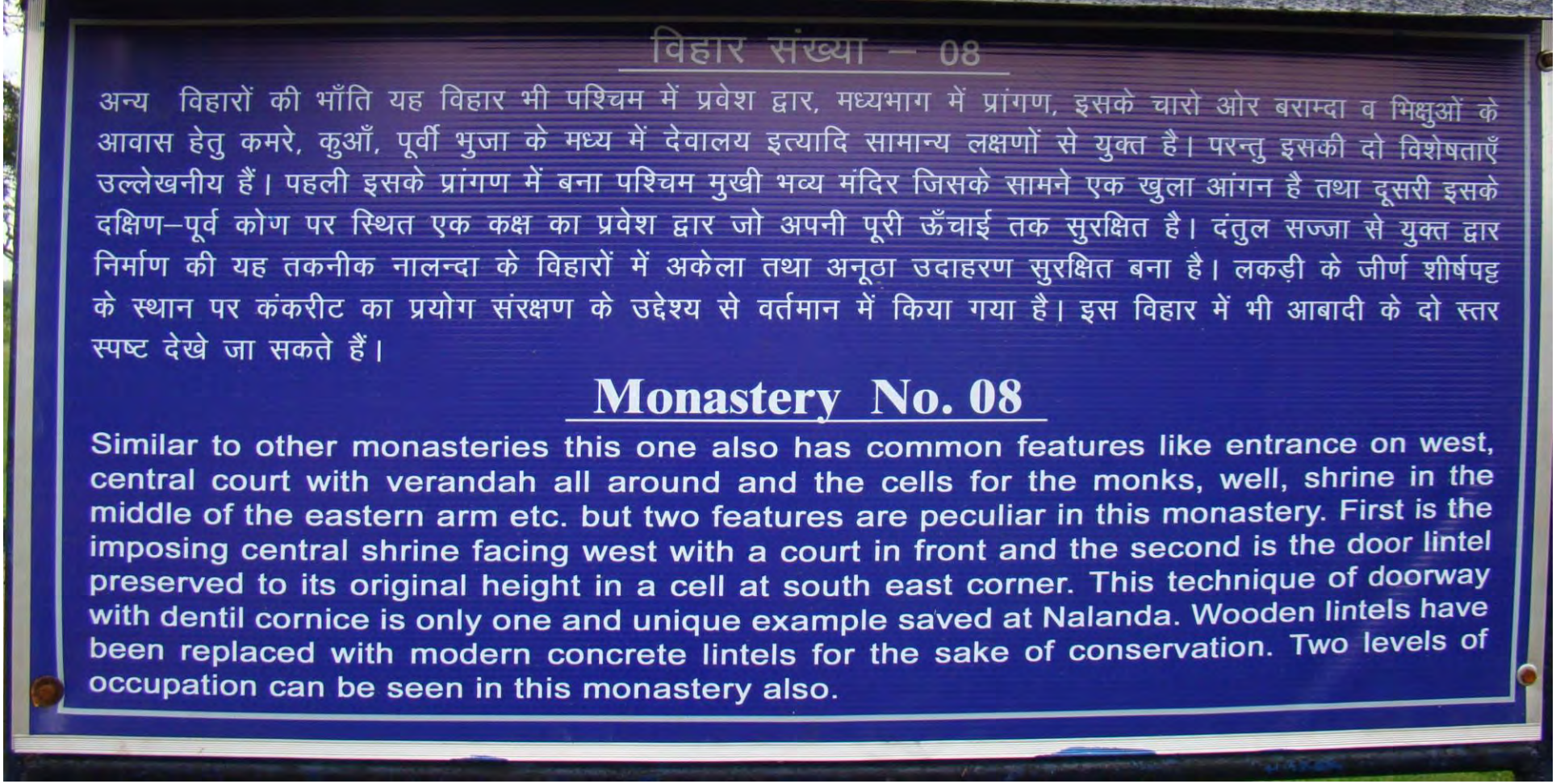


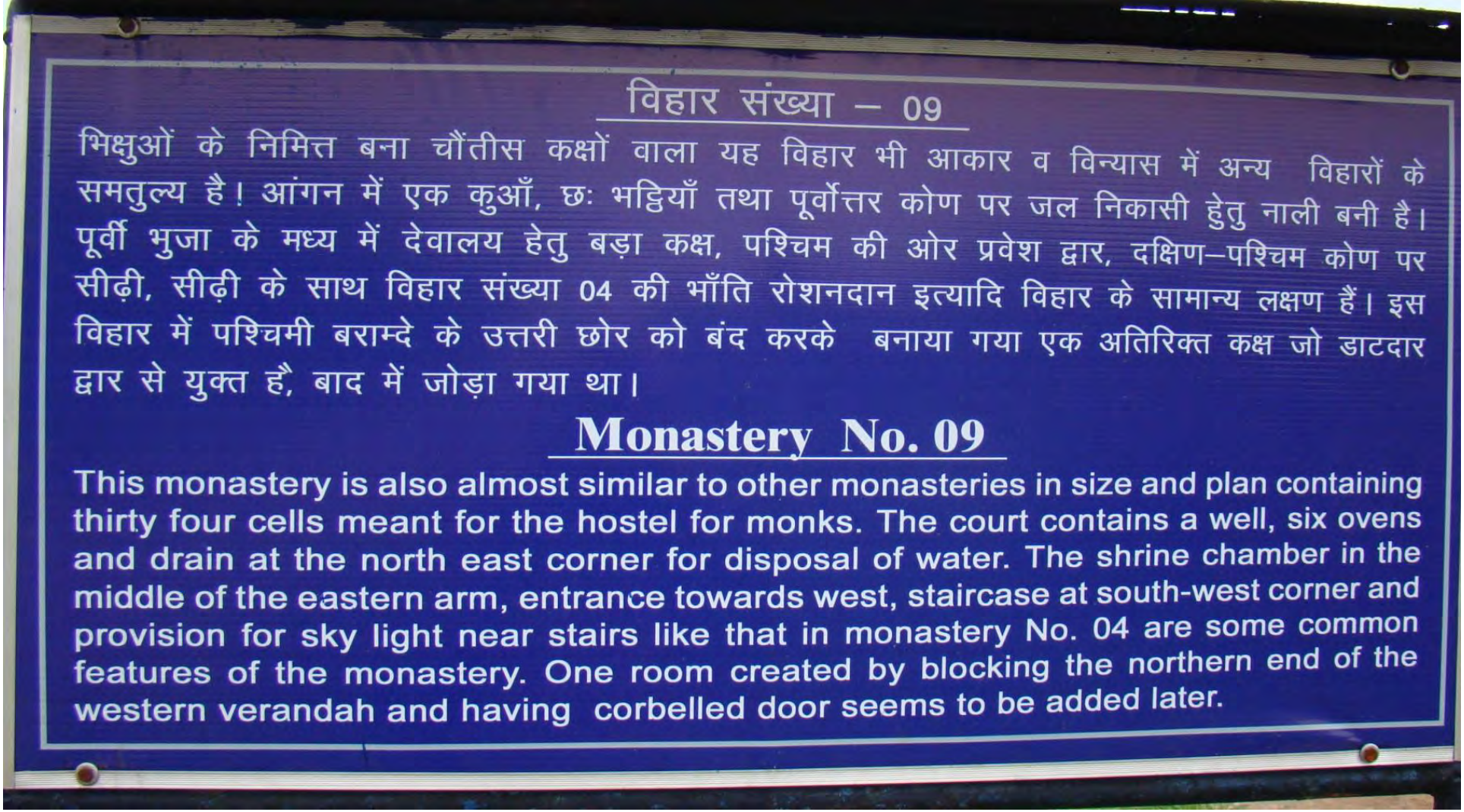


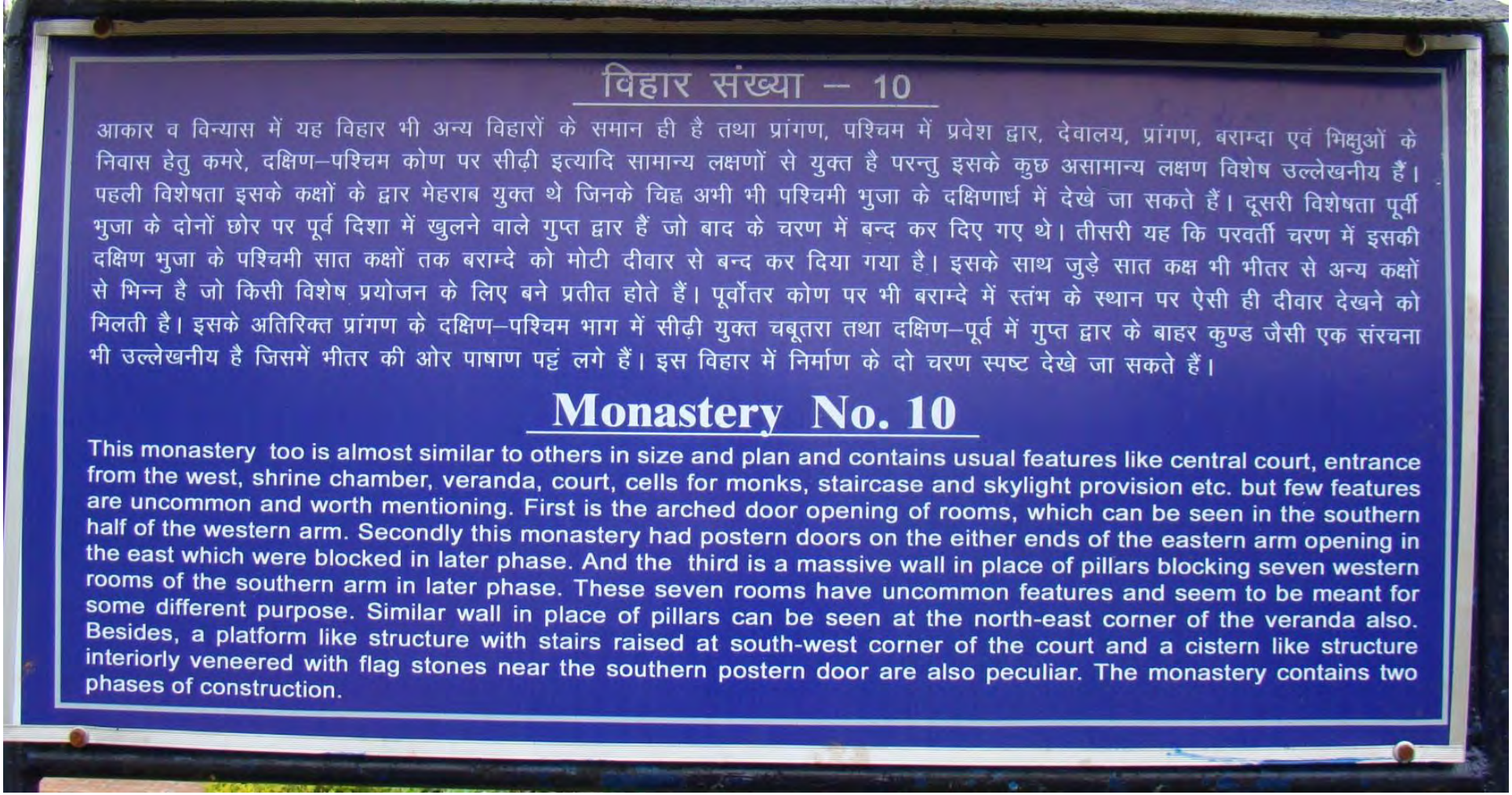

Archaeological Survey of India
Ministry of Culture, Government of India

विहार संख्या – 06
इस संरचना में भी एक पूर्ववर्ती विहार के अवशेषों पर दूसरे विहार का निर्माण होने का प्रमाण मिलता है। दोनों कालों के प्रांगण अलग अलग स्तर पर स्पष्ट देखे जा सकते हैं जिनके चारो ओर बरामदा तथा आवासीय कमरे बने हैं। देवालय, कुआँ व पश्चिम में प्रवेश द्वार से युक्त विहार में प्रत्येक स्तर पर बत्तीस कक्ष हैं। दक्षिण,पश्चिम कोने पर बनी सीढ़ी से इसके कम से कम दो मंजिला होने का संकेत मिलता है। इसका विशेष आकर्षण ऊपरी प्रांगण में तंदूर के समान दोहरे चूल्हों का दो जोड़ा है जो सामूहिक भोजन बनाने अथवा प्रायोगिक अध्ययन के उद्देश्य से बना था। तंदूर के साथ जुड़ी नाली वर्षा का पानी निकालने के लिए वर्तमान में जोड़ी गई है, जिसका कोई पुरातात्विक महत्व नहीं है।
Monastery No. 06
This structure too has the evidence of erecting later monastery over the ruins of an earlier one. It contains brick paved courts at two different levels with pillared verandah and cells all around. Each level has thirty two cells, the shrine, a well and west facing entrance. A feature of interest is the two sets of double ovens in the upper courtyard which might have been used for community cooking or for some practical demonstrations to the students. The drains attached to the ovens do not have any archaeological significance as these are modern addition for the disposal of rain water.

विहार संख्या – 07
इस विहार का उत्खनन् इस प्रकार से किया गया है कि इसके निर्माण के तीन स्तर बड़ी आसानी से देखे जा सकते हैं जो प्राचीनतर संरचना के ऊपर उसी योजना विन्यास पर बने हैं। इसके प्रांगण में बाद वाले दोनों स्तर कंकरीट की फर्श से युक्त हैं जबकि सबसे निचले स्तर पर ईंट बिछाई गई है। यह भी चूल्हा एवं मंदिर से युक्त है। विहार के अन्य अवयव यथा पश्चिम की ओर मुख्य द्वार, दक्षिण.पश्चिम कोण पर सीढ़ी पूर्वी भुजा के मध्य में देवालय तथा स्तंभों पर आच्छादित बरान्दा आदि अन्य विहारों की ही भाँति हैं। इसमें यद्यपि कुआँ प्राप्त नहीं हुआ है पर संभव है कि उत्तरार्ध भाग में कोई कुआँ दबा हो जहाँ निचले स्तरों की खुदाई नहीं की गई है।
Monastery No. 07
This monastery has been excavated in such a way that three successive monasteries built over the ruins of earlier one on same plan are easily distinguishable. The central court of upper two phases are concrete paved whereas that of the earliest one is brick paved. It also contains a shrine and an oven. Other features like entrance towards west, stairs at south west corner, shrine chamber in the middle of the eastern arm, pillared verandah etc are as usual. Although the well has not been found but it might be buried under unexposed portion the northern half.


विहार संख्या – 08
अन्य विहारों की भाँति यह विहार भी पश्चिम में प्रवेश द्वार, मध्यभाग में प्रांगण, इसके चारो ओर बरामदा व भिक्षुओं के आवास हेतु कमरे, कुआँ, पूर्वी भुजा के मध्य में देवालय इत्यादि सामान्य लक्षणों से युक्त है। परन्तु इसकी दो विशेषताएँ उल्लेखनीय हैं। पहली इसके प्रांगण में बना पश्चिम मुखी भव्य मंदिर जिसके सामने एक खुला आंगन है तथा दूसरी इसके दक्षिण–पूर्व कोण पर स्थित एक कक्ष का प्रवेश द्वार जो अपनी पूरी ऊँचाई तक सुरक्षित है। दंतुल सज्जा से युक्त द्वार निर्माण की यह तकनीक नालन्दा के विहारों में अकेला तथा अनूठा उदाहरण सुरक्षित बना है। लकड़ी के जीर्ण शीर्षपट्ट के स्थान पर कंकरीट का प्रयोग संरक्षण के उद्देश्य से वर्तमान में किया गया है। इस विहार में भी आबादी के दो स्तर स्पष्ट देखे जा सकते हैं।
Monastery No. 08
Similar to other monasteries this one also has common features like entrance on west, central court with verandah all around and the cells for the monks, well, shrine in the middle of the eastern arm etc. but two features are peculiar in this monastery. First is the imposing central shrine facing west with a court in front and the second is the door lintel preserved to its original height in a cell at south east corner. This technique of doorway with dentil cornice is only one and unique example saved at Nalanda. Wooden lintels have been replaced with modern concrete lintels for the sake of conservation. Two levels of occupation can be seen in this monastery also.


विहार संख्या – 09
भिक्षुओं के निमित्त बना चौंतीस कक्षों वाला यह विहार भी आकार व विन्यास में अन्य विहारों के समतुल्य है! आंगन में एक कुआँ, छः भट्ठियाँ तथा पूर्वोत्तर कोण पर जल निकासी हेतु नाली बनी है। पूर्वी भुजा के मध्य में देवालय हेतु बड़ा कक्ष, पश्चिम की ओर प्रवेश द्वार, दक्षिण–पश्चिम कोण पर सीढ़ी, सीढ़ी के साथ विहार संख्या 04 की भाँति रोशनदान इत्यादि विहार के सामान्य लक्षण हैं। इस विहार में पश्चिमी बराम्दे के उत्तरी छोर को बंद करके बनाया गया एक अतिरिक्त कक्ष जो डाटदार द्वार से युक्त है, बाद में जोड़ा गया था।
Monastery No. 09
This monastery is also almost similar to other monasteries in size and plan containing thirty four cells meant for the hostel for monks. The court contains a well, six ovens and drain at the north east corner for disposal of water. The shrine chamber in the middle of the eastern arm, entrance towards west, staircase at south-west corner and provision for sky light near stairs like that in monastery No. 04 are some common features of the monastery. One room created by blocking the northern end of the western verandah and having corbelled door seems to be added later.

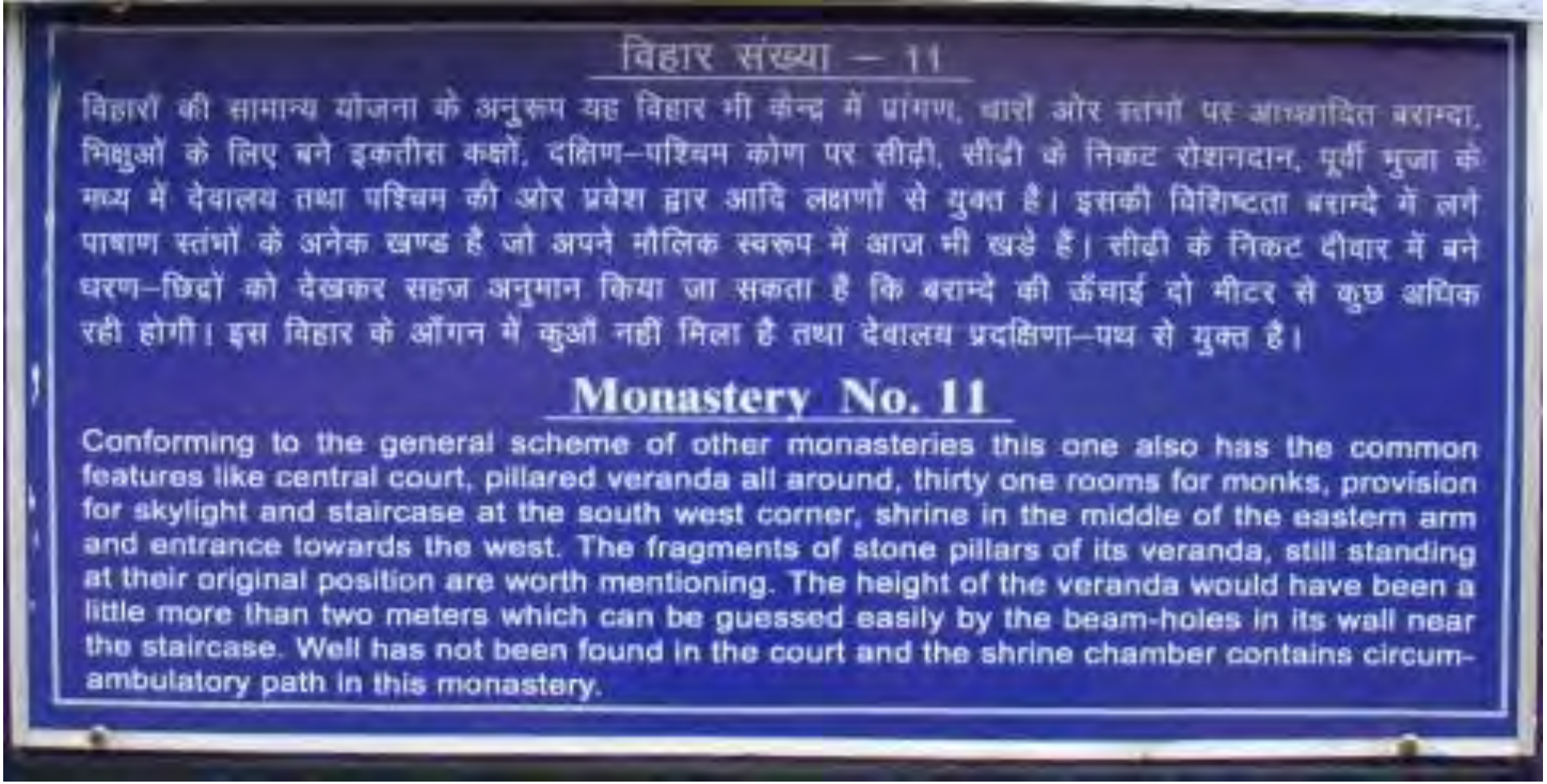


## विहार संख्या – 10

आकार व विन्यास में यह विहार भी अन्य विहारों के समान ही है तथा प्रांगण, पश्चिम में प्रवेश द्वार, देवालय, प्रांगण, बराम्दा एवं भिक्षुओं के निवास हेतु कमरे, दक्षिण–पश्चिम कोण पर सीढ़ी इत्यादि सामान्य लक्षणों से युक्त है परन्तु इसके कुछ असामान्य लक्षण विशेष उल्लेखनीय हैं। पहली विशेषता इसके कक्षों के द्वार मेहराब युक्त थे जिनके चिह्न अभी भी पश्चिमी भुजा के दक्षिणार्ध में देखे जा सकते हैं। दूसरी विशेषता पूर्वी भुजा के दोनों छोर पर पूर्व दिशा में खुलने वाले गुप्त द्वार हैं जो बाद के चरण में बन्द कर दिए गए थे। तीसरी यह कि परवर्ती चरण में इसकी दक्षिण भुजा के पश्चिमी सात कक्षों तक बराम्दे को मोटी दीवार से बन्द कर दिया गया है। इसके साथ जुड़े सात कक्ष भी भीतर से अन्य कक्षों से भिन्न है जो किसी विशेष प्रयोजन के लिए बने प्रतीत होते हैं। पूर्वोतर कोण पर भी बराम्दे में स्तंभ के स्थान पर ऐसी ही दीवार देखने को मिलती है। इसके अतिरिक्त प्रांगण के दक्षिण–पश्चिम भाग में सीढ़ी युक्त चबूतरा तथा दक्षिण–पूर्व में गुप्त द्वार के बाहर कुण्ड जैसी एक संरचना भी उल्लेखनीय है जिसमें भीतर की ओर पाषाण पट्टं लगे हैं। इस विहार में निर्माण के दो चरण स्पष्ट देखे जा सकते हैं।

## Monastery No. 10

This monastery too is almost similar to others in size and plan and contains usual features like central court, entrance from the west, shrine chamber, veranda, court, cells for monks, staircase and skylight provision etc. but few features are uncommon and worth mentioning. First is the arched door opening of rooms, which can be seen in the southern half of the western arm. Secondly this monastery had postern doors on the either ends of the eastern arm opening in the east which were blocked in later phase. And the third is a massive wall in place of pillars blocking seven western rooms of the southern arm in later phase. These seven rooms have uncommon features and seem to be meant for some different purpose. Similar wall in place of pillars can be seen at the north-east corner of the veranda also. Besides, a platform like structure with stairs raised at south-west corner of the court and a cistern like structure interiorly veneered with flag stones near the southern postern door are also peculiar. The monastery contains two phases of construction.



## विहार संख्या – 11

विहारों की सामान्य योजना के अनुरूप यह विहार भी केन्द्र में प्रांगण, चारों ओर स्तंभों पर आच्छादित बरान्दा, भिक्षुओं के लिए बने इकतीस कक्षों, दक्षिण–पश्चिम कोण पर सीढ़ी, सीढ़ी के निकट रोशनदान, पूर्वी भुजा के मध्य में देवालय तथा पश्चिम की ओर प्रवेश द्वार आदि लक्षणों से युक्त है। इसकी विशिष्टता बरान्दे में लगे पाषाण स्तंभों के अनेक खण्ड है जो अपने मौलिक स्वरूप में आज भी खड़े हैं। सीढ़ी के निकट दीवार में बने धरण–छिद्रों को देखकर सहज अनुमान किया जा सकता है कि बरान्दे की ऊँचाई दो मीटर से कुछ अधिक रही होगी। इस विहार के आँगन में कुआँ नहीं मिला है तथा देवालय प्रदक्षिणा–पथ से युक्त है।

## Monastery No. 11

Conforming to the general scheme of other monasteries this one also has the common features like central court, pillared veranda all around, thirty one rooms for monks, provision for skylight and staircase at the south west corner, shrine in the middle of the eastern arm and entrance towards the west. The fragments of stone pillars of its veranda, still standing at their original position are worth mentioning. The height of the veranda would have been a little more than two meters which can be guessed easily by the beam-holes in its wall near the staircase. Well has not been found in the court and the shrine chamber contains circum-ambulatory path in this monastery.

# Annexure 03: *Structure of Committee*

F. No. 1-19/2013-UNESCO
Government of India
Archaeological Survey of India

Janpath, New Delhi
Dated: 26.12.2014

## OFFICE ORDER

A Committee consisting of following members under the Chairpersonship of the ADG (Archaeology) for Site Management of the proposed property '*Excavated Remains of Nalanda Mahavihara*'.

As directed by the Director General, ASI, this Committee will be the crux of the operational Site Management system for the *Excavated Remains of Nalanda Mahavihara*. It will monitor state of conservation and matters pertaining to protection and management of the Property and Buffer Zone:

Members:

ADG (Archaeology)
Director, World Heritage
Director, Conservation
Director, Science
Superintending Archaeologist (Patna Circle)
Conservation Architect (in-house)
Modeler (Stucco conservation)

This is issued with the approval of the Director General, Archaeological Survey of India, New Delhi.

-sd-
(Shharat Sharma)
Add. Director General, Archaeological Survey of India

To:
1. All concerned

Copy for information to:
1. D.G., ASI
2. ADG (Administration)
3. World Heritage Section

(Shharat Sharma)
Add. Director General, Archaeological Survey of India



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# Annexure 04: *Ancient Monument and Archaeological Sites and Remains Act (AMASR), 1958 (Amendment and Validation, 2010)*

85

भारत सरकार
विधि, न्याय और कम्पनी कार्य मंत्रालय

सत्यमेव जयते

# प्राचीन संस्मारक तथा पुरातत्त्वीय स्थल और अवशेष अधिनियम, 1958

(1958 का अधिनियम संख्यांक 24)

[1 जून, 1979 को यथाविद्यमान]

# The Ancient Monuments and Archaeological Sites and Remains Act, 1958

(Act No. 24 of 1958)

[*As on the 1st June*, 1979]

913.081
G.L

1979
प्रबन्धक, भारत सरकार मुद्रणालय, कोयम्बतूर द्वारा मुद्रित तथा प्रकाशन,
नियन्त्रक, भारत सरकार, सिविल लाइन्स, दिल्ली-110054 द्वारा प्रकाशित।

मूल्य : (देश में) रु० 2.90 (विदेश में) पौंड 0.34 या $ 1.05

## PREFACE TO THE FIRST EDITION

This is a diglot edition of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 as on the 1st January, 1972 containing the authoritative Hindi text thereof along with its English text. The Hindi text of the Act was published in the Gazette of India, Extraordinary, Part II, Section 1A, No. 41, Vol. VI, dated 21st August, 1970 on pages 689 to 705.

This Hindi text was prepared by the Official Language (Legislative) Commission and it was published under the authority of the President under section 5(1) of the Official Languages Act, 1963, and on such publication, it became the authoritative text of that Act in Hindi.

NEW DELHI, N. D. P. NAMBOODIRIPAD

1ST JANUARY, 1972. *Joint Secretary to the Government of India.*

## PREFACE TO THE SECOND EDITION

As all the copies of the first diglot edition of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) have been sold the second edition is being published, incorporating the amendments made in it till 1st June, 1979. The present edition also gives legislative history of the Act.

NEW DELHI, R. V. S. PERI SASTRI,

1ST JUNE, 1979. *Secretary to the Government of India.*

## AMENDING ACT

The Antiquities and Art Treasures Act, 1972 (52 of 1972).

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## प्रथत्र संस्करण का प्राक्कथन

यह 1 जनवरी, 1972 को यथाविद्यमान प्राचीन संस्मारक तथा पुरातत्त्वीय स्थल और अवशेष अधिनियम, 1958 का द्विभाषीय संस्करण है। इसमें अधिनियम का प्राधिकृत हिन्दी पाठ, उसके अंग्रेजी पाठ सहित, दिया गया है। अधिनियम का हिन्दी पाठ तारीख 21 अगस्त, 1970 के भारत के राजपत्र, असाधारण, भाग 2, अनुभाग 1क, संख्यांक 41, खण्ड VI में पृष्ठ 689 से 705 में प्रकाशित हुआ था।

इस हिन्दी पाठ को राजभाषा (विधायी) आयोग ने तैयार किया था और यह राजभाषा अधिनियम, 1963 की धारा 5(1) के अधीन राष्ट्रपति के प्राधिकार से प्रकाशित हुआ और इस प्रकार प्रकाशित होने पर, उस अधिनियम का अब यह हिन्दी में प्राधिकृत पाठ है।

नई दिल्ली;
1 जनवरी, 1972

एन० डी० पी० नम्बूदिरिपाद,
संयुक्त सचिव, भारत सरकार।

## द्वितीय संस्करण का प्राक्कथन

प्राचीन संस्मारक तथा पुरातत्त्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का अधिनियम संख्यांक 24) के प्रथम द्विभाषीय संस्करण की प्रतियां बिक गई हैं इसलिए इसका द्वितीय संस्करण प्रकाशित किया जा रहा है। प्रस्तुत पाठ में 1 जून, 1979 तक के सभी संशोधनों का समावेश कर दिया गया है। इस संस्करण में अधिनियम का विधायी इतिहास भी दिया गया है।

नई दिल्ली,
1 जून, 1979

रू० वेंकट सूर्य पेरिशास्त्री,
सचिव, भारत सरकार।

## संशोधन अधिनियम

पुरावशेष तथा बहुमूल्य कलाकृति अधिनियम, 1972 (1972 का 52)।

For Rs 2.90
... of Publication (Ministry of WBH), Delhi Vide Bill No. SI/3723

# THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS ACT, 1958

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# प्राचीन संस्मारक तथा पुरातत्त्वीय स्थल और अवशेष अधिनियम, 1958

धाराओं का क्रम

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# THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS ACT, 1958

(ACT NO. 24 OF 1958)

[28*th August*, 1958]

An Act to provide for the preservation of ancient and historical monuments and archaeological sites and remains of national importance, for the regulation of archaeological excavations and for the protection of sculptures, carvings and other like objects.

BE it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

## PRELIMINARY

Short-title, extent and commencement

1. (*1*) This Act may be called the Ancient Monuments and Archaeological Sites and Remains Act, 1958.

[1][(*2*) It extends to the whole of India.]

(*3*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, 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 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;

1. Subs. by Act 52 of 1972, s. 33.

# प्राचीन संस्मारक तथा पुरातत्त्वीय स्थल और अवशेष अधिनियम, 1958

(1958 का अधिनियम संख्यांक 24)

[28 अगस्त, 1958]

राष्ट्रीय महत्व के प्राचीन और ऐतिहासिक संस्मारकों तथा पुरातत्त्वीय स्थल और अवशेषों के परिरक्षण का, पुरातत्त्वीय उत्खननों के विनियमन का, और रूपकृतियों, नक्काशी और अन्य ऐसी वस्तुओं के संरक्षण का उपबन्ध करने के लिए अधिनियम

भारत गणराज्य के नवें वर्ष में संसद् द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

## प्रारम्भिक

संक्षिप्त नाम, विस्तार और प्रारम्भ।

1. (1) यह अधिनियम प्राचीन संस्मारक तथा पुरातत्त्वीय स्थल और अवशेष अधिनियम, 1958 कहा जा सकेगा।

[1][(2) इसका विस्तार सम्पूर्ण भारत पर है।]

(3) यह उस तारीख को प्रवृत्त होगा, जिसे केन्द्रीय सरकार शासकीय राजपत्र में अधिसूचना द्वारा, नियत करे।

परिभाषाएं।

2. इस अधिनियम में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो:—

(क) "प्राचीन संस्मारक" से कोई संरचना, राचन या संस्मारक या कोई स्तूप या दफ़नगाह, या कोई गुफा, शैल-रूपकृति, उत्कीर्ण लेख या एकाश्मक जो ऐतिहासिक, पुरातत्त्वीय या कलात्मक रुचि का है और जो कम से कम एक सौ वर्षों से विद्यमान है, अभिप्रेत है, और इसके अन्तर्गत है—

(i) किसी प्राचीन संस्मारक के अवशेष,

(ii) किसी प्राचीन संस्मारक का स्थल,

(iii) किसी प्राचीन संस्मारक के स्थल से लगी हुई भूमि का ऐसा प्रभाग जो ऐसे संस्मारक को बाड़ से घेरने या आच्छादित करने या अन्यथा परिरक्षित करने के लिए अपेक्षित हो, तथा

(iv) किसी प्राचीन संस्मारक तक पहुंचने और उसके सुविधापूर्ण निरीक्षण के साधन ;

---

1. 1972 के अधिनियम संख्यांक 52 की धारा 33 द्वारा प्रतिस्थापित ।

(*b*) "antiquity" includes—

(*i*) any coin, sculpture, manuscript, epigraph, or other work of art or craftsmanship,

(*ii*) any article, object or thing detached from a building or cave,

(*iii*) any article, object or thing illustrative of science, art, crafts, literature, religion, customs, morals or politics in bygone ages,

(*iv*) any article, object or thing of historical interest, and

(*v*) any article, object or thing declared by the Central Government, by notification in the Official Gazette to be an antiquity for the purposes of this Act,

which has been in existence for not less than one hundred years;

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

(*d*) "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;

(*e*) "Director-General" means the Director-General of Archaeology, and includes any officer authorised by the Central Government to perform the duties of the Director-General;

(*f*) "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;

(*g*) "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;

(ख) "पुरावशेष" के अन्तर्गत है कम से कम एक सौ वर्षों से विद्यमान—

(i) कोई सिक्का, रूपकृति, हस्तलेख, पुरालेख या अन्य कलाकृति या कारीगरी का काम,

(ii) कोई वस्तु, पदार्थ या चीज जो किसी निर्माण या गुफा से विलग्न है,

(iii) कोई वस्तु, पदार्थ या चीज जो गत युगों के विज्ञान, कला, कारीगरियों, साहित्य, धर्म, रूढ़ियों, नैतिक आचार या राजनीति की दृष्टान्तस्वरूप है,

(iv) ऐतिहासिक रुचि की कोई वस्तु, पदार्थ या चीज, तथा

(v) कोई वस्तु, पदार्थ या चीज जिसका इस अधिनियम के प्रयोजनों के लिए पुरावशेष होना केन्द्रीय सरकार द्वारा, शासकीय राजपत्र में अधिसूचना द्वारा, घोषित किया गया है ;

(ग) "पुरातत्त्व अधिकारी" से भारत सरकार के पुरातत्त्व विभाग का कोई ऐसा अधिकारी अभिप्रेत है, जो सहायक पुरातत्त्व अधीक्षक से निम्नतर पंक्ति का नहीं है ;

(घ) "पुरातत्त्वीय स्थल और अवशेष" से कोई ऐसा क्षेत्र अभिप्रेत है, जिसमें ऐतिहासिक या पुरातत्त्वीय महत्व के ऐसे भग्नावशेष या परिशेष हैं या जिनके होने का युक्तियुक्त रूप से विश्वास किया जाता है, जो कम से कम एक सौ वर्षों से विद्यमान हैं, और इनके अन्तर्गत हैं—

(i) उस क्षेत्र से लगी हुई भूमि का ऐसा प्रभाग जो उसे बाड़ से घेरने या आच्छादित करने या अन्यथा परिरक्षित करने के लिए अपेक्षित हो, तथा

(ii) उस क्षेत्र तक पहुंचने और उसके सुविधापूर्ण निरीक्षण के साधन;

(ङ) "महानिदेशक" से पुरातत्त्व-महानिदेशक अभिप्रेत है और इसके अन्तर्गत केन्द्रीय सरकार द्वारा महानिदेशक के कर्तव्यों का पालन करने के लिए प्राधिकृत कोई अधिकारी है ;

(च) अपने व्याकरणिक रूपों और सजातीय पदों सहित—"अनुरक्षण" के अन्तर्गत हैं किसी संरक्षित संस्मारक को बाड़ से घेरना, उसे आच्छादित करना, उसकी मरम्मत करना, उसे पुनरुद्धार करना और उसकी सफाई करना, और कोई ऐसा कार्य करना जो किसी संरक्षित संस्मारक के परिरक्षण या उस तक सुविधापूर्ण पहुंच सुनिश्चित करने के प्रयोजन के लिए आवश्यक है ;

(छ) "स्वामी" के अन्तर्गत हैं—

(i) संयुक्त स्वामी जिसमें अपनी ओर से तथा अन्य संयुक्त स्वामियों की ओर से प्रबन्ध करने की शक्तियां निहित हैं और किसी ऐसे स्वामी के हक-उत्तराधिकारी, तथा

(ii) प्रबन्ध करने की शक्तियों का प्रयोग करने वाला कोई प्रबन्धक या न्यासी और ऐसे किसी प्रबन्धक या न्यासी का पद में उत्तरवर्ती ;

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

(*i*) "protected area" means any archaeological site and remains which is declared to be of national importance by or under this Act;

(*j*) "protected monument" means an ancient monument which is declared to be of national importance by or under this Act.

Construction of references to any law not in force in the State of Jammu and Kashmir.

[1][2A. Any reference in this Act to any law which is not in force in the State of Jammn and Kashmir shall, in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State.]

ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS OF NATIONAL IMPORTANCE

Certain ancient monuments, etc., deemed to be of national importance.

3. All ancient and historical monuments and all archaeological sites and remains which have been declared by the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951, or by section 126 of the States Reorganisation Act, 1956 to be of national importance shall be deemed to be ancient and historical monnments or archaeological sites and remains declared to be of national importance for the purposes of this Act. 71 of 1951 37 of 1956.

Power of Central Government to declare ancient monuments, etc. to be of national importance.

4. (*1*) Where the Central Government is of opinion that any ancient monument or archaeological site and remains not included in section 3 is of national importance, it may, by notification in the Official Gazette, give two months' notice of its intention to declare such ancient monument or archaeological site and remains to be of national importance; and a copy of every such notification shall be affixed in a conspicuous place near the monument or site and remains, as the case may he.

(2) Any person interested in any such ancient monument or archaeological site and remains may, within two months after the issue of the notification, object to the declaration of the monument, or the archaeological site and remains, to be of national importance.

(3) On the expiry of the said period of two months, the Central Government may, after considering the objections, if any, received by it, declare by notification in the Official Gazette, the ancient monument or the archaeological site and remains, as the case may be, to be of national importance.

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1. Ins. by Act 52 of 1972, s. 35.

Sections 2—4

(ज) "विहित" से इस अधिनियम के अधीन बनाए गए नियमों द्वारा विहित अभिप्रेत है ;

(झ) "संरक्षित क्षेत्र" से कोई ऐसा पुरातत्त्वीय स्थल और अवशेष अभिप्रेत है, जिसे इस अधिनियम के द्वारा या अधीन राष्ट्रीय महत्व का होना घोषित किया गया है ;

(ञ) "संरक्षित [संस्मारक" से कोई ऐसा प्राचीन संस्मारक अभिप्रेत है, जिसे इस अधिनियम के द्वारा या अधीन राष्ट्रीय महत्व का होना घोषित किया गया है।

जम्मु-कश्मीर राज्य में अप्रवृत्त विधिके प्रति निर्देशों का अर्थान्वयन ।

[1] [2क. इस अधिनियम में किसी ऐसी विधि के प्रति निर्देश का, जो जम्मु-कश्मीर राज्य में प्रवृत्त नहीं है, उस राज्य के संबंध में इस प्रकार अर्थान्वयन किया जाएगा मानो वह उस राज्य में प्रवृत्त तत्समान विधि के प्रति, यदि कोई हो, निर्देश है।]

## राष्ट्रीय महत्व के प्राचीन संस्मारक और पुरातत्त्वीय स्थल और अवशेष

कतिपय प्राचीन संस्मारकों आदि का राष्ट्रीय महत्व [के होना समझा जाना ।

3. सभी प्राचीन और ऐतिहासिक संस्मारक तथा सभी पुरातत्त्वीय स्थल और अवशेष, जिन्हें एनशियेन्ट एण्ड हिस्टोरिकल मान्यूमेन्ट्स एंड आर्कियोलाजिकल साइट्स एंड रिमेन्स (डिक्लेरेशन आफ नेशनल इम्पोर्टेंस) ऐक्ट, 1951 द्वारा या राज्य पुनर्गठन अधिनियम, 1956 की धारा 126 द्वारा राष्ट्रीय महत्व के होना घोषित किया गया है, इस अधिनियम के प्रयोजनों के लिए ऐसे प्राचीन और ऐतिहासिक संस्मारक या पुरातत्त्वीय स्थल और अवशेष समझे जाएंगे, जिन्हें राष्ट्रीय महत्व के होना घोषित किया गया है।

1951 का 71
1956 का 37]

of 1951
of 1956.

प्राचीन संस्मारकों आदि को राष्ट्रीय महत्व के होना घोषित करने की केन्द्रीय सरकार की शक्ति ।

4. (1) जहां कि केन्द्रीय सरकार की यह राय है कि कोई प्राचीन संस्मारक या पुरातत्त्वीय स्थल और अवशेष, जो धारा 3 के अन्तर्गत नहीं आता है, राष्ट्रीय महत्व का है वहां वह ऐसे प्राचीन संस्मारक या पुरातत्त्वीय स्थल और अवशेष को राष्ट्रीय महत्व का होना घोषित करने के अपने आशय की दो मास की सूचना, शासकीय राजपत्र में अधिसूचना द्वारा, दे सकेगी और हर ऐसी अधिसूचना की एक प्रति, यथास्थिति, संस्मारक या स्थल और अवशेष के समीप किसी सहजदृश्य स्थान में लगा दी जाएगी।

(2) ऐसे प्राचीन संस्मारक या पुरातत्त्वीय स्थल और अवशेष में हितबद्ध कोई व्यक्ति, अधिसूचना निकाले जाने के पश्चात् दो मास के भीतर, संस्मारक या पुरातत्त्वीय स्थल और अवशेष के राष्ट्रीय महत्व के होने की घोषणा पर आक्षेप कर सकेगा।

(3) उक्त दो मास की कालावधि के अवसान पर, केन्द्रीय सरकार, उन आक्षेपों के, यदि कोई हों, प्राप्त होने पर विचार करने के पश्चात्, शासकीय राजपत्र में अधिसूचना द्वारा, यथास्थिति, प्राचीन संस्मारक या पुरातत्त्वीय स्थल और अवशेष के राष्ट्रीय महत्व के होने की घोषणा कर सकेगी।

1. 1972 के अधिनियम संख्यांक 52 की धारा 33 द्वारा अंत: स्थापित।

(*4*) A notification published under sub-section (*3*) shall, unless and until it is withdrawn, be conclusive evidence of the fact that the ancient monument or the archaeological site and remains to which it relates is of national importance for the purposes of this Act.

PROTECTED MONUMENTS

Acquisition of rights in a protected monument.

5. (*1*) The Director-General may, with the sanction of the Central Government, purchase, or take a lease of, or accept a gift or bequest of, any protected monument.

(*2*) Where a protected monument is without an owner, the Director-General may, by notification in the Official Gazette, assume the guardianship of the monument.

(*3*) The owner of any protected monument may, by written instrument, constitute the Director-General the guardian of the monument, and the Director-General may, with the sanction of the Central Government, accept such guardianship.

(*4*) When the Director-General has accepted the guardianship of a monument under sub-section (*3*), the owner shall, except as expressly provided in this Act, have the same estate, right, title and interest in and to the monument as if the Director-General had not been constituted a guardian thereof.

(*5*) When the Director-General has accepted the guardianship of a monument under sub-section (*3*), the provisions of this Act relating to agreements executed under section 6 shall apply to the written instrument executed under the said sub-section.

(*6*) Nothing in this section shall affect the use of any protected monument for customary religious observances.

Preservation of protected monument by agreement.

6. (*1*) The Collector, when so directed by the Central Government, shall propose to the owner of a protected monument to enter into an agreement with the Central Government within a specified period for the maintenance of the monument.

(*2*) An agreement under this section may provide for all or any of the following matters, namely:—

(*a*) the maintenance of the monument;

(*b*) the custody of the monument and the duties of any person who may be employed to watch it;

(*c*) the restriction of the owner's right—

(*i*) to use the monument for any purpose,

(*ii*) to charge any fee for entry into, or inspection of, the monument,

(4) उपधारा (3) के अधीन प्रकाशित अधिसूचना, जब तक और जहां तक कि वह प्रत्याहृत नहीं कर ली जाती, इस तथ्य का निश्चायक साक्ष्य होगी कि वह संस्मारक या पुरातत्त्वीय स्थल और अवशेष, जिसके संबंध में वह अधिसूचना है, इस अधिनियम के प्रयोजनों के लिए राष्ट्रीय महत्व का है।

## संरक्षित संस्मारक

संरक्षित संस्मारक में अधिकारों का अर्जन।

5. (1) महानिदेशक, केन्द्रीय सरकार की मंजूरी से, किसी संरक्षित संस्मारक का क्रय कर सकेगा, या पट्टा ले सकेगा, या दान या वसीयत प्रतिगृहीत कर सकेगा।

(2) जहां कि कोई संरक्षित संस्मारक बिना स्वामी का है, वहां महानिदेशक, शासकीय राजपत्र में अधिसूचना द्वारा, उस संस्मारक की संरक्षकता सम्भाल सकेगा।

(3) संरक्षित संस्मारक का स्वामी, लिखित लिखत द्वारा महानिदेशक को उस संस्मारक का संरक्षक नियत कर सकेगा और महानिदेशक, केन्द्रीय सरकार की मंजूरी से ऐसी संरक्षकता प्रतिगृहीत कर सकेगा।

(4) जबकि महानिदेशक ने उपधारा (3) के अधीन किसी संस्मारक की संरक्षकता प्रतिगृहीत कर ली है, तब स्वामी, इस अधिनियम में अभिव्यक्त रूप से उपबन्धित के सिवाय, संस्मारक में वही संपदा, अधिकार, हक और हित रखेगा मानो महानिदेशक उसका संरक्षक नहीं नियत किया गया है।

(5) जबकि महानिदेशक ने उपधारा (3) के अधीन किसी संस्मारक की संरक्षकता प्रतिगृहीत कर ली है, तब इस अधिनियम के वे उपबंध, जो धारा 6 के अधीन निष्पादित करारों से संबंधित हैं उक्त उपधारा के अधीन निष्पादित लिखित लिखत को लागू होंगे।

(6) इस धारा में की कोई भी बात किसी संरक्षित संस्मारक के, रूढ़िगत धार्मिक आचारों के लिए उपयोग पर प्रभाव नहीं डालेगी।

संरक्षित संस्मारक का करार द्वारा परिरक्षण।

6. (1) कलक्टर, जबकि उसे केन्द्रीय सरकार द्वारा ऐसे निर्दिष्ट किया जाए किसी संरक्षित संस्मारक के स्वामी से, संस्मारक के अनुरक्षण के लिए विनिर्दिष्ट कालावधि के भीतर केन्द्रीय सरकार से करार करने के लिए प्रस्थापना करेगा।

(2) इस धारा के अधीन का करार निम्नलिखित सभी विषयों या उनमें से किसी के लिए उपबन्ध कर सकेगा, अर्थात्:—

(क) संस्मारक का अनुरक्षण;

(ख) संस्मारक की अभिरक्षा और उस व्यक्ति के कर्तव्य जो उसकी रखवाली करने के लिए नियोजित किया जाए;

(ग) स्वामी के—

(i) किसी प्रयोजन के लिए संस्मारक का उपयोग करने के,

(ii) संस्मारक में प्रवेश या उसके निरीक्षण के लिए कोई फीस लगाने के,

(iii) to destroy, remove, alter or deface the monument, or

(iv) to build on or near the site of the monument;

(*d*) the facilities of access to be permitted to the public or any section thereof or to archaeological officers or to persons deputed by the owner or any archaeological officer or the Collector to inspect or maintain the monument;

(*e*) the notice to be given to the Central Government in case the land on which the monument is situated or any adjoining land is offered for sale by the owner, and the right to be reserved to the Central Government to purchase such land, or any specified portion of such land, at its market value;

(*f*) the payment of any expenses incurred by the owner or by the Central Government in connection with the maintenance of the monument;

(*g*) the proprictary or other rights which are to vest in the Central Government in respect of the monument when any expenses are incurred by the Central Government in connection with the maintenance of the monument;

(*h*) the appointment of an authority to decide any dispute arising out of the agreement; and

(*i*) any matter connected with the maintenance of the monument which is a proper subject of agreement between the owner and the Central Government.

(*3*) The Central Government or the owner may, at any time after the expiration of three years from the date of execution of an agreement under this section, terminate it on giving six months' notice in writing to the other party :

Provided that where the agreement is terminated by the owner, he shall pay to the Central Government the expenses, if any, incurred by it on the maintenance of the monument during the five years immediately preceding the termination of the agreement or, if the agreement has been if force for a shorter period, during the period the agreement was in force.

(*4*) An agreement under this section shall be binding on any person claiming to be the owner of the monument to which it relates, from, through or under a party by whom or on whose behalf the agreement was executed.

Owners under disability or not in possession.

7. (*1*) If the owner of a protected monument is unable, by reason of infancy or other disability, to act for himself, the person legally competent to act on his behalf may exercise the powers conferred upon an owner by section 6.

(iii) संस्मारक के नष्ट करने, हटाने, परिवर्तित करने या विरूपित करने के, या

(iv) संस्मारक के स्थल पर या उसके समीप निर्माण करने के, अधिकार का निर्बन्धन ;

(घ) पहुंच की सुविधाएं जो जनता को या उसके किसी अनुभाग को या पुरातत्व अधिकारियों को या स्वामी या किसी पुरातत्व अधिकारी या कलक्टर द्वारा संस्मारक के निरीक्षण या अनुरक्षण के लिए प्रतिनियुक्त व्यक्तियों को अनुज्ञात की जानी हैं ;

(ङ) उस दशा में, जिसमें वह भूमि जिस पर संस्मारक स्थित है या उससे लगी हुई भूमि स्वामी द्वारा विक्रय के लिए प्रस्थापित की जाती है, वह सूचना जो केन्द्रीय सरकार को दी जानी है और ऐसी भूमि या ऐसी भूमि के किसी विनिर्दिष्ट प्रभाग को उसके बाजार भाव पर क्रय करने का वह अधिकार जिसे केन्द्रीय सरकार के लिए आरक्षित किया जाना है ;

(च) संस्मारक के अनुरक्षण के संबंध में स्वामी द्वारा या केन्द्रीय सरकार द्वारा उपगत किन्हीं व्ययों का संदाय ;

(छ) जबकि संस्मारक के अनुरक्षण के संबंध में केन्द्रीय सरकार द्वारा कोई व्यय उपगत किए जाते हैं, तब वे साम्पत्तिक या अन्य अधिकार जो संस्मारक के विषय में केन्द्रीय सरकार में निहित होने हैं ;

(ज) करार से उद्भूत होने वाले किसी विवाद का विनिश्चय करने के लिए किसी प्राधिकारी की नियुक्ति, तथा

(झ) संस्मारक के अनुरक्षण से संबंधित कोई विषय, जो स्वामी और केन्द्रीय सरकार के बीच करार का उचित विषय है।

(3) केन्द्रीय सरकार या स्वामी, इस धारा के अधीन किसी करार के निष्पादन की तारीख से तीन वर्ष के अवसान के पश्चात् किसी समय दूसरे पक्षकार को छह मास की लिखित सूचना देकर उसे समाप्त कर सकेगा :

परन्तु जहां कि करार स्वामी द्वारा समाप्त किया जाता है, वहां वह केन्द्रीय सरकार को, करार की समाप्ति से ठीक पूर्ववर्ती पांच वर्ष के दौरान या यदि करार अल्पतर कालावधि के लिए प्रवृत्त रहा है, तो करार के प्रवर्तन में रहने की कालावधि के दौरान उसके द्वारा संस्मारक के अनुरक्षण पर उपगत व्यय, यदि कोई हों, संदत्त करेगा।

(4) इस धारा के अधीन कोई करार, उस पक्षकार के व्युत्पन्न अधिकार से, के द्वारा या के अधीन, जिसके द्वारा या जिसकी ओर से करार निष्पादित किया गया था, उस संस्मारक का जिसके संबंध में वह करार है स्वामी होने का दावा करने वाले किसी भी व्यक्ति पर आबद्धकर होगा।

निर्योग्यताधीन या कब्जाविहीन स्वामी।

7. (1) यदि संरक्षित संस्मारक का स्वामी, बाल्यावस्था या अन्य निर्योग्यता के कारण, अपने लिए कार्य करने में असमर्थ है, तो वह व्यक्ति, जो उसकी ओर से कार्य करने के लिए विधिक रूप में सक्षम है, उन शक्तियों का प्रयोग कर सकेगा जो धारा 6 द्वारा स्वामी को प्रदत्त हैं।

(2) In the case of village property, the headman or other village-officer exercising powers of management over such property may exercise the powers conferred upon an owner by section 6.

(3) Nothing in this section shall be deemed to empower any person not being of the same religion as the person on whose behalf he is acting to make or execute an agreement relating to a protected monument which or any part of which is periodically used for the religious worship or observances of that religion.

Application of endowment to repair a protected monument.

8. (1) If any owner or other person competent to enter into an agreement under section 6 for the maintenance of a protected monument refuses or fails to enter into such an agreement, and if any endowment has been created for the purpose of keeping such monument in repair or for that purpose among others, the Central Government may institute a suit in the court of the district judge, or, if the estimated cost of repairing the monument does not exceed one thousand rupees, may make an application to the district judge, for the proper application of such endowment or part thereof.

(2) On the hearing of an application under sub-section (1), the district judge may summon and examine the owner and any person whose evidence appears to him necessary and may pass an order for the proper application of the endowment or of any part thereof, and any such order may be executed as if it were a decree of a civil court.

Failure or refusal to enter into an agreement.

9. (1) If any owner or other person competent to enter into an agreement under section 6 for the maintenance of a protected monument refuses or fails to enter into such an agreement, the Central Government may make an order providing for all or any of the matters specified in sub-section (2) of section 6 and such order shall be binding on the owner or such other person and on every person claiming title to the monument from, through or under, the owner or such other person.

(2) Where an order made under sub-section (1) provides that the monument shall be maintained by the owner or other person competent to enter into an agreement, all reasonable expenses for the maintenance of the monument shall be payable by the Central Government.

(3) No order under sub-section (1) shall be made unless the owner or other person has been given an opportunity of making a representation in writing against the proposed order.

Power to make order prohibiting contravention of agreement under section 6.

10. (1) If the Director-General apprehends that the owner or occupier of a protected monument intends to destroy, remove, alter, deface, imperil or misuse the monument or to build on or near the site thereof in contravention of the terms of an agreement under section 6, the Director-General may, after giving the owner or occupier an opportunity of making a representation in writing make an order prohibiting any such contravention of the agreement:

(2) ग्राम की सम्पत्ति की दशा में, ऐसी सम्पत्ति पर प्रबन्ध करने की शक्तियों का प्रयोग करने वाला ग्रामीण या अन्य ग्राम अधिकारी उन शक्तियों का प्रयोग कर सकेगा जो धारा 6 द्वारा स्वामी को प्रदत्त हैं।

(3) इस धारा की कोई बात ऐसे किसी व्यक्ति को, जो उसी धर्म का न हो, जिसका वह व्यक्ति है, जिसकी ओर से वह कार्य कर रहा है, उस संरक्षित संस्मारक के सम्बन्ध में जो या जिसका कोई भाग कालिकतः उस धर्म की धार्मिक पूजा या आचारों के लिए उपयोग में लाया जाता है, किसी क़रार को करने या निष्पादित करने के लिए सशक्त करने वाली नहीं समझी जाएगी।

संरक्षित संस्मारक की मरम्मत के लिए विन्यास का उपयोजन।

8. (1) यदि कोई स्वामी या अन्य व्यक्ति, जो किसी संरक्षित संस्मारक के अनुरक्षण के लिए धारा 6 के अधीन क़रार करने को सक्षम है, ऐसा क़रार करने से इंकार करता है या करने में असफल रहता है, और यदि ऐसे संस्मारक की मरम्मत करने के प्रयोजन के लिए या अन्य प्रयोजनों में से इस प्रयोजन के लिए भी किसी विन्यास की सृष्टि की गई है, तो केन्द्रीय सरकार, ऐसे विन्यास या उसके भाग के उचित उपयोजन के लिए, जिला न्यायाधीश के न्यायालय में वाद संस्थित कर सकेगी या, यदि संस्मारक की मरम्मत कराने का प्राक्कलित व्यय एक हजार रुपए से अधिक नहीं है, तो जिला न्यायाधीश को आवेदन कर सकेगी।

(2) उपधारा (1) के अधीन आवेदन की सुनवाई पर, जिला न्यायाधीश, स्वामी और किसी ऐसे व्यक्ति को, जिसका साक्ष्य उसे आवश्यक प्रतीत होता है, समन कर सकेगा और उनकी परीक्षा कर सकेगा और उस विन्यास या उसके किसी भाग के उचित उपयोजन के लिए आदेश पारित कर सकेगा, और ऐसा कोई आदेश ऐसे निष्पादित किया जाएगा मानो वह किसी सिविल न्यायालय की डिक्री हो।

क़रार करने में असफलता या क़रार करने से इंकार।

9. (1) यदि कोई स्वामी या अन्य व्यक्ति जो संरक्षित संस्मारक के अनुरक्षण के लिए धारा 6 के अधीन करार करने के लिए सक्षम है, ऐसा क़रार करने से इंकार करता है या करने में असफल रहता है, तो केन्द्रीय सरकार धारा 6 की उपधारा (2) में विनिर्दिष्ट सभी या किन्हीं बातों के लिए उपबन्ध करने वाला आदेश कर सकेगी और ऐसा आदेश स्वामी या ऐसे अन्य व्यक्ति पर और स्वामी या ऐसे अन्य व्यक्ति से व्युत्पन्न अधिकार से, के द्वारा या के अधीन संस्मारक में हक़ का दावा करने वाले हर व्यक्ति पर आबद्धकर होगा।

(2) जहां कि उपधारा (1) के अधीन किया गया आदेश यह उपबन्ध करता है कि संस्मारक का अनुरक्षण क़रार करने के लिए सक्षम स्वामी या अन्य व्यक्ति द्वारा किया जाएगा, वहां संस्मारक के अनुरक्षण के लिए सभी युक्तियुक्त व्यय केन्द्रीय सरकार द्वारा संदेय होंगे।

(3) उपधारा (1) के अधीन कोई भी आदेश तब के सिवाय नहीं किया जाएगा जब कि स्वामी को या अन्य व्यक्ति को प्रस्तापित आदेश के विरुद्ध लिखित अभिवेदन करने का अवसर दे दिया गया है।

धारा 6 के अधीन के क़रार का उल्लंघन प्रतिषिद्ध करने वाला आदेश करने की शक्ति।

10. (1) यदि महानिदेशक यह आशंका करता है कि किसी संरक्षित संस्मारक का स्वामी या अधिभोगी, धारा 6 के अधीन के क़रार के निबन्धनों के उल्लंघन में संस्मारक को नष्ट करने, हटाने, परिवर्तित करने, विरूपित करने, खतरे में डालने या उसका दुरुपयोग करने या उसके स्थल पर या के समीप निर्माण करने का आशय रखता है, तो महानिदेशक, स्वामी या अधिभोगी को लिखित अभिवेदन करने का अवसर देने के पश्चात्, क़रार का ऐसा कोई उल्लंघन प्रतिषिद्ध करने वाला आदेश कर सकेगा :

Provided that no such opportunity may be given in any case where the Director-General, for reasons to be recorded, is satisfied that it is not expedient or practicable to do so.

(2) Any person aggrieved by an order under this section may appeal to the Central Government within such time and in such manner as may be prescribed and the decision of the Central Government shall be final.

Enforcement of agreements.

11. (1) If an owner or other person who is bound by an agreement for the maintenance of a monument under section 6 refuses or fails within such reasonable time as the Director-General may fix, to do any act which in the opinion of the Director-General is necessary for the maintenance of the monument, the Director-General may authorise any person to do any such act, and the owner or other person shall be liable to pay the expenses of doing any such act or such portion of the expenses as the owner may be liable to pay under the agreement.

(2) If any dispute arises regarding the amount of expenses payable by the owner or other person under sub-section (1), it shall be referred to the Central Government whose decision shall be final.

Purchases at certain sales and persons claiming through owner bound by instrument executed by owner.

12. Every person who purchases, at a sale for arrears of land revenue or any other public demand, any land on which is situated a monument in respect of which any instrument has been executed by the owner for the time being under section 5 or section 6, and every person claiming any title to a monument from, through or under, an owner who executed any such instrument, shall be bound by such instrument.

Acquisition of protected monuments.

13. If the Central Government apprehends that a protected monument is in danger of being destroyed, injured, misused, or allowed to fall into decay, it may acquire the protected monument under the provisions of the Land Acquisition Act, 1894 as if the maintenance of the protected monument were a public purpose within the meaning of that Act. 1 of 1894

Maintenance of certain protected monuments.

14. (1) The Central Government shall maintain every monument which has been acquired under section 13 or in respect of which any of the rights mentioned in section 5 have been acquired.

(2) When the Director-General has assumed the guardianship of a monument under section 5, he shall, for the purpose of maintaining such monument, have access to the monument at all reasonable times, by himself and by his agents, subordinates and workmen, for the purpose of inspecting the monument and for the purpose of bringing such materials and doing such acts as he may consider necessary or desirable for the maintenance thereof.

Voluntary contributions.

15. The Director-General may receive voluntary contributions towards the cost of maintaining a protected monument and may give orders as to the management and application of any funds so received by him:

परन्तु ऐसा कोई अवसर किसी ऐसी दशा में नहीं भी दिया जा सकेगा, जिसमें महानिदेशक का उन कारणों से, जो अभिलिखित किए जाएंगे, यह समाधान हो जाता है कि वैसा करना समीचीन या साध्य नहीं है।

(2) इस धारा के अधीन के आदेश से व्यथित कोई भी व्यक्ति केन्द्रीय सरकार से, ऐसे समय के भीतर और ऐसी रीति में, जैसी विहित की जाए, अपील कर सकेगा और केन्द्रीय सरकार का विनिश्चय अंतिम होगा।

क़रारों का प्रवर्तन।

11. (1) यदि कोई स्वामी या अन्य व्यक्ति जो धारा 6 के अधीन संस्मारक के अनुरक्षण के लिए क़रार द्वारा आबद्ध है, कोई ऐसा कार्य, जो महानिदेशक की राय में संस्मारक के अनुरक्षण के लिए आवश्यक है, ऐसे युक्तियुक्त समय के भीतर, जो महानिदेशक नियत करे, करने से इंकार करता है या करने में असफल रहता है, तो महानिदेशक ऐसा कोई कार्य करने के लिए किसी भी व्यक्ति को प्राधिकृत कर सकेगा, और स्वामी या अन्य व्यक्ति किसी ऐसे कार्य करने के व्ययों या व्ययों के ऐसे प्रभाग के, जिसके संदाय के लिए स्वामी क़रार के अधीन दायी हो, संदाय के लिए दायी होगा।

(2) यदि उपधारा (1) के अधीन स्वामी या अन्य व्यक्ति द्वारा संदेय व्ययों की रकम की बाबत कोई विवाद उद्भूत होता है, तो वह केन्द्रीय सरकार को निर्देशित किया जाएगा जिसका विनिश्चय अंतिम होगा।

कतिपय विक्रयों के क्रताओं और स्वामी से व्युत्पन्न अधिकार द्वारा दावा करने वाले व्यक्तियों का स्वामी द्वारा निष्पादित लिखत से आबद्ध होना।

12. हर व्यक्ति जो भू-राजस्व की बकाया या अन्य किसी लोक मांग के लिए विक्रय पर, उस भूमि का क्रय करता है जिस पर ऐसा संस्मारक स्थित है जिसके बारे में धारा 5 या धारा 6 के अधीन तत्समय के स्वामी द्वारा कोई लिखत निष्पादित की गई है, और हर ऐसा व्यक्ति, जो उस स्वामी से व्युत्पन्न अधिकार से, के द्वारा या के अधीन, जिसने कोई ऐसी लिखत निष्पादित की है, संस्मारक पर किसी हक़ का दावा करता है, ऐसी लिखत से आबद्ध होगा।

संरक्षित संस्मारकों का अर्जन।

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13. यदि केन्द्रीय सरकार यह आशंका करती है कि किसी संरक्षित संस्मारक के नष्ट हो जाने, क्षत हो जाने, दुरुपयोग में लाए जाने या क्षयग्रस्त होने दिए जाने का खतरा है, तो वह भूमि अर्जन अधिनियम, 1894 के उपबन्धों के अधीन उस संरक्षित संस्मारक का अर्जन ऐसे कर सकेगी, मानो संरक्षित संस्मारक का अनुरक्षण उस अधिनियम के अर्थ के भीतर लोक प्रयोजन है।

[14 का 1

कतिपय संरक्षित संस्मारकों का अनुरक्षण।

14. (1) केन्द्रीय सरकार हर ऐसे संस्मारक का अनुरक्षण करेगी, जो धारा 13 के अधीन अर्जित किया गया है या जिसके बारे में धारा 5 में वर्णित अधिकारों में से कोई अर्जित किए गए हैं।

(2) जबकि महानिदेशक ने धारा 5 के अधीन किसी संस्मारक की संरक्षकता संभाली है, तब उसकी ऐसे संस्मारक के अनुरक्षण के प्रयोजन के लिए, सभी युक्ति-युक्त समयों पर, स्वयं या अपने अभिकर्ताओं, अधीनस्थों और कर्मकारों द्वारा संस्मारक का निरीक्षण करने के प्रयोजन के लिए और ऐसी सामग्री लाने और ऐसे कार्य करने के प्रयोजन के लिए, जिन्हें वह उसके अनुरक्षण के लिए आवश्यक या वांछनीय समझे, संस्मारक तक पहुंच होगी।

स्वैच्छिक अभिदाय।

15. महानिदेशक किसी संरक्षित संस्मारक के अनुरक्षण के खर्च के निमित्त स्वैच्छिक अभिदाय प्राप्त कर सकेगा और अपने द्वारा ऐसे प्राप्त की गई किन्हीं भी निधियों के प्रबन्ध और उपयोजन के संबंध में आदेश दे सकेगा:

Provided that no contribution received under this section shall be applied to any purpose other than the purpose for which it was contributed.

Protection of place of worship from misuse, pollution or description.

16. (*1*) A protected monument maintained by the Central Government under this Act which is a place of workship or shrine shall not be used for any purpose inconsistent with its character.

(*2*) Where the Central Government has acquired a protected monument under section 13, or where the Director-General has purchased, or taken a lease or accepted a gift or bequest or assumed guardianship of a protected monument under section 5, and such monument or any part thereof is used for religious worship or observances by any community, the Collector shall make due provision for the protection of such monument or part thereof, from pollution or desecration—

(*a*) by prohibiting the entry therein, except in accordance with the conditions prescribed with the concurrence of the persons, if any, in religious charge of the said monument or part thereof, of any person not entitled so to enter by the religious usages of the community by which the monument or part thereof is used, or

(*b*) by taking such other action as he may think necessary in this behalf.

Relinquishment of Government rights in a monument.

17. With the sanction of the Central Government, the Director-General may,—

(*a*) where rights have been acquired by the Director-General in respect of any monument under this Act by virtue of any sale, lease, gift or will, relinquish, by notification in the Official Gazette, the rights so acquired to the person who would for the time being be the owner of the monument if such rights had not been acquired; or

(*b*) relinquish any guardianship of a monument which he has assumed under this Act.

Right of access to protected monuments.

18. Subject to any rules made under this Act, the public shall have a right of access to any protected monument.

## Protected areas

Restriction on enjoyment of property right in protected areas.

19. (*1*) No person, including the owner or occupier of a protected area, shall construct any building within the protected area or carry on any mining, quarrying, excavating, blasting or any operation of a like nature in such area, or utilise such area or any part thereof in any other manner without the permission of the Central Government:

परन्तु इस धारा के अधीन प्राप्त किया गया कोई अभिदाय उस प्रयोजन से भिन्न, जिसके लिए वह अभिदाय किया गया था, किसी अन्य प्रयोजन के लिए उपयोजित नहीं किया जाएगा ।

दुरुपयोग किए जाने प्रदूषित किए जाने या अपवित्र किए जाने से पूजा के स्थान का संरक्षण ।

16. (1) इस अधिनियम के अधीन केन्द्रीय सरकार द्वारा अनुरक्षित कोई संस्मारक, जो पूजा का स्थान या पवित्र-स्थान है, अपने स्वरूप से असंगत किसी प्रयोजन के लिए उपयोग में नहीं लाया जाएगा ।

(2) जहां कि केन्द्रीय सरकार ने किसी संरक्षित संस्मारक को धारा 13 के अधीन अर्जित किया है, या जहां कि महानिदेशक ने धारा 5 के अधीन किसी संरक्षित संस्मारक का क्रय किया है या पट्टे पर लिया है या दान या वसीयत प्रतिगृहीत किया है या उसकी संरक्षकता संभाली है, और ऐसा संस्मारक या उसका कोई भाग धार्मिक पूजा या आचारों के लिए किसी समुदाय द्वारा उपयोग में लाया जाता है, वहां कलक्टर ऐसे संस्मारक या उसके भाग के प्रदूषित या अपवित्र किए जाने से संरक्षण के लिए निम्नलिखित प्रकार से सम्यक् उपबन्ध करेगा—

(क) उन शर्तों के अनुसार प्रवेश के सिवाय जो उक्त संस्मारक या उसके किसी भाग के धार्मिक भारसाधक व्यक्तियों की, यदि कोई हो, सहमति से विहित की गई हों, किसी ऐसे व्यक्ति का, जो उस समुदाय की, जिसके द्वारा वह संस्मारक या उसका कोई भाग उपयोग में लाया जाता हो, धार्मिक प्रथाओं द्वारा इस प्रकार प्रवेश करने का हकदार न हो, उसमें प्रवेश प्रतिषिद्ध करके, अथवा

(ख) कोई ऐसी अन्य कार्रवाई करके, जिसे वह इस निमित्त आवश्यक समझे ।

किसी संस्मारक में सरकार के अधिकारों का त्याग ।

17. केन्द्रीय सरकार की मंजूरी से महानिदेशक,—

(क) जहां कि अधिकार महानिदेशक द्वारा इस अधिनियम के अधीन किसी संस्मारक के बारे में किसी विक्रय, पट्टा, दान या विल के आधार पर अर्जित किए गए हैं, वहां शासकीय राजपत्र में अधिसूचना द्वारा, इस प्रकार अर्जित अधिकारों को उस व्यक्ति के पक्ष में त्याग सकेगा, जो संस्मारक का तत्समय स्वामी हुआ होता, यदि ऐसे अधिकार अर्जित न किए गए होते; अथवा

(ख) संस्मारक की कोई ऐसी संरक्षकता त्याग सकेगा जो उसने इस अधिनियम के अधीन संभाली है ।

संरक्षित संस्मारकों तक पहुंच का अधिकार ।

18. इस अधिनियम के अधीन बनाए गए किन्हीं नियमों के अध्यधीन रहते हुए, जनता को किसी भी संरक्षित संस्मारक तक पहुंच का अधिकार होगा ।

## संरक्षित क्षेत्र

संरक्षित क्षेत्रों में सम्पत्ति अधिकारों के उपभोग पर निर्बन्धन ।

19. (1) कोई भी व्यक्ति, जिसके अन्तर्गत संरक्षित क्षेत्र का स्वामी या अधिभोगी भी है, संरक्षित क्षेत्र के भीतर किसी भवन का सन्निर्माण या ऐसे क्षेत्र में कोई खनन, खदान क्रिया, उत्खनन, विस्फोट या इसी प्रकार की कोई क्रिया नहीं करेगा और न केन्द्रीय सरकार की अनुज्ञा के बिना ऐसे क्षेत्र या उसके किसी भाग का उपयोग किसी अन्य रीति से करेगा:

Provided that nothing in this sub-section shall be deemed to prohibit the use of any such area or part thereof for purposes of cultivation if such cultivation does not involve the digging of not more than one foot of soil from the surface.

(2) The Central Government may, by order, direct that any building constructed by any person within a protected area in contravention of the provisions of sub-section (*1*) shall be removed within a specified period and, if the person refuses or fails to comply with the order, the Collector may cause the building to be removed and the person shall be liable to pay the cost of such removal.

Power to acquire a protected area.

20. If the Central Government is of opinion that any protected area contains an ancient monument or antiquities of national interest and value, it may acquire such area under the provisions of the Land Acquisition Act, 1894, as if the acquisition were for a public purpose within the meaning of that Act. 1 of 1894.

ARCHAEOLOGICAL EXCAVATIONS

Excavations in protected areas.

21. An archaeological officer or an officer authorised by him in this behalf or any person holding a licence granted in this behalf under this Act (hereinafter referred to as the licensee) may, after giving notice in writing to the Collector and the owner, enter upon and make excavations in any protected area.

Excavations in areas other than protected areas.

22. Where an archaeological officer has reason to believe that any area not being a protected area contains ruins or relics of historical or archaeological importance, he or an officer authorised by him in this behalf may, after giving notice in writing to the Collector and the owner, enter upon and make excavations in the area.

Compulsory purchase of antiquities, etc., discovered during excavation operations.

23. (*1*) Where, as a result of any excavations made in any area under section 21 or section 22, any antiquities are discovered, the archaeological officer or the licensee, as the case may be, shall,—

(*a*) as soon as practicable, examine such antiquities and submit a report to the Central Government in such manner and containing such particulars as may be prescribed;

(*b*) at the conclusion of the excavation operations, give notice in writing to the owner of the land from which such antiquities have been discovered, of the nature of such antiquities.

(2) Until an order for the [1][compulsory acquisition] of any such antiquities is made under sub-section (*3*), the archaeological officer or the licensee, as the case may be, shall keep them insuch safe custody as he may deem fit.

(*3*) On receipt of a report under sub-section (*1*), the Central Government may make an order for the [1][compulsory acquisition of any such antiquities.]

1. Subs. by Act 52 of 1972, s. 33

परन्तु इस उपधारा की कोई भी बात ऐसे किसी क्षेत्र या उसके भाग का खेती करने के प्रयोजनों के लिए उपयोग प्रतिषिद्ध करने वाली नहीं समझी जाएगी, यदि ऐसी खेती में भूतल से एक फुट से अधिक मिट्टी का खोदना नहीं होता है।

(2) केन्द्रीय सरकार आदेश द्वारा यह निर्दिष्ट कर सकेगी कि संरक्षित क्षेत्र के भीतर उपधारा (1) के उपबन्धों के उल्लंघन में किसी व्यक्ति द्वारा सन्निर्मित किसी भवन को विनिर्दिष्ट कालावधि के भीतर हटा दिया जाए और यदि वह व्यक्ति आदेश के अनुपालन से इन्कार करता है या करने में असफल रहता है, तो कलक्टर उस निर्माण को हटवा सकेगा और वह व्यक्ति ऐसे हटाए जाने के खर्च के संदाय के लिए दायी होगा।

संरक्षित क्षेत्र को अर्जित करने की शक्ति।

20. यदि केन्द्रीय सरकार की यह राय है कि किसी संरक्षित क्षेत्र में राष्ट्रीय हित और मूल्य का कोई प्राचीन संस्मारक या पुरावशेष है, तो वह ऐसे क्षेत्र का अर्जन भूमि अर्जन अधिनियम, 1894 के उपबंधों के अधीन ऐसे कर सकेगी मानो वह अर्जन उस अधिनियम के अर्थ के भीतर लोक प्रयोजन के लिए है।

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## पुरातत्त्वीय उत्खनन

संरक्षित क्षेत्रों में उत्खनन।

21. पुरातत्त्व अधिकारी या इस निमित्त उसके द्वारा प्राधिकृत अधिकारी या इस अधिनियम के अधीन इस निमित्त दी गई अनुज्ञप्ति धारण करने वाला कोई व्यक्ति (जिसे एतस्मिन्पश्चात् अनुज्ञप्तिधारी कहा गया है), कलक्टर और स्वामी को लिखित सूचना देने के पश्चात् किसी संरक्षित क्षेत्र में प्रवेश कर सकेगा और उसमें उत्खनन कर सकेगा।

संरक्षित क्षेत्रों से भिन्न क्षेत्रों में उत्खनन।

22. जहां कि पुरातत्त्व अधिकारी के पास यह विश्वास करने का कारण है कि किसी क्षेत्र में, जो संरक्षित क्षेत्र नहीं है, ऐतिहासिक या पुरातत्त्वीय महत्व के भग्नावशेष या परिशेष हैं, वहां कलक्टर और स्वामी को लिखित सूचना देने के पश्चात् वह या उसके द्वारा इस निमित्त प्राधिकृत अधिकारी, उस क्षेत्र में प्रवेश कर सकेगा और उसमें उत्खनन कर सकेगा।

उन पुरावशेषों आदि का अनिवार्य क्रय जिनका पता उत्खनन संक्रियाओं के दौरान चलता है।

23. (1) जहां कि धारा 21 या धारा 22 के अधीन किसी क्षेत्र में किए गए उत्खननों के परिणामस्वरूप किन्हीं पुरावशेषों का पता चलता है, वहां, यथास्थिति, पुरातत्त्व-अधिकारी या अनुज्ञप्तिधारी,—

(क) यथासाध्य शीघ्र ऐसे पुरावशेषों की परीक्षा करेगा और केन्द्रीय सरकार को ऐसी रीति से और ऐसी विशिष्टियों वाली रिपोर्ट निवेदित करेगा, जैसी विहित की जाए;

(ख) उत्खनन संक्रियाओं की समाप्ति पर, उस भूमि के स्वामी को, जिसमें ऐसे पुरावशेषों का पता चला है, ऐसे पुरावशेषों की प्रकृति की लिखित सूचना देगा।

(2) जब तक कि उपधारा (3) के अधीन ऐसे पुरावशेषों के [1][अनिवार्य अर्जन] के लिए आदेश नहीं कर दिया जाता तब तक, यथास्थिति, पुरातत्त्व-अधिकारी या अनुज्ञप्तिधारी उन्हें ऐसी सुरक्षित अभिरक्षा में रखेगा, जैसी वह ठीक समझे।

(3) उपधारा (1) के अधीन रिपोर्ट की प्राप्ति पर, केन्द्रीय सरकार [1][ऐसे किन्हीं पुरावशेषों के अनिवार्य अर्जन] के लिए आदेश कर सकेगी।

1. 1972 के अधिनियम संख्यांक 52 की धारा 33 द्वारा प्रतिस्थापित।

(*4*) When an order for the [1][compulsory acquisition] of any antiquities is made under sub-section (*3*), such antiquities shall rest in the Central Government with effect from the date of the order.

Excavations, etc., for archaeological purposes.

24. No State Government shall undertake or authorise any person to undertake any excavation or other like operation for archaeological purposes in any area which is not a protected area except with the previous approval of the Central Government and in accordance with such rules or directions, if any, as the Central Government may make or give in this behalf.

PROTECTION OF ANTIQUITIES

Power of Central Government to control moving of antiquities.

25. (*1*) If the Central Government considers that any antiquities or class of antiquities ought not to be moved from the place where they are without the sanction of the Central Government, the Central Government may, by notification in the Official Gazette, direct that any such antiquity or any class of such antiquities shall not be moved except with the written permission of the Director-General.

(*2*) Every application for permission under sub-section (*1*) shall be in such form and contain such particulars as may be prescribed.

(*3*) Any person aggrieved by an order refusing permission may appeal to the Central Government whose decision shall be final.

Purchase of antiquities by Central Government.

26. (*1*) If the Central Government apprehends that any antiquity mentioned in a notification issued under sub-section (*1*) of section 25 is in danger of being destroyed, removed, injured, misused or allowed to fall into decay or is of opinion that, by reason of its historical or archaeological importance, it is desirable to preserve such antiquity in a public place, the Central Government may make an order for the [1][compulsory acquisition of such antiquity] and the Collector shall thereupon give notice to the owner of the antiquity [1][to be acquired].

(*2*) Where a notice of [1][compulsory acquisition] is issued under sub-section (*1*) in respect of any antiquity, such antiquity shall vest in the Central Government with effect from the date of the notice.

(*3*) The power of [1][compulsory acquisition] given by this section shall not extend to any image or sybol actually used for *bona fide* religious observances.

PRINCIPLES OF COMPENSATION

Compensation for loss or damage.

27. Any owner or occupier of land who has sustained any loss or damage or any diminution of profits from the land by reason of any entry on, or excavations in, such land or the exercise of any other power conferred by this Act shall be paid compensation by the Central Government for such loss, damage or diminution of profits.

1. Subs. by Act 52 of 1972, s. 33 (iv) (a).

(4) जब कि उपधारा (3) के अधीन किन्हीं पुरावशेषों के [1][अनिवार्य अर्जन] के लिए आदेश किया जाता है, तो ऐसे पुरावशेष आदेश की तारीख को ओर से केन्द्रीय सरकार में निहित हो जाएंगे।

पुरातत्त्वीय प्रयोजनों के लिए उत्खनन आदि।

24. कोई भी राज्य सरकार किसी ऐसे क्षेत्र में, जो संरक्षित क्षेत्र नहीं है, पुरातत्त्वीय प्रयोजनों के लिए किसी उत्खनन या उसी प्रकार की अन्य संक्रिया का भार केन्द्रीय सरकार के पूर्व अनुमोदन से और ऐसे नियमों या निदेशों के, यदि कोई हों, जो केन्द्रीय सरकार इस निमित्त बनाए या दे, अनुसार लेने के सिवाय नहीं लेगी और न किसी अन्य व्यक्ति को ऐसा भार लेने के लिए प्राधिकृत करेगी।

## पुरावशेषों का संरक्षण

पुरावशेषों का हटाया जाना नियंत्रित करने की केन्द्रीय सरकार की शक्ति।

25. (1) यदि केन्द्रीय सरकार का यह विचार है कि केन्द्रीय सरकार की मंजूरी के बिना कोई पुरावशेष या पुरावशेष वर्ग उस स्थान से, जहां वे हैं, नहीं हटाए जाने चाहिएं, तो केन्द्रीय सरकार, शासकीय राजपत्र में अधिसूचना द्वारा, यह निदेश दे सकेगी कि ऐसा कोई पुरावशेष या ऐसा कोई पुरावशेष वर्ग महानिदेशक की लिखित अनुज्ञा से हटाए जाने के सिवाय नहीं हटाया जाएगा।

(2) उपधारा (1) के अधीन अनुज्ञा के लिए हर आवेदन ऐसे प्ररूप में होगा जैसा, और उसमें ऐसी विशिष्टियां होंगी जैसी विहित की जाएं।

(3) अनुज्ञा देने से इन्कार करने वाले आदेश से व्यथित व्यक्ति केन्द्रीय सरकार से अपील कर सकेगा, और उसका विनिश्चय अन्तिम होगा।

केन्द्रीय सरकार द्वारा पुरावशेषों का क्रय।

26. (1) यदि केन्द्रीय सरकार को यह आशंका है कि धारा 25 की उपधारा (1) के अधीन निकाली गई किसी अधिसूचना में वर्णित किसी पुरावशेष के नष्ट हो जाने, हटाए जाने, क्षत हो जाने, दुरुपयोग में लाए जाने या क्षयग्रस्त होने दिए जाने का खतरा है या उसकी यह राय है कि उसके ऐतिहासिक या पुरातत्त्वीय महत्व के कारण ऐसे पुरावशेष को लोक स्थान में परिरक्षित करना वांछनीय है, तो केन्द्रीय सरकार [1][ऐसे पुरावशेष के अनिवार्य अर्जन] का आदेश कर सकेगी और तदुपरि कलक्टर [1][अर्जित किए जाने वाले] पुरावशेष के स्वामी को सूचना देगा।

(2) जहां कि किसी पुरावशेष के बारे में उपधारा (1) के अधीन [1][अनिवार्य अर्जन] की सूचना दी जाती है, वहां ऐसा पुरावशेष सूचना की तारीख को ओर से केन्द्रीय सरकार में निहित हो जाएगा।

(3) इस धारा द्वारा दी गई अनिवार्य क्रय की शक्ति का विस्तार सद्भावी धार्मिक आचारों के लिए वस्तुतः उपयोग में लाई जाने वाली किसी प्रतिमा या प्रतीक पर न होगा।

## प्रतिकर के सिद्धान्त

हानि या नुकसान के लिए प्रतिकर।

27. भूमि के किसी स्वामी या अधिभोगी को, जिसे ऐसी भूमि पर प्रवेश या उत्खनन या इस अधिनियम द्वारा प्रदत्त किसी अन्य शक्ति के प्रयोग के कारण कोई हानि, नुकसान या भूमि से होने वाले लाभों में कमी हुई है, ऐसी हानि, नुकसान या लाभों में कमी के लिए केन्द्रीय सरकार द्वारा प्रतिकर संदत्त किया जाएगा।

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1. 1972 के अधिनियम संख्यांक 52 की धारा 33 द्वारा प्रतिस्थापित।

Assessment of market value of compensation.

28. (*1*) The market value of any property which the Central Government is empowered to purchase at such value under this Act or the compensation to be paid by the Central Government in respect of anything done under this Act shall, where any dispute arises in respect of such market value or compensation, be ascertained in the manner provided in sections 3, 5, 8 to 34, 45 to 47, 51 and 52 of the Land Acquisition Act, 1894, so far as they can be made applicable: 1 of 1894.

Provided that, when making an enquiry under the said Land Acquisition Act, the Collector shall be assisted by two assessors, one of whom shall be a competent person nominated by the Central Government and one a person nominated by the owner, or, in case the owner fails to nominate an assessor within such reasonable time as may be fixed by the Collector in this behalf, by the Collector.

[1][(2) For every antiquity in respect of which an order for compulsory acquisition has been made under sub-section (*3*) of section 23 or under sub-section (*1*) of section 26, there shall be paid compensation and the provisions of sections 20 and 22 of the Antiquities and Art Treasures Act, 1972 shall, so far as may be, apply in relation to the determination and payment of such compensation as they apply in relation to the determination and payment of compensation for any antiquity or art treasure compulsorily acquired under section 19 of that Act.] 52 of 1972

## MISCELLANEOUS

Delegation of powers.

29. The Central Government may, by notification in the Official Gazette, direct that any powers conferred on it by or under this Act shall, subject to such conditions as may be specified in the direction, be exercisable also by—

(*a*) such officer or authority subordinate to the Central Government, or

(*b*) such State Government or such officer or authority subordinate to the State Government,

as may be specified in the direction.

Penalties.

30. (*1*) Whoever—

(*i*) destroys, removes, inquires, alters, defaces, imperills or misuse a protected monument, or

(*ii*) being the owner or occupier of a protected monument, contravenes an order made under sub-section (*1*) of section 9 or under sub-section (*1*) of section 10, or

(*iii*) removes from a protected monument any sculpture, carving, image, bas-relief, inscription, or other like object, or

1. Subs by Act 52 of 1972, s. 33

ons 28—30]

वाजार-भाव या प्रतिकर का निर्धारण ।

28. (1) जहां किसी ऐसी सम्पत्ति के वाजार-भाव के, जिसे केन्द्रीय सरकार इस अधिनियम के अधीन ऐसे भाव पर क्रय करने के लिए सशक्त है या उस प्रतिकर के जो इस अधिनियम के अधीन की गई किसी बात के बारे में केन्द्रीय सरकार द्वारा संदत्त किया जाना है, बारे में कोई विवाद उद्भूत होता है वहां, भूमि अर्जन अधिनियम, 1894 की धाराओं 3, 5, 8 से 34, 45 से 47, 51 और 52 में जहां तक कि उन्हें लागू किया जा सके, उपबंधित रीति से अभिनिश्चित किया जाएगा :

1894 का 1

1894.

परन्तु उक्त भूमि अर्जन अधिनियम के अधीन जांच करते समय कलक्टर की सहायता दो असेसर, जिनमें से एक केन्द्रीय सरकार द्वारा नामनिर्देशित सक्षम व्यक्ति होगा और एक स्वामी द्वारा, या स्वामी के ऐसे युक्तियुक्त समय के भीतर जो कलक्टर द्वारा इस निमित्त नियत किया जाए, असेसर नामनिर्देशित करने में असफल रहने की दशा में कलक्टर द्वारा नामनिर्देशित व्यक्ति होगा, करेंगे:

[1][(2) प्रत्येक पुरावशेष के लिए, जिसकी वाबत धारा 23 की उपधारा (3) के अधीन या धारा 26 की उपधारा (1) के अधीन अनिवार्य अर्जन का आदेश किया गया है, प्रतिकर संदत्त किया जाएगा और ऐसे प्रतिकर के अवधारण और संदाय के संबंध में पुरावशेष तथा वहुमूल्य कलाकृति अधिनियम, 1972 की धारा 20 और 22 के उपवंध, यावत्शक्य, उसी प्रकार लागू होंगे, जैसे वे उक्त अधिनियम की धारा 19 के अधीन अनिवार्यतः अर्जित किसी पुरावशेष या वहुमूल्य कलाकृति के लिए प्रतिकर के अवधारण और संदाय के संबंध में लागू होते हैं।]

1972 का 52

972

## प्रकीर्ण

शक्तियों का प्रत्यायोजन ।

29. केन्द्रीय सरकार, शासकीय राजपत्र में अधिसूचना द्वारा, यह निदेश दे सकेगी कि इस अधिनियम के द्वारा या अधीन उसे प्रदत्त की गई कोई भी शक्तियां, ऐसी शर्तों के अध्यधीन रहते हुए जो उस निदेश में विनिर्दिष्ट की जाएं—

(क) केन्द्रीय सरकार के अधीनस्थ ऐसे अधिकारी या प्राधिकारी द्वारा भी, अथवा

(ख) ऐसी राज्य सरकार या राज्य सरकार के अधीनस्थ ऐसे अधिकारी या प्राधिकारी द्वारा भी,

जो निदेश में विनिर्दिष्ट किया जाए,

प्रयोक्तव्य होंगी ।

शास्तियां ।

30. (1) जो कोई—

(i) किसी संरक्षित संस्मारक को नष्ट करेगा, हटाएगा, क्षत करेगा, परिवर्तित करेगा, विरूपित करेगा, खतरे में डालेगा या उसका दुरुपयोग करेगा, अथवा

(ii) किसी संरक्षित संस्मारक का स्वामी या अधिभोगी होते हुए धारा 9 की उपधारा (1) या धारा 10 की उपधारा (1) के अधीन किए गए आदेश का उल्लंघन करेगा, अथवा

(iii) किसी संरक्षित संस्मारक से कोई रूपकृति, नक्काशी, प्रतिमा, निम्नोद्भृति, उत्कीर्ण लेख या इसी प्रकार की कोई अन्य वस्तु हटाएगा, अथवा

1. 1972 के अधिनियम संख्यांक 52 की धारा 33 द्वारा प्रतिस्थापित ।

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(*iv*) does any act in contravention of sub-section (*1*) of section 10, shall be punishable with imprisonment which may extend to three months, or with fine which may extend to five thousand rupees, or with both.

(*2*) Any person who moves any antiquity in contravention of a notification issued under sub-section (*1*) of section 25 shall be punishable with fine which may extend to five thousand rupees; and the court convicting a person of any such contravention may by order direct such person to restore the antiquity to the place from which it was moved.

Jurisdiction to try offences.

31. No court inferior to that of a presidency magistrate or a magistrate of the first class shall try any offence under this Act.

Certain offences to be cognizable.

32. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence under clause (i) or clause (iii) of sub-section (*1*) of section 30, shall be deemed to be a cognizable offence within the meaning of that Code. 5 of 1898

Special provision regarding fine.

33. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any magistrate of the first class specially empowered by the State Government in this behalf and for any presidency magistrate to pass a sentence of fine exceeding two thousand rupees on any person convicted of an offence which under this Act is punishable with fine exceeding two thousand rupees. 5 of 1898

Recovery of amounts due to the Government.

34. Any amount due to the Government from any person under this Act may, on a certificate issued by the Director-General or an archaeological officer authorised by him in this behalf be recovered in the same manner as an arrear of land revenue.

Ancient monuments, etc., which have ceased to be of national importance.

35. If the Central Government is of opinion that any ancient and historical monument or archaeological site and remains declared to be of national importance by or under this Act has ceased to be of national importance, it may, by notification in the Official Gazette, declare that the ancient and historical monument or archaeological site and remains, as the case may be, has ceased to be of national importance for the purposes of this Act.

Power to correct mistakes, etc.

36. Any clerical mistake, patent error or error arising from accidental slip or omission in the description of any ancient monument or archaeological site and remains declared to be of national importance by or under this Act may, at any time, be corrected by the Central Government by notification in the Official Gazette.

Protection of action taken under the act.

37. No suit for compensation and no criminal proceeding shall lie against any public servant in respect of any act done or in good faith intended to be done in the exercise of any power conferred by this Act.

(iv) धारा 19 की उपधारा (1) के उल्लंघन में कोई कार्य करेगा, वह कारावास से, जो तीन मास तक का हो सकेगा, या जुर्माने से, जो पांच हजार रुपए तक का हो सकेगा, या दोनों से, दण्डनीय होगा।

(2) जो कोई व्यक्ति, धारा 25 की उपधारा (1) के अधीन निकाली गई किसी अधिसूचना के उल्लंघन में किसी पुरावशेष को हटाएगा, वह जुर्माने से, जो पांच हजार रुपए तक का हो सकेगा, दण्डनीय होगा, और किसी ऐसे उल्लंघन के लिए किसी व्यक्ति को दोषसिद्ध करने वाला न्यायालय ऐसे व्यक्ति को आदेश द्वारा निदेश दे सकेगा कि वह उस पुरावशेष को उस स्थान पर पुनरुद्धार करे जहां से वह हटाया गया था।

अपराधों के विचारण की अधिकारिता।

31. प्रेसिडेन्सी मजिस्ट्रेट या प्रथम वर्ग मजिस्ट्रेट के न्यायालय से अवर कोई भी न्यायालय इस अधिनियम के अधीन के किसी अपराध का विचारण नहीं करेगा।

कतिपय अपराधों का संज्ञेय होना।

1898 का 5

32. दण्ड प्रक्रिया संहिता, 1898 में अंतर्विष्ट किसी बात के होते हुए भी यह है कि धारा 30 की उपधारा (1) के खण्ड (i) या खण्ड (iii) के अधीन का अपराध उस संहिता के अर्थ के भीतर संज्ञेय अपराध समझा जाएगा।

जुर्माने के संबंध में विशेष उपबंध।

1898 का 5

33. दण्ड प्रक्रिया संहिता, 1898 की धारा 32 में अन्तर्विष्ट किसी बात के होते हुए भी यह है कि राज्य सरकार द्वारा इस निमित्त विशेष रूप से सशक्त प्रथम वर्ग के किसी मजिस्ट्रेट के लिए और किसी प्रेसिडेन्सी मजिस्ट्रेट के लिए यह विधिपूर्ण होगा कि वह किसी ऐसे अपराध के लिए, जो इस अधिनियम के अधीन दो हजार रुपए से अधिक के जुर्माने से दण्डनीय है, दोषसिद्ध किए गए किसी व्यक्ति पर दो हजार रुपए से अधिक जुर्माने का दण्डादेश पारित करे।

सरकार को शोध्य रकमों की वसूली

34. इस अधिनियम के अधीन किसी व्यक्ति से सरकार को शोध्य कोई रकम, महानिदेशक या उसके द्वारा इस निमित्त प्राधिकृत किसी पुरातत्व अधिकारी द्वारा दिए गए प्रमाणपत्र पर, ऐसी ही रीति से वसूल की जाएगी जैसे भू-राजस्व की बकाया वसूल की जाती है।

प्राचीन संस्मारक आदि जो राष्ट्रीय महत्व के नहीं रह गए हैं।

35. यदि केन्द्रीय सरकार की यह राय है कि कोई प्राचीन और ऐतिहासिक संस्मारक या पुरातत्वीय स्थल और अवशेष जिसका इस अधिनियम के द्वारा या अधीन राष्ट्रीय महत्व का होना घोषित किया गया है, राष्ट्रीय महत्व का नहीं रह गया है, तो वह शासकीय राजपत्र में अधिसूचना द्वारा यह घोषित कर सकेगी कि, यथास्थिति, वह प्राचीन और ऐतिहासिक संस्मारक या पुरातत्वीय स्थल और अवशेष इस अधिनियम के प्रयोजनों के लिए राष्ट्रीय महत्व का नहीं रह गया है।

भूलों, आदि को शुद्ध करने की शक्ति।

36. इस अधिनियम के द्वारा या अधीन राष्ट्रीय महत्व के घोषित किए गए किसी प्राचीन संस्मारक या पुरातत्वीय स्थल और अवशेष के वर्णन में कोई लिपिकीय भूल, प्रत्यक्ष गलती या आकस्मिक भूल या लोप से उद्भूत कोई गलती, केन्द्रीय सरकार द्वारा शासकीय राजपत्र में अधिसूचना द्वारा, किसी भी समय शुद्ध की जा सकेगी।

इस अधिनियम के अधीन की गई कार्रवाई के लिए परित्राण।

37. प्रतिकर के लिए कोई भी वाद तथा कोई भी दाण्डिक कार्यवाही, इस अधिनियम द्वारा प्रदत्त की गई किसी शक्ति के प्रयोग में किए गए या सद्भावपूर्वक किए जाने के लिए आशयित किसी कार्य के बारे में किसी लोक सेवक के विरुद्ध न होगी।

Power to make rules.

38. (*1*) The Central Government may, by notification in the Official Gazette and subject to the condition of previous publication, make rules for carrying out the purposes of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the prohibition or regulation by licensing or otherwise of mining, quarrying, excavating, blasting or any operation of a like nature near a protected monument or the construction of buildings on land adjoining such monument and the removal of unauthorised buildings;

(*b*) the grant of licences and permissions to make excavations for archaeological purposes in protected areas, the authorities by whom, and the restrictions and conditions subject to which, such licences may be granted, the taking of securities from licensees and the fees that may be charged for such licences;

(*c*) the right of access of the public to a protected monument and the fee, if any, to be charged therefor;

(*d*) the form and contents of the report of an archaeological officer or a licensee under clause (*a*) of sub-section (*1*) of section 23;

(*e*) the form in which applications for permission under section 19 or section 25 may be made and the particulars which they should contain;

(*f*) the form and manner of preferring appeals under this Act and the time within which they may be preferred;

(*g*) the manner of service of any order or notice under this Act;

(*h*) the manner in which excavations and other like operations for archaeological purposes may be carried on;

(*i*) any other matter which is to be or may be prescribed.

(*3*) Any rule made under this section may provide that a breach thereof shall be punishable,—

(*i*) in the case of a rule made with reference to clause (*a*) of sub-section (*2*), with imprisonment which may extend to three months, or with fine which may extend to five thousand rupees, or with both;

(*ii*) in the case of a rule made with reference to clause (*b*) of sub-section (*2*), with fine which may extend to five thousand rupees;

(*iii*) in the case of a rule made with reference to clause (*c*) of sub-section (*2*), with fine which may extend to five hundred rupees.

(*4*) All rules made under this section shall be laid for not less than thirty days before each House of Parliament as soon as possible after they are made, and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.

Repeals and savings.

39. (1) The Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951, and section 126 of the States Reorganisation Act, 1956, are hereby repealed. 71 of 1951 37 of 1956

(*2*) The Ancient Monuments Preservation Act, 1904, shall cease to have effect in relation to ancient and historical monuments and archaeological sites and remains declared by or under this Act to be of national importance, except as respects things done or omitted to be done before the commencement of this Act. 7 of 1904

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# Annexure 05: *73rd Amendment Act 1992*

# 73rd Amendment Constitution of India

## THE CONSTITUTION OF INDIA

**"PART IX * THE PANCHAYATS 243. Definition** -In this Part, unless the context otherwise requires:-

a) "district" means a district in a State;

b) "Gram Sabha" means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level;

c) "Intermediate level" means a level between the village and district levels specified by the Governor of a State by public notification to be the intermediate level for the purposes of this Part;

d) "Panchayat" means an institution ( by whatever name called) of self-government constituted under article 243B, for the rural areas;

e) "Panchayat area" means the territorial area of a Panchayat;

f) "population' means the population as ascertained at the last preceding census of which the relevant figures have been published;

g) "village" means a village specified by the Governor by public notification to be a village for the purposes of this Part and includes a group of villages so specified.

**243-A.Grama Sabha** - A Gram Sabha may exercise such powers and perform such functions at the village levei as the Legislature of a State may, by law, provide.

**243-B.Constitution of Panchayats** -(1) There shall be constituted in every State, Panchayats at the village, intermediate and district levels in accordance with the provisions of this Part.

^Notwithstanding anything in clause (1), Panchayats at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.

**243-C.Composition of Panchayats** -(1) Subject to the provisions of this Part, the Legislature of a State may, by law, making provisions with respect to the composition of Panchayats :

** Inserted vide Constitution 73rd Amendment Act, 1992 and came into force on 22.04.1993.*

Provided that the ratio between the population of the territorial area ot a Panchayat at any level and the number of seats in such Panchayat to be filled by election shall, so far as practicable, be the same throughout the State.

(2) All the seats in a Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area and, forthis purpose, each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area.

(3) The Legislature of a State may, by law, provide for the representation -

a) of the Chairpersons of the Panchayats at the village level, in the Panchayats at the intermediate level or, in the case of a state not having Panchayats at the intermediate level, in the Panchayats at the district level;

b) of the Chairpersons of the Panchayats at the intermediate level, in the Panchayats at the district level;

c) of the members of the House o! the People and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly a Panchayat area at a level other than the village level, in such Panchayat;

d) of the members of the Council of States and the members of the Legislative Council of the State, where they are registered as electors within -

(i) a Panchayat area at the intermediate level, in Panchayat at the intermediate level;
(ii) a Panchayat area at the district level, in Panchayat at the district level.

(4) The Chairperson of a Panchayat and other members of a Panchayat whether or not chosen by direct election from territorial constituencies in the Panchayat area shall have the right to vote in the meetings of the Panchayats.

(5) The Chairperson of -

a) a Panchayat at the village level shall be elected in such manner as the Legislature of a State may, by law, provide; and

b) a Panchayat at the intermediate level or district level shall be elected by, and from amongst, the elected members thereof.

243-D. Reservation of seats - (1) Seats shall be reserved for-

a) the Scheduled Castes; and

b) the Scheduled Tribes,.in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat are a bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes ) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide:

Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State 'Provided further that not less than one-third of the total number ofoffices of Chairpersons in the Panchayats at each level shall be reserved for women.

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

(5) The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in Article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat or offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.

**243-E.Duration of Panchayats etc.** - (1) Every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.

(2) No amendment of any law for the time being in force shall have the effect of causing dissolution of a Panchayat at any level, which is functioning immediately before such amendment, till the expiration of its duration specified in clause.(1).

(3) An election to constitute a Panchayat shall be completed -
a) Before the expirty of its duration specified in clause (1):
b) Before the expiration of a period of six months from the date of its dissolution:
Provided that where the remainder of the period for which the dissolved Panchayat would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting the Panchayat.
(4) A Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued under clause (1) had it not been so dissolved.
**243-F. Disqualifications for membership** - (1) A person shall be disqualified for being chosen as, and for being, a member of a Panchayat -
a) if he is so disqualified by or under any law for he time being in force for the purposes of elections to the Legislature of the State concerned :
Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years;
b) if he is so disqualified by or under any law made by the Legislature of the State.
(2)if any question arises as to whether a member of a Panchayat has become subject to any of the disqualification mentioned in clause (1), the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may, by law, provide.
**243-G. Powers,authority and responsibilities of Panchayats -** Subject to the provisions of the Constitution, the Legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon
Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to :
a) the preparation of plans for economic development and social justice;
b) the implementation of. schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule.
**243-H-Powers to impose taxes by, and Funds of the Panchayats-**
The Legislature of a State may, by law, -
a) authorise a Panchayat to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits;
b) assign to a Panchayat such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits;
c) provide for making such grants-in-aid to the Panchayats from the Consolidated Fund of the State; and
d) Provide for constitution of such funds for crediting all moneys received, respectively, by or on behalf of the Panchayats and also for the withdrawal of such moneys therefrom as may be specified in the law.
**243-1-Constitution of Finance Commission to review financial position.(1)** The Governor of a State shall, as soon as may be within one year from the commencement of the Constitution (Seventy-third Amendment) Act, 1992, and thereafter at the expiration of every fifth year, constitute a Finance Commission to review the financial position of the Panchayats and to make recommendations to the Governor as to -
(a) the principles which should govern -
(i) the distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this

Part and the allocation between the Panchayats at all levels of their respective shares of such proceeds;

(ii) the determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by, the Panchayats;

**Annexure XX: 73rd Amendment Act, 1992**

In April 24, 1993 Panchayati Raj was mainstreamed by The Constitution (73rd Amendment) Act, 1992 came into force to provide constitutional status to the Panchyati Raj institutions.

The salient features of the Act are: -

- To provide 3-tier system of Panchayati Raj for all States having population of over 20 lakh.
- To hold Panchayat elections regularly every 5 years.
- To provide reservation of seats for Scheduled Castes, Scheduled Tribes and women (not less than 33%)
- To appoint State Finance Commission to make recommendations as regards the financial powers of the Panchayats.
- To constitute District Planning Committee to prepare draft development plan for the district as a whole.

**Powers and Responsibilities**

- According to the Constitution, Panchayats shall be given powers and authority to function as institutions of self-government. The following powers and responsibilities are to be delegated to Panchayats at the appropriate level
- Preparation of plan for economic development and social justice.
- Implementation of schemes for economic development and social justice in relation to 29 subjects given in Eleventh Schedule of the Constitution.
- To levy, collect and appropriate taxes, duties, tolls and fees.

**Gram Sabha**

In the Panchayati Raj set up, the Gram Sabha, the general assembly of villagers, has a key role for effective functioning of Panchayats. In the Gram Sabha meeting, the rural poor, the women and the marginalized people would now get an opportunity to join in decision making on matters affecting their lives. Active functioning of the Gram Sabha would ensure a participatory democracy with transparency, accountability and achievement.

- Gram Sabha should meet least in each quarter preferably on Republic Day, Labour Day, Independence Day and Gandhi Jayanti.
- Decide developmental work to be undertaken by Panchayats based on needs assessment.
- Suggest remedial measures for economy and efficiency in the functioning of the Panchayats.
- Question and scrutinize the decisions of Panchayats in the meeting of Gram Sabha.
- Discuss the Annual Financial Statement of Gram Panchayats.

**The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996**

This Act extends Panchayats to the tribal areas of eight States, namely Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Orissa and Rajasthan. This has come into force on 24th December 1996. Except Rajasthan and Bihar all States have passed laws to give effect to the provisions contained in the Act, 40 of 1996.

Under the Act, Gram Sabha has been vested with powers for: -

- Ownership of Minor Forest Produce
- Development plans approval
- Selection of beneficiaries under various programmes
- Consultation on land acquisition
- Manage minor water bodies
- Control mineral leases
- Regulate/Prohibit sale of intoxicants
- Prevent alienation of land and restore unlawfully alienated land of STs
- Manage village markets
- Control money lending to STs
- Control institutions and functionaries in all social sectors.

**Training and awareness generation program**

The Ministry of Rural Development extends limited financial assistance to the States in their effort to train and create awareness among the elected members of Panchayats and functionaries. The State Governments are being asked to conduct such training courses. The Ministry has also been providing financial assistance through the Council for Advancement of People's Action & Rural Technology (CAPART) to the non-governmental organizations for conducting training and awareness generation programmes on Panchayati Raj. This Ministry also commissions research and evaluation studies related to Panchayati Raj from voluntary organizations/institutions.

# STATE OF PANCHAYATS

# STATE PROFILE - BIHAR

## Introduction:

The Bihar Panchayat Raj Act, 1993 was passed pursuant to the 73rd Constitution Amendment Act, 1992. Subsequently the State has carried out major changes through the instrumentality of the Bihar Panchayati Raj Ordinance, 2006. Panchayats at all the three levels have been entrusted with duties and functions in respect of all the 29 matters listed in the Eleventh Schedule of the Constitution. Bihar has also established Nyaya Panchayats, known as Gram Katchahries. These have jurisdictions that are larger than Gram Panchayats, but smaller than Panchayat Samitis. The nomenclatures used for the three levels of Panchayats in Bihar are:

**Table 1: Nomenclature used for the three tier Panchayati Raj system**

| Level of Panchayat | Name used |
|---|---|
| District Panchayat | Zilla Parishad |
| Intermediate Panchayat | Panchayat Samiti |
| Village Panchayat | Gram Panchayat |

*Source: Government of Bihar*

**Basic Statistics concerning Panchayati Raj in Bihar**

**Table 2: Number of Panchayats at each level**

| | | |
|---|---|---|
| 1 | Zilla Parishads | 38 |
| 2 | Panchayat Samitis | 531 |
| 3 | Gram Panchayats | 8471 |
| | **Total** | **9040** |

*Source: Government of Bihar*

**Number of Elected Panchayat Representatives at each level:**

Elections to the Panchayats in Bihar already held in May-June 2006. It is to be noted that reservations for women were enhanced to 50% and reservations have also been provided for the category of Extremely Backward Classes. As of October 18, 2006, the latest details of elected representatives to Panchayats are as follows:

**Table 3 A:**

**Gram Panchayat:**

| | Unreserved | SC | ST | Total | Women |
|---|---|---|---|---|---|
| **1** | **2** | **3** | **4** | **5** | **6** |
| **(a) Elected members** | | | | | |
| Total | 92998 | 15256 | 716 | 108970 | 59933 |
| Percentage | 85.34 | 14.0 | 0.66 | 100.00 | 55.0 |
| **(b) Mukhiyas, (Chairpersons)** | | | | | |
| Total | 6674 | 1685 | 68 | 8427 | 4219 |
| Percentage | 79.20 | 20.0 | 0.80 | | 50.06 |

**Table 3 B:**
**Panchayat Samiti**

| | | | | | |
|---|---|---|---|---|---|
| Total | 9139 | 2307 | 91 | 11537 | 5671 |
| Percentage | 79.21 | 20.0 | 0.79 | 100.00 | 49.15 |

**Table 3 C:**
**Zilla Parishad**

| | | | | | |
|---|---|---|---|---|---|
| Total | 956 | 192 | 09 | 1157 | 577 |
| Percentage | 82.63 | 16.60 | 0.77 | 100.00 | 49.87 |

*Source: Government of Bihar*

The following number of seats are vacant and election was due on 12th November, 2006 to fill up the vacancies

**Table 3 D:**
**Number of vacant seats of Elected Representatives at each level**

| | |
|---|---|
| Gram Panchayat Member | 6906 |
| Gram Panchayat Mukhiya | 36 |
| Panchayat Samiti Member | 29 |
| Zilla Parishad Member | 05 |

*Source: Government of Bihar*

Details of elections to Gram Katchaharies are as follows:

**Table 3 E:**
**Gram Katchahary**

| | **Unreserved** | **SC** | **ST** | **Total** | **Women** |
|---|---|---|---|---|---|
| **(a) Panch Members** | | | | | |
| Total No | 76710 | 14776 | 875 | 92352 | 51717 |
| Percentage | 83.05 | 16.00 | 0.95 | | 56.00 |
| **(b) Sarpanch (Chairperson)** | | | | | |
| Total No. | 7027 | 1351 | 68 | 8446 | 4008 |
| Percentage | 83.20 | 16.00 | 0.80 | | 47.45 |

*Source: Government of Bihar*

Elections were to be held on 12th November, 2006 to fill up 23524 vacancies of Gram Katchahary Panches and 17 Sarpanches.

**Dimension 1: Effective Devolution of Functions**

The Bihar Panchayati Raj Act, 1993 devolves 22 functions to the Gram Panchayats under Section 22 of the Act. 30 functions have been given to the Panchayat Samitis under Section 45 and 25 functions to the Zilla Parishads under Section 71. The State Government is also in the process of devolving more functions to the Panchayats.

Activity mapping exercise was conducted by CENCORED, an NGO in two districts, namely, Patna and Vaishali involving 19 departments. The quality of activities mapping appears reasonable. However the rest of the districts remain uncovered. No steps have been taken to get the same approved or notified at the State level.

**Dimension 2: Effective Devolution of Functionaries**

Devolution of functionaries have not been patterned as per devolution of functions, but provisions have been made to assign the work of supervision and control to chief Executive Officer (DDC) for Zilla Parishad, Chief Executive Officer to (BDO) to Panchayat Samiti and Gram Panchayat. Respective line departments of education, health, rural development, engineering (PHED), agriculture and watershed and social welfare have assigned to their officers posted in District and Block offices the duty to guide and assist PRI units to implement functions. Respective departments retain administrative control including payment of salaries. Only casual leave is granted by the head of the PRIs in respect of the notified departments. Disciplinary action is taken in respect of these departmental functionaries on the basis of the recommendations of the PRIs. No separate Panchayati Raj administrative and technical service has been constituted.

**Status of DRDAs:**

DRDAs continue to exist as separate entities outside the Zilla Parishad. The DRDA is managed by the District Magistrate as its Chairman. It maintains separate accounts and all schemes and proposals of PRI units are considered by DRDA before their finalization.

**Dimension 3: Effective Devolution of Finances**

There is no separate delegation of financial power to Panchayats. However, in Gram Panchayats, expenditure is met through the issue of cheques under the joint signatures of the Mukhiya and Panchayat Sewak. In Panchayat Samitis the Pramukh and BDO are the joint signatories and in the Zilla Parishad it is the Adhyaksha and the CEO (the DDC).

**District Sector/Panchayat window in the budget:**

There is no district sector / Panchayat window in the budget. Budget is prepared district- wise by the Rural Development Department in the State. It is reported that Central and State grants are shared in the proportion of 84% by the Gram Panchayats, 6% by the Panchayat Samitis and 10% to Zilla Parishad on basis of population. Funds of the Gram Panchayats are placed in the bank accounts and operated by Mukhiya and Panchayat Sewak through joint signatures. The State Finance Commission has recommended transfer of funds to the Gram Panchayats through banks.

**Dimension 4: Gram Sabha**

Powers and responsibilities of the Gram Sabhas (listed as functions) in the Bihar Panchayati Raj Act 1993 are as follows:

- To assist in implementation of village related development schemes.
- To identify beneficiaries for the implementation of village related development schemes.
- To seek assistance in cash or/and kind and procure voluntary labour for community welfare schemes.
- To assist in Adult Education and Family Welfare schemes.
- To seek clarification from Mukhiyas and other members of the Gram Panchayats about any particular activity, scheme income and expenditure.
- To review reports of the vigilance committee.

Rule 3, 4 and 5 of the Bihar Panchayati Raj rules provide for the guidelines regarding the conduct of Gram Sabha. There is no provision for the Ward Sabha at the Ward level. The Gram Sabha meets at intervals of a minimum of three months, i.e., four times in year. It can also meet more frequently in special circumstances. There are no fixed days of meeting, though circular instructions suggest that they meet on 26th January, 1st May, 15th August and 2nd October. A quorum of 10 per cent is prescribed in the meeting of the Gram Sabha, but in case of meetings postponed due to lack of quorum, the further question of quorum does not apply. There are no special provisions regarding quorum in respect of women, SC/ST, landless labourers, etc. Under the Act there is no provision for Mahila Sabha meetings.

**Dimension 5: Planning**

There is a provision for the District Planning Committee (DPC) under the legislation. It has also been reported that DPCs have been "provisionally" constituted. It has been reported that in a High Court Judgment of 2004, the words 'District Panchayat' in Article 243 ZD has been interpreted to mean all members of all Panchayats in the district. Therefore, the conduct of elections to the DPCs would mean virtually a mini-election. This is the only State where such an interpretation has been followed. It is not known whether such 'provisional' constitution of the DPC was through elections from the Zilla Panchayats and the urban local bodies of the district as prescribed under the Constitution. DPCs meet as per the requirement and are chaired by the Zila Parishad Adhyakshas. In his absence, the Chief Executive Officer-cum-DDC presides over the meeting. Draft plans have been prepared on a consolidated basis for the districts and guidelines have also been evolved. The DPCs draw expert advice from the line departments and other experts wherever necessary.

All Panchayats plan their Annual Plans. However, these are reportedly works plans, rather than a consolidated plan of all works being taken up in a district. Information is not available regarding resources given to each Panchayat to facilitate planning. There is provision for various Standing Committees, which are to assist in planning in all levels of PRIs.

**Dimension 6: Implementation**

The Gram Panchayat Chairperson (Mukhiya) is directly elected. In the absence of information on how the Standing Committee functions, it is difficult to ascertain if Mukhiyas function as Chairpersons in Council. Citizen's charters have not been issued.

**Dimension 7: Parallel Bodies**

DRDAs have not been merged with the Panchayats. The Water User's Association, the Mahila Samakhya Groups, etc. are all independent from the Panchayats. Therefore, parallel bodies continue to exist and flourish in the State.

**Dimension 8: The Provisions of Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA)**

This legislation is not applicable in Bihar

**Dimension 9: Reservations for Women**

The percentage of elected women representatives was 34% against a reservation ratio of 33% under the BPR Act, 1993. Currently, 50 per cent of the seats has been reserved for women A

total of 1881 women were elected against non-reserved posts in the last election. Actual number of women elected in the election held in May-June 2006 exceeds 50 percent. Reservation is rotated at the time of Panchayat election, i.e., every five years. In Bihar, the two-child norm is not in force. No special safeguards are available against the removal of women Sarpanches and they are treated at par with male Mukhiyas.

**Dimension 10: Reservations for Scheduled Castes and Scheduled Tribes**

Reservations for SCs and STs in Panchayats are made in accordance with their percentage of population in Panchayats. The Percentage of SC representation is 16.29 and ST representation, 0.75%. It was reported that 43 SC Chairpersons and 19 ST Chairpersons were elected on non-reserved seats to GPs, in the previous term.

**Dimension 12: Panchayati Raj Jurisprudence:**

No effort has been made to harmonize any laws with State PR Acts. An interesting feature of the Panchayati Raj system in Bihar are the Nyaya Panchayats, also established through elections, known as Gram Katchahries.

**Dimension 13: Annual Reports on the State of the Panchayat (including preparation of a Devolution Index)**

Annual Reports are prepared. However, no State of the Panchayats report has been prepared.

**Dimension 14: Elections**

Bihar did not conduct elections to local bodies since the period 1978 - 2001. Even after the coming into force of the 73rd Constitutional Amendment Act, elections to Panchayats in Bihar were delayed because of Court litigation concerning reservation of leadership positions in Panchayats. Finally, elections were held for the first time in 2001, albeit without reservations provided for leadership positions in Panchayats. For preparation of electoral rolls, delimitation of constituencies, reservation and rotation, qualification of candidates and trying of election disputes, it is reported that these powers are exercised by District Magistrates under the guidance of State Election Commission as per Bihar Panchayat Election Rules 1995. However, further details are being ascertained.

A model code of conduct for Panchayats is enforced from the date of the election schedule. The electoral rolls used for Panchayat elections are separately named as the Pradeshik Nirvachan Suchi (regional electoral roll), but are solely based on Assembly or Parliamentary Electoral rolls. Though there were no provisions for disclosure of election expenses and for filing annual property statements for elected representatives for the last election, such provisions have been enacted now and will apply to the present election. The State Election Commission is an independent autonomous body entrusted with the conduct of Panchayat elections and settling of election related disputes, in respect of delimitation of constituencies, reservation, allotment of election symbols, and location of polling booths.

**Dimension 15: Audit**

Audit of Panchayats is to be conducted by Chartered Accountants. The State has accepted the TGS system of the C&AG and it has been reported that CAG formats have been adopted for Panchayat accounting. The internal audit system is extremely weak. There is no separate audit

wing for the Panchayats. There is no separate Fiscal Responsibility Act for elected local authorities. There is no separate Public Accounts Committees (PACs) for reviewing audit paras of Panchayats. Panchayat accounts are maintained by the Mukhiya and Panchayat Sevak. Normally the Panchayat Sevak caters to several Panchayats. There is no outsourcing of responsibilities regarding accounting. The extent of automation and computerization of Panchayat accounts is negligible.

**Dimension 16: Social Audit**

There are no provisions for social audit in the law. No rules or guidelines have been issued for social audit.

**Dimension 17: IT enabled e-Governance**

IT - enabling of Panchayats is still under consideration. Progress is negligible.

**Dimension 18: Capacity Building & Training**

It is reported that the State Government provides training through District Panchayat Officers. At other levels, NGOs are providing training at their own initiatives, for about two days. Two NGOs, namely, CENCORED and THP (The Hunger Project) are conducting functional literacy courses, especially for women elected representatives. No common curriculum has been adopted. The training curriculum used by NGOs mostly comprises awareness creation regarding the provisions of the Act and functions, roles and responsibilities of elected representatives. Innovative training strategies include participatory simulation, role-play, group discussion, and debriefing exercises and play simulation. There are federations of Mukhiyas and Pramukhs in each district, but not particularly of women members. At some places some Panchayat members have become resource members for training.

**Backward Districts Initiative — Rashtriya Sam Vikas Yojana**

**Central Assistance to the Districts under Backward Regions Initiatives (Rashtriya Sam Vikas Yojana) through the State Governments**

21 Districts are under Backward Regions Initiatives

| | |
|---|---|
| Total allocation of fund | Rs. 945 Crores |
| Total Fund released | Rs. 525 Crores |

# Annexure 06: *Ancient Monuments and Sites Remains Rules 1959*

THE GAZETTE OF INDIA
***EXTRAORDINARY***
***PART II-SECTION 3 – SUB-SECTION (ii)***
***PUBLISHED BY AUTHORITY***
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**NEW DELHI, THURSDAY, OCTOBER 15, 1959/ASVINA 23, 1881**
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**MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS**

**NOTIFICATIONS**
**NEW DELHI, THE 15TH OCTOBER, 1959**

**S.O. 2306.-** In exercise of the powers conferred by section 38 of the Ancient Monuments and Archaeological Sires and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following rules, the same having been previously published in the Gazette of India, Part II-Section 3-Sub-Section (ii), dated the 8th August, 1959, as required by sub-section (1) of the said section.

# ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS RULES 1959

## CHAPTER I
## PRELIMINARY

**1. Short title, date and commencement:** (1) These rules may be called the Ancient Monuments and Archaeological Sites and Remains Rules, 1959.

(2) They extend to the whole of India, but rules 24, 25, 27, 28, 29 and 30 shall not apply to the State of Jammu and Kashmir.

(3) They shall come into force on the 15th day of October, 1959.[1]

1. **Definitions.—**In these rules, unless the context otherwise requires.—

(a) ***"construction"*** means the construction of any structure and includes additions to or alterations of an existing building;

(b) ***"copying",*** together with its grammatical variations and cognate expressions, means the preparation of copies by drawing or by photography or by mould or by squeezing and includes the preparation of a cinematographic film [2][and video film] with the aid of a hand-camera which is capable of taking films of not more than eight millimeters and which does not require the use of a stand or involve any special previous arrangement;

[1] *Vide* S.O. 2307, dated 15.10.1959
[2] *Vide* GSR 90, dated 30.01.1991

(c) ***"filming",*** together with its grammatical variations and cognate expressions, means the preparation of a cinematographic film [1][including video film] with the aid of a camera which is capable of taking films of more than eight millimeters and which requires the use of a stand or involves other special previous arrangements;

(d) ***"form"*** means a form set out in the Third Schedule;

(e) ***"mining operation"*** means any operation for the purpose of searching for or obtaining minerals and includes quarrying, excavating, blasting and any operation of a like nature;

(f) ***"prohibited area"*** or ***"regulated area"*** means an area near or adjoining a protected monument which the Central Government has, by notification in the Official Gazette, declared to be a prohibited area, or, as the case may be, a regulated area, for purposes of mining operation or construction or both;

(g) ***"Schedule"*** means a Schedule to these rules; and

(h) ***"section"*** means a section of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958).

## CHAPTER II
## ACCESS TO PROTECTED MONUMENTS

**3. Monuments governed by agreement.—**(1) Access to protected monuments in respect of which an agreement has been entered into between the owner and the Central Government under section 6, or in respect of which an order has been made by that Government under section 9, shall be governed by the provisions of the agreement or, as the case may be, the order; and nothing in rules 4, 5, 6 or 7 shall be construed as affecting any such agreement or order.

(2) A copy of the relevant provisions of every such agreement or order shall be exhibited in a conspicuous part of the monument concerned.

**4. Parts of monuments not open.—**The Director-General may, by order, direct that [2][any protected monument or any specified part thereof] shall not be open, permanently or for a specified period, to any person other than an archaeological officer, his agents, subordinates and workmen and any other Government servant on duty at such part.

**5. Monuments when kept open.--**(1) The protected monument specified in the First Schedule shall remain open during the hours specified against them in that schedule; protected monuments which are not so specified and to which neither rule 3 nor rule 4 applied shall remain open from sunrise to sunset:

[3][Provided that an archaeological officer, or any officer of the Archaeological Survey of India authorised by him in this behalf may, by notice to be exhibited in a conspicuous part of a protected monument, direct that a protected monument or part thereof shall.—

(i) Be kept open beyond the said period; or

[1] *Vide* GSR 90, dated 30.01.1991
[2] *Vide* GSR 800 (E), dated 17.10.2000 with effect from 28.10.2000
[3] *Vide* S.O. 5002, dated 13.12.1969

(ii) Be closed temporarily for such period as may be specified by the notice].

(2) Nothing in this rule or in rule 6 shall apply to an archaeological officer, his agents, subordinates and workmen or to any other Government servant on duty at a protected monument.

**6. Entrance fee.—**

[1][No person above the age of fifteen years shall enter any protected monument or part thereof.—

(a) Specified as category A monuments in Part I of the Second Schedule,

[2][except on payment as follows:

(i) Citizens of India – Rs. 10/- per head;

(ii) Others - [3][[US $ 5 or Indian Rs. 250/-]] per head.]

(b) Specified as category B monuments in Part II of the Second Schedule,

[2][except on payment as follows;

(i) Citizens of India – Rs. 5/- per head;

(ii) Others - [3][[US $ 2 or Indian Rs. 100/-]] per head.]

[4][* * *]

[5][Provided further that an archaeological officer, or any officer of the Archaeological Survey of India authorised by him in this behalf may exempt, members of delegations sponsored by the Central Government or a State Government, State Guest and persons accompanying such delegations or guest, from the payment of such fee.]

[6][Provided also that the Director-General may, by order, direct that, on such occasions and for such periods as may be specified in the order, no fee shall be charged for entry into a protected monument or part thereof.]

**7. Holding of meetings, etc., in monuments.—**(1) No protected monument shall be used for the purpose of holding any meeting, reception, party, conference or entertainment except under and in accordance with a permission in writing granted by the Central Government.

(2) Nothing in sub-rule (1) shall apply to any meeting, reception, party, conference or entertainment, which is held in pursuance of a recognized religious usage or custom.

**8. Prohibition of certain acts within monuments.—**No person shall, within a protected monument,--

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[1] *Vide* GSR 688(E), dated 24.09.2001, w.e.f. 1.10.2001.
[2] *Vide* GSR 800(E), dated 17.10.2000, w.e.f. 28.10.2000.
[3] *Vide* GSR 688(E), dated 24.09.2001, w.e.f. 1.10.2001.
[4] Word "Provided that on every Friday, no such fee shall be charged". Omitted by GSR 848(E) dated 3.11.2000. w.e.f. 3.11.2000.
[5] *Vide* S.O. 3520, dated 20.11.1966.
[6] *Vide* S.O. 5002, dated 13.12.1969.

(a) do any act which causes or is likely to cause damage or injury to any part of the monument; or

(b) discharge any fire-arms; or

(c) cook or consume food except in areas, if any, permitted to be used for that purpose; or

(d) [1][hawk or sell any goods or wares or canvas any custom for such goods or wares or display any advertisement in any form or show a visitor round or take his photograph for monetary consideration, except under the authority of, or under, and in accordance with the conditions of, a licence granted by an archaeological officer;]

(e) beg for alms; or

(f) violate any practice, usage or custom applicable to or observed in the monument; or

(g) bring, for any purpose other than the maintenance of the monument,

(i) any animal, or

(ii) any vehicle except in areas reserved for the parking thereof.

**9. Penalty.—**Whoever—

(i) unlawfully enters any protected monument or part thereof at a time when, under these rules, it is not to be kept open, or

(ii) unlawfully enters any protected monument in respect of which an order has been made under rule 5, or

(iii) contravenes of any of the provisions of rule 6 or rule 7 or rule 8,

shall be punishable with fine which may be extended to five hundred rupees.

## CHAPTER III
## CONSTRUCTION AND OTHER OPERATIONS IN PROTECTED AREAS

**10. Permission required for construction, etc.—**(1) No person shall undertake any construction or mining operation within a protected area except under and in accordance with a permission granted in this behalf by the Central Government.

(2) Every application for permission under sub-rule (1) shall be made to the Central Government in Form-I at least three months before the date of commencement of the construction or operation.

**11. Licence required for excavation.—**No person other than an archaeological officer or an officer authorised by him in this behalf shall undertake any excavation for archaeological purposes in any protected area except under and in accordance with the terms and conditions of a licence granted under rule 13.

[1] Vide S.O. 935, dated 16.02.1971.

12. **Application for licence.—**Every application for a licence shall be in Form-II and be made to the Director-General at least three months before the proposed date of the commencement of the excavation operations.

13. **Grant or refusal of licence.—**(1) On receipt of an application under rule 12, the Director-General may grant a licence in Form-III if he is satisfied that, having regard to the status of the applicant, the competence of the director of excavation operations, the adequacy of the staff to be employed and other relevant factors, the licence may be granted to the applicant:

Provided that no licence shall be granted unless the applicant has furnished security of such amount not exceeding rupees ten thousand as the Director-General may, having regard to the circumstances of each case, require.

(2) The Director-General, by order, may, for reasons to be recorded in writing, refuse to grant a licence in any particular case.

14. **Period of licence,--**Every licence shall be in force for such period not exceeding three years as may be specified in the licence:

Provided that the Director-General may, on application made to him at least one month before the expiry of a licence, extend its period by one year at a time so that the aggregate period does not exceed five years.

15. **Cancellation of licence,--**The Director-General may, by order, cancel a licence granted under rule 13 if he is satisfied that the conduct of the excavation operations has not been satisfactory or in accordance with the conditions of the licence, or if any further security demanded under rule 18 has not been deposited within the specified time:

Provided that no licence shall be cancelled unless the licensee has been given an opportunity to make his objections.

16. **Conditions of licence,--**Every licence shall be subject to the following conditions, namely:

(a) the licence shall not be transferable;

(b) the licensee shall give to the Director-General, the Collector and the owner of the land to be excavated at least fifteen days' notice in writing of the commencement of the excavation operations;

(c) the licensee shall produce the licence before the District Magistrate or the District Superintendent of Police concerned or an archaeological officer, if so required;

(d) the excavation operations shall be conducted under the supervision of the director named in the licence who shall be present at the excavation operations for at least three-fourths of the period of the operations;

(e) the licensee shall not, without the permission of the Director-General, dismantle or disturb any structures found during the excavation operations and shall make adequate arrangements for the safety of such structures and of the excavated antiquities till they are taken charge of by the Director-General;

(f) The licensee shall not subject any antiquities recovered during the excavation operations to any chemical or electrolytic process of cleaning without the written permission of the Director-General;

(g) An archaeological officer or his representative may inspect the excavation operations or any antiquities recovered during the operations and make notes on or copy or film the excavated structures and antiquities;

(h) The licensee shall not discontinue the excavation operations unless he has given at least fifteen days' notice in writing to the Director-General;

(i) At the conclusion of the excavation operations, the licensee shall give notice in writing to the owner of the land specifying the nature of the antiquities, if any, recovered during the operations;

(j) The licensee shall, within three months of the completion of the excavation operations, submit to the Director General a summary report of the results of the excavation, and where the operations are carried on for a period of more than three months such report shall be submitted every quarter, and it shall be open to the Director-General to publish the report in his reports or reviews; and

(k) The licensee shall as soon as practicable submit a report in Form IV to the Central Government through the Director General on the antiquities recovered during the excavation operations.

17. **Recovery from security.—**The Director-General may, by order, direct the deduction, from the security furnished by a licensee under rule 13, of—

(a) the value of any antiquities recovered during the excavation operations and lost or destroyed while in the custody of the licensee; and

(b) any compensation payable by the Central Government under section 27 to the owner or occupier of the land excavated by the licensee.

18. **Demand of further security.—**Where during the currency of a licence, any amount has been recovered under rule 17, the Director-General may require the licensee, within such time as he may specify, to deposit such further sum as security as is equivalent to the amount so recovered.

19. **Appeal.—**Any person aggrieved by an order of the Director-General under rule 13 or rule 15 or rule 17 may prefer an appeal to the Central Government; and the decision of that Government on such appeal shall be final.

20. **Return of security.—**On expiration or earlier cancellation of a licence, the security deposited by the licensee or the balance thereof remaining after deduction of any amount under rule 17 shall be returned to him.

21. **Publication of the result of excavation.—**Save as otherwise provided in rule 16, the Director-General shall not, without the consent of the licensee, publish the results of the excavation unless the licensee has failed to publish the results within the period specified by the Director-General in this behalf.

22. **Retention of antiquities by licensee.—**The Central Government may, by order, subject to such terms and conditions as may be specified, permit the licensee to retain such of the antiquities recovered during the excavation operations as may be specified therein:

Provided that human relics of historical importance and antiquities, which, in the opinion of the Central Government, are of national importance, shall not be permitted to be retained by the licensee.

**23. Penalty.—**Whoever—

(i) unlawfully undertakes any excavation for archaeological purposes in any protected area, or

(ii) contravenes any of the conditions of a licence,

shall be punishable with fine which may extend to five thousand rupees.

## CHAPTER IV
## EXCAVATION IN UNPROTECTED AREAS

**24. Intimation to the Central Government.—**Every State Government intending to undertake or authorize any person to undertake any archaeological excavation or other like operation in any area which is not a protected area shall intimate its intention to the Central Government at least three months prior to the proposed date of the commencement of the excavation or operation specifying the following details, namely,—

(i) name, location and other details of the site;

(ii) nature of antiquities previously found;

(iii) details of previous explorations, if any;

(iv) purpose of the excavation or operation;

(v) proposed extent of the excavation or operation (a plan of the site in triplicate showing in red outline the extent of the proposed excavation or operation should be attached);

(vi) proposed duration of the excavation or operation;

(vii) amount of the proposed expenditure on the excavation or operation; and

(viii) name and status of the director of the excavation or operation.

**25. Approval by the Central Government.—**After considering the proposal, the Central Government may either approve it or advise the State Government to modify it or to abandon it altogether.

**26. Deputation of an archaeological officer.—**The Central Government may depute an archaeological officer to inspect the excavation or operation while it is in progress and render such advise as he deems necessary.

## CHAPTER V
## REPORT ON EXCAVATED ANTIQUITIES BY AN ARCHAEOLOGICAL OFFICER

**27. Form of report by an archaeological officer.—**Where, as a result of an excavation made by an archaeological officer in any area under section 21 or 22 any antiquities are

discovered, the archaeological officer shall, as soon as practicable, submit a report in Form V to the Central Government through the Director-General on the antiquities recovered during the excavation.

## CHAPTER VI
## MOVING OF ANTIQUITIES FROM CERTAIN AREAS

**28. Application for moving antiquities.—**Every application for permission to move any antiquities or any class of antiquities in respect of which a notification has been issued under sub-section (1) of section 25 shall be made in Form-VI to the Director-General at least three months before the proposed date of the moving.

**29. Grant of refusal of permission.—**On receipt of an application under rule 28, the Director-General may, after making such enquiry as be may deem necessary, grant permission for the moving of all or any of the antiquities or, for reasons to be recorded, refuse such permission.

**30. Appeal.—**Any person aggrieved by an order of the Director General under rule 29 may prefer an appeal to the Central Government; and the decision of that Government on such appeal shall be final.

## CHAPTER VII
## MINING OPERATION AND CONSTRUCTION NEAR PROTECTED MONUMENTS

**31. Notice of intention to declare a prohibited or regulated area**.--(1) Before declaring an area near or adjoining a protected monument to be a prohibited area or a regulated area for purposes of mining operation or construction or both, the Central Government shall, by notification in the Official Gazette, give one month's notice of its intention to do so; and a copy of such notification shall be affixed in a conspicuous place near the area.

(2) Every such notification shall specify the limits of the area which is to be so declared and shall also call for objections, if any, from interested persons.

**32. Declaration of prohibited or regulated area.—**After the expiry of one month from the date of the notification under rule 31 and after considering the objections, if any, received within the said period, the Central Government may declare, by notification in the Official Gazette, the area specified in the notification under rule 31, or any part of such area, to be a prohibited area, or, as the case maybe, a regulated area for purposes of mining operation or construction or both.

**33. Effect of declaration of prohibited or regulated area.—**No person other than an archaeological officer shall undertake any mining operation or any construction—

(a) in a prohibited area, or

(b) in a regulated area, except under and in accordance with the terms and conditions of a licence granted by the Director-General.

**34. Application for licence.—**Every person intending to undertake any mining operation or any construction in a regulated area shall apply to the Director-General in Form VII at least three months before the date of commencement of such operation or construction.

**35. Grant or refusal of licence.—**(1) On receipt of an application under rule 34, the Director General may grant a licence or, if he is satisfied that the licence asked for should not be granted, may, for reasons to be recorded, refuse to grant a licence.

(2) Every licence granted under sub-rule (1) shall be in Form VIII and be subject to the following conditions, namely:-

(a) the licence shall not be transferable;

(b) it shall be valid for the period specified therein; and

(c) any other condition relating to the manner of carrying out the mining operation or the construction which the Director-General may specify in the licence for ensuring the safety and appearance of, and the maintenance of the approach and access to, the protected monument.

**36. Cancellation of licence.—**The Director-General may, by order, cancel a licence granted under rule 35 if he is satisfied that any of its conditions has been violated:

Provided that no licence shall be cancelled unless the licensee has been given an opportunity to make his objections.

**37. Appeal.—**Any person aggrieved by an order of the Director-General made under rule 35 or rule 36 may prefer an appeal to the Central Government; and the decision of that Government on such appeal shall be final.

**38. Removal of unauthorized buildings.—**(1) The Central Government may, by order, direct the owner or occupier of an unauthorized building in a prohibited area or in a regulated area or of a building or part thereof which has been constructed in contravention of any of the conditions of a licence granted under rule 35 to remove such building or part thereof within a period specified in that order.

(2) If the owner or occupier refuses or fails to comply with an order made under sub-rule (1), the Central Government may direct the District Magistrate to cause the building or part thereof to be removed, and the owner or occupier shall be liable to pay the cost of such removal.

**39. Penalty. —**Whoever—

(i) unlawfully undertakes any mining operation or construction in a prohibited area or in a regulated area, or

(ii) contravenes any of the conditions of a licence, or

(iii) fails or refuses to comply with an order made under sub-rule (1) of rule 38,

shall be punishable with imprisonment, which may extend to three months or with fine which may extend to five thousand rupees or with both.

## CHAPTER VIII
## COPYING AND FILMING OF PROTECTED MONUMENTS

**40. Permission required for copying certain monuments.—**The Director General may, by order, direct that no person other than an archaeological officer or an officer authorized by an archaeological officer in this behalf shall copy any specified monument or part thereof except

under and in accordance with the terms and conditions of a permission in writing by an archaeological officer.

**41. Conditions of copying other monuments.—**(1) Any person may copy a protected monument in respect of which no order under rule 40 has been made.

(2) Nothing in sub-rule (1) shall be construed as authorizing any person other than an archaeological officer or an officer authorised by him in this behalf, while copying any such monument, to—

(a) bring into or use within the precincts of such monument a camera-stand, stool, chair, table, large drawing-board, easel or any such appliance, or

(b) erect any scaffolding within such precincts, or

(c) use within such precincts any artificial light other than a flash-light synchronised with the exposure of a camera, or

(d) apply any extraneous matter, such as water, oil, grease or any moulding material, on such monument or part thereof, or

(e) prepare a direct tracing or mould or squeeze of such monument or part thereof, except under and in accordance with the terms and conditions of a permission in writing granted by an archaeological officer.

**42. Licence required for filming.—**

[1][(1) No person other than an archaeological officer or an officer authorised by him in this behalf shall undertake any filming operation at a protected monument or part thereof except under and in accordance with the terms and conditions of a licence granted under rule 44.

[2][(2) Nothing in sub-rule (1) shall apply to any person undertaking video filming from exterior of a protected monument except those specified in the Second Schedule in respect of which video-filming shall be permitted on payment of Rs. 25/-;

Provided it is for non-commercial purpose and does not involve any cast and use of a stand or in anyway interfere with customary and religious practices and work and work of repairs.]

**43. Application for licence.—**Every person intending to undertake any filming operation at a protected monument shall apply to the Director-General in Form IX at least three months before the proposed date of the commencement of such operation.

**44. Grant or refusal of licence.—**(1) On receipt of an application under rule 43, the Director General may grant a licence [3][on payment of a fee of Rs. 5,000 (rupees five thousand) in case of professionals and other agencies] or, if he is satisfied that the licence asked for should not be granted, may, for reasons to be recorded, refuse to grant a licence:

Provided that the Director General shall not grant any licence to film the interior of any protected monument, that is to say such part of any protected monument as is covered

[1] Renumbered by GSR 90, dated 30.01.1991.
[2] *Vide* GSR 90, dated 30.01.1991.
[3] *Vide* GSR 90, dated 30.01.1991.

by a roof of any description, except when the film is for the purpose of education or of publicising the monument.

(2) Every licence granted under sub-rule (1) shall be in Form X and be subject to the following conditions, namely:-

(a) the licence shall not be transferable and shall be valid for the period specified therein;

(b) nothing shall be done by the licensee or any member of his party which has, or may have, the effect of exposing any part of the monument or attached lawn or garden to the risk of damage;

(c) the filming operation shall be restricted to that part of the monument in respect of which the licence has been granted;

(d) no extraneous matter, such as water, oil, grease or the like, shall be applied on any part of the monument;

(e) the generating plant for electric power, wherever required, shall be placed away from the monument or the attached lawn or garden;

(f) the filming operation shall not obstruct or hamper the movement of persons who may lawfully be within the precincts of the monuments and

(g) any other condition which the Director-General may specify in the licence.

**45. Cancellation of licence.—**The Director-General, by order, may, after giving notice to the licence, cancel a licence granted under rule 44 if he is satisfied that any of its conditions has been violated.

**46. Appeal.—**Any person aggrieved by an order of the Director-General made under rule 44 or rule 45 may prefer an appeal to the Central Government; and the decision of that Government on such appeal shall be final.

**47. Certain rules not affected.—**Nothing in rule 41 and no provision of a permission granted under rule 40 or of a licence granted under rule 44 shall affect the operation of rules 3, 4, 5, 6, 7, 8 and 9.

**48. Penalty.—**Whoever copies or films any protected monument or does any other act in contravention of any provision of this chapter or of any permission or licence granted thereunder shall be punishable with fine which may extend to five hundred rupees.

## CHAPTER IX
## MISCELLANEOUS

**49. Manner of preferring an appeal.—**

(1) Every appeal to the Central Government under the Ancient Monuments and Archaeological Sites and Remains Act, 1958, or under these rules shall be in writing and shall be preferred within one month of the date of receipt of the order appealed against.

(2) Every such appeal shall be accompanied by a copy of the order appealed against.

**50. Service of orders and notices.—**Every order or notice made or issued under the Ancient Monuments and Archaeological Sites and Remains Act, 1958, or these rules shall—

(a) in the case of any order or notice of a general nature or affecting a class of persons, be published in the Official Gazette; and

(b) in the case of any order or notice affecting a corporation or firm, be served in the manner provided for the service of summons in rule 2 of order XXIX or rule 3 of order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908; and

(c) in the case of any order or notice affecting an individual person, be served on such person—

(i) by delivering or tendering it to the person concerned, or

(ii) if it cannot be so delivered or tendered, by delivering or tendering it to any adult male member of the family of such person or by affixing a copy thereof on the outer door or some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain, or

(iii) by sending it by registered post, acknowledgement due.



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## [1][SCHEDULES

### Hours during which certain monuments or part thereof will remain open (vide rule 5)

| Serial no. | State | District | Locality | Name of monument | Part of monumemnt which shall remain open during hours other than from sunrise to sunset | Hours of opening |
|---|---|---|---|---|---|---|
| 1. | Andhra Pradesh | Hyderabad | Hyderabad City | Char Minar | (i) Second storey and upwards<br>(ii) Remaining area | (i) From 9 AM to 5.30 PM or sunset whichever is earlier<br>(ii) From sunrise to 10 PM |
| 2. | Bihar | Patna | Kumrahar | Site of Mauryan Palace | Whole | From 9 AM to 5.30 PM or sunset whichever is earlier. |
| 3. | Bihar | Patna | Nalanda (Bargaon) | All mounds, structures and buildings enclosed in the acquired area | Fenced area containing excavated remains. | From 9 AM to 5.30 PM or sunset whichever is earlier. |
| 4. | Delhi | Delhi | Delhi Zail | Afsar Wala-ki-masjid | Garden | From Sunrise to 10 PM |
| 5. | Delhi | Delhi | Delhi Zail | Gateways of Abadi Bagh Bu-Halima | Garden | From Sunrise to 10 PM |
| 6. | Delhi | Delhi | Delhi Zail | Jantar Mantar | Whole | From Sunrise to 10 PM |
| 7. | Delhi | Delhi | Delhi Zail | Kotla Firoz Shah | Garden | From Sunrise to 10 PM |
| 8. | Delhi | Delhi | Delhi Zail | Tomb of Afsar Wala | Garden | From Sunrise to 10 PM |
| 9. | Delhi | Delhi | Delhi Zail | Tomb of Khan Khanan | Garden | From Sunrise to 10 PM |
| 10. | Delhi | Delhi | Mehrauli Zail | Group of buildings at Hauz Khas | Garden | From Sunrise to 10 PM |
| 11. | Delhi | Delhi | Mehrauli Zail | Qutb archaeological area | Garden | From Sunrise to 10 PM |
| 12. | Madras | South Arcot | Gingee | Fortress including monuments on Krishnagiri and Rajagiri hills | Whole | From 9 AM to 5.30 PM or sunset whichever is earlier. |

[1] Vide S.O. 5002, dated 13.12.1969

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|---|---|---|---|---|---|---|
| 13. | Maharashtra | Aurangabad | Ajanta | Ajanta Caves | Whole | From 9 AM to 5.30 PM or sunset whichever is earlier. |
| 14. | Maharashtra | Aurangabad | Aurangabad | Tomb of Rabia Daurani (Bibi-ka-Maqbara) | Garden | From sunrise to 10 PM |
| 15. | Maharashtra | Bombay (suburban) | Kanheri | Buddhist Caves | Whole | From 9 AM to 5.30 PM or sunset whichever is earlier. |
| 16. | Maharashtra | Kolaba | Gharapuri | Elephanta Caves | Whole | From 9 AM to 5.30 PM or sunset whichever is earlier. |
| 17. | Maharashtra | Poona | Karla | Cave Temples | Whole | From 9 AM to 5.30 PM or sunset whichever is earlier. |
| 18. | Mysore | Bangalore | Bangalore | Tipu Sultan's Palace | Garden | From sunrise to 10 PM |
| 19. | Mysore | Bijapur | Bijapur | Gol Gumbaz | Garden | From sunrise to 10 PM |
| 20. | Mysore | Mandya | Seringapatnam | Daria Daulat Bagh | (i)Palace<br>(ii)Garden | (i) From 9 AM to 5.30 PM or sunset whichever is earlier<br>(ii) From sunrise to 10 PM |
| 21. | Mysore | Mysore | Somanathpur | Kesava temple | Whole | From 9 AM to 5.30 PM or sunset whichever is earlier. |
| 22. | Rajasthan | Ajmer | Ajmer | Marble pavilion and balustrade on the Anasagar Bund and the ruins of the marble Hamam behind the Anasagar Dam | Whole | From sunrise to 10 PM |
| 23. | Uttar Pradesh | Agra | Agra | Taj Mahal | Whole | From sunrise to 10 PM. On full-moon days and four days preceding and following from sunrise to 12 PM (midnight) |
| 24. | Uttar Pradesh | Lucknow | Lucknow | Residency buildings | (i) Model room<br>(ii) Garden | (i) From 9 AM to 5.30 PM or sunset whichever is earlier<br>(ii) From sunrise to 10 PM |



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## [1]SECOND SCHEDULE
**(see rule 6)**
**Protected monuments or parts thereof entry into which can be had only on payment of fee**
**Part – I**
**Category 'A' Monuments**

| Serial no. | State | District | Locality | Name of monument | Part of monument for which payment of fee is required |
|---|---|---|---|---|---|
| 1. | Karnataka | Bellary | Hampi<br>Kamalapuram<br>Krishnapuram<br>Venkatapuram | Group of monuments | Ancient enclosures, Kamalapuram; Royal enclosures Kamalapuram: Hazara Ram Temple, Kamalapuram Zanana enclosures, Kamalapuram Krishna Temple, Krishnapuram; Vithal Temple, Venkatapuram, Pattabhirama Temple, Kamalapuram Achutaraya Temple, Venkatapuram. |
| 2. | Karnataka | Bijapur | Pattadakal | Group of temples | Whole, except Virupaksha Temple. |
| 3. | Maharashtra | Aurangabad | Ajanta | Ajanta Caves | Whole |
| 4. | Maharashtra | Aurangabad | Ellora | Ellora Caves | Group of caves |
| 5. | Maharashtra | Bombay (Kolaba) | Gharapuri | Elephanta Caves | Cave nos. 1 to 5 and fenced area in front |
| 6. | Madhya Pradesh | Chhattarpur | Khajuraho | Western group of temples | Whole, except Matangesvara temple |
| 7. | Madhya Pradesh | Raisen | Sanchi | Buddhist Monuments | Whole |
| 8. | National Capital Territory of Delhi | Delhi | Delhi Zail | Humayun's Tomb | Whole monument and gardens within the enclosure wall and gateway |
| 9. | National Capital Territory of Delhi | Delhi | Mehrauli | Qutab, Archaeological area | Whole, except Qutab Minar from inside. |
| 10. | Orissa | Puri | Konarak | Sun Temple | Ancient Monuments of the Black Pagoda and ruins of all ancient edifices, images, structures, basement, pillars, carvings, walls, gateways, etc., of the complex. |
| 11. | Tamil Nadu | Chengai Anna | Mahabalipuram | Group of monuments at Mahabalipuram | Whole |
| 12. | Uttar Pradesh | Agra | Agra | Agra Fort | Archaeological area |
| 13. | Uttar Pradesh | Agra | Agra | Taj group of monuments | The Taj and its garden and grounds, including the Jawab on the east, the pavilions on east and west sides of the grounds as well as all the towers (except |

[1] Vide GSR 306, dated 10.07.1996


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| | | | | | |
|---|---|---|---|---|---|
| | | | | | the two towers flanking the Masjid) and the Great Southern Entrance Gateway with the cloisters on its flanks, the old Mughal Acquaduct in the Taj with the Central Marble Tank, the well at the Taj Garden and the drinking fountain in the west enclosure wall of the Taj Garden. |
| 14. | Uttar Pradesh | Agra | Fatehpur Sikri | Fatehpur Sikri group of monuments | The entire area bounded on the south by the compound wall to the south of Jodhabai Palace and further eastwards by the road leading to the southern entrance of Diwan-i-am quadrangle, on the east by the Diwan-i-am quadrangle; on the north by the walls enclosing the Diwan-i-Khas, Ankh Michauli Hospital, Zanana Garden and Birbal's daughter's palace and on the west by the wall enclosing the horse's stable |

## [1]SECOND SCHEDULE

**Monuments or parts thereof entry into which can be had only on payment of fee (vide rule 6)**

| Serial no. | State | District | Locality | Name of monument | Part of monument for which payment of fee is required |
|---|---|---|---|---|---|
| 1. | Andhra Pradesh | Chittor | Chandragiri | Raja and Rani Mahal | Whole |
| 2. | Andhra Pradesh | Hyderabad | Golkonda | Golkonda Fort | Whole |
| 3. | Assam | Sibsagar | Garhagaon | Ahom Raja's Palace | Whole |
| 4. | Bihar | Nalanda | Nalanda (bargain) | All mounds, structures and buildings enclosed in the acquired area, Nalanda | Fenced area containing excavated remains. |
| 5. | Bihar | Patna | Kumrahar | Site of Mauryan Palace | Whole |
| 6. | Bihar | Rohtas | Sasaram | Shershah Suri Tomb | Whole |
| 7. | Bihar | Vaishali | Chakramdas | Ancient ruins, Vaishali | The Stupa, Ashokan Pillar, mounds and excavated remains |
| 8. | Gujarat | Ahmedabad | Lothal | Excavated remains at Lothal | Whole |
| 9. | Gujarat | Mehsana | Modhera | Sun Temple | Sun temple, Sun tank, Kund and carved stones with images, temples and underground cell. |

[1] Vide GSR 306, dated 10.07.1996

| | | | | | |
|---|---|---|---|---|---|
| 10. | Gujarat | Mehsana | Patan | Rani-ki-Vav | Whole |
| 11. | Jammu & Kashmir | Udhampur | Kiramchi | Group of temples | Whole complex |
| 12. | Jammu & Kashmir | Udhampur | Ramnagar | Ramnagar Palace | Palace attributed to Raja Suchet Singh. |
| 13. | Karnakata | Bangalore | Bangalore | Tipu Sultan Palace | Whole |
| 14. | Karnataka | Bijapur | Aihole | Durga Temple Complex | Whole |
| 15. | Karnakaka | Bijapur | Badami | Jaina and Vishnu caves | Whole |
| 16. | Karnakata | Bijapur | Bijapur | Gol Gumbaz | The Mausoleum and garden |
| 17. | Karnataka | Bijapur | Bijapur | Ibrahim Rouza | Whole |
| 18. | Karnakaka | Chitaldurg | Chitaldurg | Chitaldurg | Fortress and temples on the hill |
| 19. | Karnataka | Mandya | Srirangapatna | Daria Daulat Bagh | Palace complex and garden |
| 20. | Karnataka | Mysore | Somanathapura | Sri Kesava Temple | Whole |
| 21. | Kerala | Kannur | Pallicherry | Bekal fort | Whole |
| 22. | Maharashtra | Aurangabad | Aurangabad | Tomb of Rabia Daurani (Bibi-ki-Maqbara) | Tomb and the garden |
| 23. | Maharashtra | Aurangabad | Daulatabad | Daulatabad Fort | Daulatabad Fort and monuments therein |
| 24. | Maharashtra | Bombay suburban | Kanheri | Caves | Buddhist caves |
| 25. | Maharashtra | Kolaba | Alibag | Hirakota Old Fort | Whole |
| 26. | Maharashtra | Kolaba | Raigad | Raigad Fort | Whole |
| 27. | Maharashtra | Nasik | Pathardi | Pandav Lena Caves | Whole |
| 28. | Maharashtra | Pune | Junnar | Junnar Caves and inscriptions | Whole |
| 29. | Maharashtra | Pune | Karla | Cave temples | Whole |
| 30. | Maharashtra | Pune | Pune | Shaniwarwada | Old citadel known as Shaniwarwada |
| 31. | Maharashtra | Sholapur | Sholapur | Old Fort | Whole |
| 32. | Madhya Pradesh | Dhar | Mandu | Group of monuments | Royal enclosures (Jahaz Mahal, Hindola Mahal and other palatial remains) |
| 33. | Madhya Pradesh | Gwalior | Gwalior | Gwalior Fort | Badal mahal, Mansingh's Palace, Sas bahu temples, Teli ka Mandir |
| 34. | Madhya Pradesh | Nimar (East) | Burhanpur | Palace situated in the Fort (Shahi Quila) | Whole |
| 35. | Madhya Pradesh | Raipur | Sirpur | Group of monuments (Laxman temple) | Whole |
| 36. | National Capital Territory of Delhi | Delhi | Delhi Zail | Delhi Fort | Archaeological area |


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| | | | | | |
|---|---|---|---|---|---|
| 37. | National Capital Territory of Delhi | Delhi | Delhi Zail | Tomb of Safdarjung | Whole with all its enclosures, wall, gateway and gardens |
| 38. | National Capital Territory of Delhi | Delhi | Purana Quila | Purana Quila | Gateways, bastions and gardens, Quila-i-Khaona Mosque and Sher Mandan (from outside). |
| 39. | Orissa | Puri | Bhubaneswar | Raja Rani Temple | Whole |
| 40. | Orissa | Puri | Jagmara | Udaygiri and Khandagiri | All ancient caves, structures and other monuments or remains situated on the Udaygiri and Khandagiri hills except the Temple of Parasnath on the top of the Khandagiri hill and also the temple in front of Harabhuji and the Trisula Caves. |
| 41. | Rajasthan | Bharatpur | Deeg | Deeg Palace | Whole |
| 42. | Rajasthan | Chittor | Chittorgarh | Fort | Victory tower and other buildings |
| 43. | Rajasthan | Udaipur | Kumbhalgarh | Fort of Kumbhalgarh | Whole |
| 44. | Tamil Nadu | Dindigul | Dindigul | Fort | Whole |
| 45. | Tamil Nadu | Madras | Fort St. George | Fort St. George | Part of the Fort complex where objects are on display for public writing. |
| 46. | Tamil Nadu | Pudukkottai | Tirumayam | Fort | Whole |
| 47. | Tamil Nadu | South Arcot | Gingee | Rajagiri Fort and Krishnagiri Fort | Whole (Annual festival is held every year during the month of May and fee will remain suspended for 10 days at Rajagiri Fort, Gingee) |
| 48. | Tamil Nadu | Tiruchirapalli | Kodumabur | Muvarkoil | Surrounding sub-shrines, stone enclosures, and stone well on the north-east corner. |
| 49. | Uttar Pradesh | Agra | Agra | Group of monuments at Ram Bagh | Whole |
| 50. | Uttar Pradesh | Agra | Agra | Itimad-ud-daula's Tomb | Whole |
| 51. | Uttar Pradesh | Agra | Sikandara | Akbar's Tomb | Whole |
| 52. | Uttar Pradesh | Agra | Sikandara | Mariam's Tomb | Whole |
| 53. | Uttar Pradesh | Bahraich | Sahet-Mahet | Monuments of Sravasti | Excavated remains at Sahet within the fenced area. |
| 54. | Uttar Pradesh | Jhansi | Jhansi | Rani Jhansi Mahal | Whole |
| 55. | Uttar Pradesh | Jaunpur | Jaunpur | Fort (old) | Whole |
| 56. | Uttar Pradesh | Lucknow | Lucknow | Residency Buildings | Model Room and the garden |
| 57. | Uttar Pradesh | Varanasi | Sarnath | Excavated remains at Sarnath | Whole |
| 58. | West Bengal | Murshidabad | Hazarduari | Hazarduari Palace | Parts of the palace complex where objects are also on display |



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**Monuments or parts thereof entry into which can be had only on payment of fee[1] (vide rule 6)**

| Sl. | Name of the monument | Locality | State |
|---|---|---|---|
| 1 | Rani Jhansi Fort | Jhansi | Uttar Pradesh |
| 2 | Jantar Mantar | Delhi | Delhi |
| 3 | Rahim-Khane-Khanan Tomb | Delhi | Delhi |
| 4 | Karanghar Palace | Sibsagar | Assam |
| 5 | Rang-dhar Pavilion | Sibsagar | Assam |
| 6 | Avantiswami Temple | Avantipura | Jammu & Kashmir |
| 7 | Rock cut caves | Masrur | Himachal Pradesh |
| 8 | Kangra Fort | Kangra | Himachal Pradesh |
| 9 | Cooch Behar Palace | Cooch Behar | West Bengal |
| 10 | Bishnupur Temples | Bishnupur | West Bengal |
| 11 | Rani Roopmati Pavilion | Mandu | Madhya Pradesh |
| 12 | Hoshang Shah's Tomb | Mandu | Madhya Pradesh |
| 13 | Hoshang Shah's Palace | Mandu | Madhya Pradesh |
| 14 | Brihadeswara temple | Gangaikonda Cholapuram | Tamilnadu |
| 15 | Temples and sculpture gallery | Lakkundi | Karnataka |
| 16 | Bellary Fort | Bellary | Karnataka |
| 17 | Nanjangud | Nanjangud | Karnataka |
| 18 | Bagh Caves | Bagh | Madhya Pradesh |
| 19 | Aurangabad Caves | Aurangabad | Maharashtra |
| 20 | Raigarh hill monuments | Colaba | Maharashtra |
| 21 | Cave temple and inscriptions | Bhaja | Maharashtra |
| 22 | Ratnagiri monuments | Ratnagiri | Orissa |
| 23 | Lalitgiri monuments | Lalitgiri | Orissa |
| 24 | Lower Fort and structures | Chandragiri | Andhra Pradesh |
| 25 | Upper Fort | Chandragiri | Andhra Pradesh |
| 26 | Ruined Buddhist stupa and other remains | Amravati | Andhra Pradesh |
| 27 | Four storeyed rock-cut Hindu temple | Undavalli | Andhra Pradesh |
| 28 | Thousand Pillared temple | Hanamkonda | Andhra Pradesh |
| 29 | Warrangal fort | Warrangal | Andhra Pradesh |
| 30 | **Buddhist monuments:**<br>1. Rock-cut temple<br>2. Large Monastery<br>3. Small Monastery<br>4. Brick Chaitya<br>5. Ruined Mandapa<br>6. Stone build stupa and large group of stupas | Guntapalle | Andhra Pradesh |
| 31 | Ashokan rock edict | Junagadh | Gujarat |
| 32 | Buddhistic Cave | Junagadh | Gujarat |
| 33 | Baba Pyare Khapra Kodia Caves | Junagadh | Gujarat |

[1] Vide GSR 799 (E), dated 17.10.2000.

| | | | |
|---|---|---|---|
| 34 | Champaner monuments | Champaner | Gujarat |
| 35 | Suraj Kund monastery | Lakarpur | Haryana |
| 36 | Shiekh Chilli's Tomb | Thaneshwar | Haryana |
| 37 | Group of four maidans | Charaideo | Assam |
| 38 | Ahom Palace | Garhgaon | Assam |
| 39 | Bishnudol | Jaisagar | Assam |
| 40 | Devidol | Jaisagar | Assam |
| 41 | Excavated site | Vikramshila | Bihar |
| 42 | Bekal fort | Bekal | Kerala |
| 43 | Hill of Nagarjunakonda with the ancient remains | Pullareddigudem (Agraharam) | Andhra Pradesh |
| 44 | Rock-cut Jain temple | Sittannavasal | Tamilnadu |
| 45 | Natural cavern with stone bed and Brahmi and old Tamil inscriptions called Eladipattam | Sittannavasal | Tamilnadu |
| 46 | Leh Palace | Leh | Jammu & Kashmir |
| 47 | Sultangarhi | Delhi | Delhi |
| 48 | Tomb of Lord Cornwallis | Ghazipur | Uttar Pradesh |
| 49 | Observatory of Mansingh | Varanasi | Uttar Pradesh |
| 50 | Fort of Kalinjar, together with the parapet walls, with the gateways and the monuments inside it, viz., Sita Kunda, Sita Sez, Patalganga, Pandu Kund, Bhaironka jhirka, Siddh-ki-gumpha, Bhagwan-Sez, Pani-ka-aman, Mrigthara, Koththirth, Linga tempole of Nilakanthal, etc. | Kalinjar | Uttar Pradesh |
| 51 | Mehtab Bagh on the river bank facing Taj | Agra | Uttar Pradesh |
| 52 | Kotla Feroz Shah with remaining walls, bastions and gateways and gardens, the Old Mosque and well and other ruined buildings it contains | Delhi | Delhi |
| 53 | Tughlaqabad Fort (Palace area) and Tomb of Tughlaq Ghiasudin | Delhi | Delhi |

## THIRD SCHEDULE

### FORM I

Application for permission for construction/mining
Operation within a protected area.
(See rule 10)

1. Name and address of applicant[1]

2. Name of the protected area within which construction/mining operation is proposed.

   **Locality** **District** **State**

3. Nature and details of the proposed construction/mining operation in respect of which permission is sought.

   (In the case of construction, a site-plan in triplicate showing in red outline the location of the building in relation to the protected area and the plan and elevation of the building should be attached; and the colour, external appearance and method of the screening of the building and the depth down to which the soil will be excavated for the appurtenances of the building should be specified.

   In the case of mining operation, a site-plan in triplicate showing in red outline the extent of the operation in relation to the protected area should be attached; and details, regarding the depth down to which the operation is to be carried out, the mode of the operation, the method of the muffling of sound, the kind and charge of blasting material and the depth and number of blast-holes to be fired at a time should be specified.)

4. Purpose of the proposed construction/mining operation.

5. Approximate duration and date of commencement of the proposed construction/mining operation.

   I declare that the above information is correct. I also undertake to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, and rules made thereunder.

   **Station**

   **Seal of the organization**

   **Date**

   **Signature of the applicant[2]**

[1] If the application is on behalf of an organisation, the name thereof should be given.

[2] If the application is on behalf of an organization, the signature should be that of the head of the department.

**FORM II**

Application For Licence To Excavate In A Protected Area
(Vide rule 12)

1. Name and address of applicant[1]

2. Name of the site

   Locality District State

3. Extent of the proposed excavation (a plan of the site in triplicate showing in red outline the extent of the proposed excavation should be attached).

4. Approximate duration and date of commencement of the proposed excavation.

5. Approximate expenditure on the proposed excavation.

6. Name and status of the Director of the proposed excavation.

7. Details of photographic, surveying and other equipments available for the proposed excavation.

I declare that the above information is correct. I also undertake to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, and the rules made there under.

**Station**

**Seal of the institution**

**Date**

**Signature of the applicant[2]**

[1] If the application is on behalf of an institution, the name thereof should be given.

[2] If the application is on behalf of an institution, the signature should be that of the head of the institution, which term includes the Registrar of a University.



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**FORM III**

**Licence for excavation in a protected area**
(See rule 13)

Whereas_____has applied for a licence for carrying out excavation operation in the protected area known as _____at_____, District _____, State_____, and has undertaken to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and the rules made thereunder and has further deposited the sum of Rs._____ (Rupees_____only) as required by the rules, I, _____, Director General of Archaeology, do hereby grant this licence under sub-rule (1) of rule 13 of the said rules to the said_____to carry out excavation operations in the area indicated in red outline on the plan attached hereto.

The licence is granted subject to the provisions of the said Act and rules and is further subject to the conditions that _____ of_____shall be the director of the excavation.

The licence is not transferable. It shall be valid for_____commencing with _____day of_____2000.

**Station**

**Seal of the Department of Archaeology of the Government of India**

**Date**

**Signature of the Director General of Archaeology.**

**FORM IV**

**Report on antiquities in a protected area**
**(See rule 16)**

Name of the site

Locality

District

State

Report for the period from _____ 20 to _____ 20

| Sl. no. | Class of antiquities | Material | Number of antiquities[1] | | Approximate age | Remarks |
|---|---|---|---|---|---|---|
| | | | Complete | Fragmentary | | |
| | | | | | | |

**Station**
**Date**

**Signature of the licensee**

[1] In the case of potsherds, the approximate number should be stated.



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**FORM V**

**Report on antiquities by an archaeological officer**
**(See rule 27)**

Name of the site

Locality

District

State

Report for the period from _____ 20 to _____ 20

| Serial no. | Class of antiquities | Material | Number of antiquities[1] | | Approximate age | Remarks |
|---|---|---|---|---|---|---|
| | | | Complete | Fragmentary | | |
| | | | | | | |

**Station**
**Date**

**Signature of the archaeological officer**

[1] In the case of potsherds, the approximate number should be stated.

**FORM VI**

**Application for the moving of antiquities**
**(See rule 28)**

1. Name and address of applicant[1]

2. Name of the place from which antiquities are to be moved

   Locality District State

3. Description of antiquities proposed to be moved
   (Photographs showing details of the antiquities should be attached)

4. Approximate date of the moving

5. Purpose of moving

6. Whether the antiquities or any of them are objects of worship

   I declare that the above information is correct

**Seal of the organization**

**Station**
**Date**

**Signature of the applicant[2]**

[1] If the application is on behalf of an organization, the name thereof should be given.

[2] If the application is on behalf of an organization, the signature should be that of the head of that organization.



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**FORM VII**

**Application for licence for mining operation/construction within a regulated area (See rule 34)**

1. Name and address of applicant[1]

2. Name of the monument near or adjoining which the regulated area is situated.

   Locality District State

3. Nature and details of the proposed mining operation/construction in respect of which permission is sought

   (In the case of mining operation, a site-plan in triplicate showing in red outline, the extent of the operation in relation to the monument and the regulated area should be attached; and the details regarding the depth down to which the operation is to be carried out, the mode of the operation, the method of the muffling of sound, the kind and charge of blasting material and the depth and number of blast-holes to be fired at a time should be specified.

   In the case of construction, a site-plan in triplicate showing in red outline the location of the building in relation to the monument and the regulated area and the plan and elevation of the building should be attached; and the colour, external appearance and method of the screening of the building and the depth down to which the soil will be excavated for the appurtenances of the building should be specified.)

4. Purpose of the proposed mining operation/construction

5. Approximate duration and date of commencement of the proposed mining operation/construction

   I declare that the above information is correct. I also undertake to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act 1958, and the rules thereunder.

**Station**

**Seal of the organisation**

**Date**

**Signature of the applicant[2]**

[1] If the application is on behalf of an organization, the name thereof should be given.

[2] If the application is on behalf of an organization, the signature should be that of the head of that organization.

**Form VIII**

**Licence of mining operation / construction within a regulated area**
(see rule 35)

Whereas …….. of …… Has applied for a licence for in the regulated area near or adjoining …… at …….. District …….. State …….. and has undertaken to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, and the rules thereunder, …….. I, …….. Director-General of Archaeology, do hereby grant this licence under sub-rule (1) of rule 35 of the said rules to the said ……. for …….. in the area indicated in red outline on the plan attached hereto.

The licence is granted subject to the provisions of the said Act and rules and is further subject to the following condition, namely:

The licence is not transferable. It shall be valid for commencing with …….. day ……. of 20 …….

**Station**

**Seal of the Department of Archaeology of the Government of India**

**Date**

**Signature of the Director General of Archaeology**



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**Form IX**

**Application for licence of filming operation at a protected monument**
**(See rule 43)**

1. Name and address of applicant[1].

2. Name of the monument at which the proposed filming operation is to be carried out.

Locality District State

3. Part of the monument proposed to be filmed.

4. Nature and purpose of the proposed filming operation and the context in which the monument is proposed to be filmed (relevant extract of the script should be attached in triplicate and details of the scenes to be filmed should be furnished in triplicate).

5. Number of persons in the cast.

6. Approximate duration and date of commencement of proposed filming operation.

I declare that the above information is correct. I also undertake to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act 1958, and the rules thereunder.

**Station**

**Seal of the organisaion**

**Date**

**Signature of the applicant[2]**

[1] If the application is on behalf of an organisation, the name thereof should be given.
[2] If the application is on behalf of an organization, the signature should be that of the head of that organization.

**FORM X**

**Licence for filming operation at a protected monument**
**(See rule 44)**

Whereas_____of_____has applied for a licence for filming operation at the protected monument known as _____ located at_____District_____State_____, and has undertaken to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, and the rules made thereunder, I,_____, Director-General of Archaeology, do hereby grant this licence under rule 44 of the said rules to the said_____for the carrying out of filming operation, as per script and details of scenes attached hereto, in the following parts of the monuments, namely:-

The licence is granted subject to the provisions of the said Act and rules and is further subject to the following conditions, namely:--

The licence is not transferable. It shall be valid for _____ commencing with _____ day of _____ 2000.

**Seal of the Department**
**of Archaeology of the**
**Government of India**
**Station**
**Date**

**Signature of the**
**Director General of Archaeology.**



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# THE GAZETTE OF INDIA

***DEPARTMENT OF CULTURE***
***(ARCHAEOLOGICAL SURVEY OF INDIA)***
***NEW DELHI, THE 16TH JUNE 1992***
***(ARCHAEOLOGY)***

**S.O.1764.—**Whereas by the notification of the Government of India in the Department of Culture, Archaeological Survey of India no. S.O. 1447 dated the 15th May 1991, published in the Gazette of India, part II, Section 3, sub-section (ii) dated the 25th May 1991, the Central Government gave one month's notice of its intention to declare areas upto 100 meters from the protected limits and further beyond it upto 200 meters near or adjoining protected monuments to be prohibited and regulated areas respectively for purposes of both mining operation and construction;

And whereas the said Gazette was made available to the public on the 5th June 1991:

And whereas objections to the making of such declaration received from the person interested in the said areas have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by rule 32 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, the Central Government hereby declares the said areas to be prohibited and regulated areas. This shall be in addition to and not in any way prejudice to similar declarations already made in respect of monuments at Fatehpur Sikri; Mamallapuram; Golconda Fort, Hyderabad, Andhra Pradesh; Thousand Pillared Temple, Hanamkonda, district Warangal, Andhra Pradesh; Sher Shah's Tomb, Sasaram, Bihar; Rock Edict of Ashoka, Kopbal, district Raichur, Karnataka; Fort Wall, Bijapur, Karnataka; Gomateswara Statue at Sravanabelagola, district Hassan, Karnataka; Elephanata Caves, Gharapuri, district Kolaba, Maharashtra.

**[No. F. 8/2/90-M]**
**M.C. JOSHI,**
**Director General.**

# Annexure 07*: AMASR Act 2010 - Gazette Notification*

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—10 REGISTERED NO. DL—(N)04/0007/2003—10

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II — खण्ड 1
PART II — Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 13] नई दिल्ली, मंगलवार, मार्च 30, 2010 / चैत्र 9, 1932
No. 13] NEW DELHI, TUESDAY, MARCH 30, 2010 / CHAITRA 9, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE
## (Legislative Department)

*New Delhi, the* 30*th March,* 2010/*Chaitra* 9, 1932 *(Saka)*

The following Act of Parliament received the assent of the President on the 29th March, 2010, and is hereby published for general information:—

# THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS (AMENDMENT AND VALIDATION) ACT, 2010

(No. 10 OF 2010)

[29*th March,* 2010.]

An Act further to amend the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and to make provision for validation of certain actions taken by the Central Government under the said Act.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

Short title and commencement.

**1.** (*1*) This Act may be called the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010.

(*2*) Save as otherwise provided, it shall be deemed to have come into force (except sections 3, 5, 7 and 8 to 11) on the 23rd day of January, 2010.

Amendment of section 2.

24 of 1958.

**2.** On and from the 16th day of June, 1992, in the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (hereinafter referred to as the principal Act), in section 2,—

(*i*) after clause (*d*), the following clauses shall be inserted and shall be deemed to have been inserted, namely:—

'(*da*) "Authority" means the National Monuments Authority constituted under section 20F;

(*db*) "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 sections 20C, 20D and 20E;

(*dc*) "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;';

(*ii*) after clause (*h*), the following clause shall be inserted and shall be deemed to have been inserted, namely:—

'(*ha*) "prohibited area" means any area specified or declared to be a prohibited area under section 20A;';

(*iii*) after clause (*j*), the following clauses shall be inserted and shall be deemed to have been inserted, namely:—

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

(*l*) "regulated area" means any area specified or declared under section 20B;

(*m*) "repair and renovation" means alterations to a pre-existing structure or building, but shall not include construction or re-construction;'.

Insertion of new section 4A.

3. After section 4 of the principal Act, the following section shall be inserted, namely:—

Categorisation and classification in respect of ancient monuments or archaeological sites and remains declared as of national importance under sections 3 and 4.

"4A. (*1*) The Central Government shall, on the recommendation of the Authority, prescribe categories in respect of ancient monuments or archaeological sites and remains declared as of national importance under sections 3 and 4, and while prescribing such categories it shall have regard to the historical, archaeological and architectural value and such other factors as may be relevant for the purpose of such categorisation.

(*2*) The Central Government shall, on the recommendation of the Authority, classify all the ancient monuments or archaeological sites and remains declared as of national importance under sections 3 and 4, in accordance with the categories prescribed under sub-section (*1*) and thereafter make the same available to the public and exhibit the same on its website and also in such other manner as it may deem fit.".

Insertion of new section 20A.

4. On and from the 16th day of June, 1992, after section 20 of the principal Act, the following section shall be inserted and shall be deemed to have been inserted, namely:—

"PROHIBITED AND REGULATED AREAS

Declaration of prohibited area and carrying out public work or other works in prohibited area.

20A. Every area, beginning at the limit of the protected area or the protected monument, as the case may be, and extending to a distance of one hundred metres in all directions shall be the prohibited area in respect of such protected area or protected monument:

Provided that the Central Government may, on the recommendation of the Authority, by notification in the Official Gazette, specify an area more than one hundred

metres to be the prohibited area having regard to the classification of any protected monument or protected area, as the case may be, under section 4A.

(*2*) Save as otherwise provided in section 20C, no person, other than an archaeological officer, shall carry out any construction in any prohibited area.

(*3*) In a case where the Central Government or the Director-General, as the case may be, is satisfied that—

(*a*) it is necessary or expedient for carrying out such public work or any project essential to the public; or

(*b*) such other work or project, in its opinion, shall not have any substantial adverse impact on the preservation, safety, security of, or, access to, the monument or its immediate surrounding,

it or he may, notwithstanding anything contained in sub-section (*2*), in exceptional cases and having regard to the public interest, by order and for reasons to be recorded in writing, permit, such public work or project essential to the public or other constructions, to be carried out in a prohibited area:

Provided that any area near any protected monument or its adjoining area declared, during the period beginning on or after the 16th day of June, 1992 but ending before the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, as a prohibited area in respect of such protected monument, shall be deemed to be the prohibited area declared in respect of that protected monument in accordance with the provisions of this Act and any permission or licence granted by the Central Government or the Director-General, as the case may be, for the construction within the prohibited area on the basis of the recommendation of the Expert Advisory Committee, shall be deemed to have been validly granted in accordance with the provisions of this Act, as if this section had been in force at all material times:

Provided further that nothing contained in the first proviso shall apply to any permission granted, subsequent to the completion of construction or re-construction of any building or structure in any prohibited area in pursuance of the notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O. 1764, dated the 16th June, 1992 issued under rule 34 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, or, without having obtained the recommendations of the Committee constituted in pursuance of the order of the Government of India number 24/22/2006-M, dated the 20th July, 2006 (subsequently referred to as the Expert Advisory Committee in orders dated the 27th August, 2008 and the 5th May, 2009).".

Amendment of section 20A.

**5.** In section 20A of the principal Act (as so inserted by section 4 of this Act), after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*4*) No permission, referred to in sub-section (*3*), including carrying out any public work or project essential to the public or other constructions, shall be granted in any prohibited area on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010 receives the assent of the President.".

Insertion of new section 20B.

**6.** On and from the 16th day of June, 1992, after section 20A of the principal Act, the following section shall be inserted and shall be deemed to have been inserted, namely:—

Declaration of regulated area in respect of every protected monument.

"20B. Every area, beginning at the limit of prohibited area in respect of every ancient monument and archaeological site and remains, declared as of national importance under sections 3 and 4 and extending to a distance of two hundred metres in all directions shall be the regulated area in respect of every ancient monument and archaeological site and remains:

Provided that the Central Government may, by notification in the Official Gazette, specify an area more than two hundred metres to be the regulated area having regard

to the classification of any protected monument or protected area, as the case may be, under section 4A:

Provided further that any area near any protected monument or its adjoining area declared, during the period beginning on or after the 16th day of June, 1992 but ending before the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, as a regulated area in respect of such protected monument, shall be deemed to be the regulated area declared in respect of that protected monument in accordance with the provisions of this Act and any permission or licence granted for construction in such regulated area shall, be deemed to have been validly granted in accordance with the provisions of this Act, as if this section had been in force at all material times.".

Insertion of new sections 20C, 20D, 20E, 20F, 20G, 20H, 20-I, 20J, 20K, 20L, 20M, 20N, 20-O, 20P and 20Q.

7. After section 20B of the principal Act (as so inserted by section 6 of this Act) the following sections shall be inserted, namely:—

Application for repair or renovation in prohibited area, or construction or re-construction or repair or renovation in regulated area.

'20C. (*1*) Any person, who owns any building or structure, which existed in a prohibited area before the 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 or renovation, as the case may be.

(*2*) 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.

GRANT OF PERMISSION BY COMPETENT AUTHORITY

Grant of permission by competent authority within regulated area.

20D. (*1*) Every application for grant of permission under section 20C of this Act shall be made to the competent authority in such manner as may be prescribed.

(*2*) The competent authority shall, within fifteen days of the receipt of the application, forward the same to the Authority to consider and intimate impact of such construction (including the impact of large-scale development project, public project and project essential to the public) having regard to the heritage bye-laws relating to the concerned protected monument or protected area, as the case may be:

Provided that the Central Government may prescribe the category of applications in respect of which the permission may be granted under this sub-section and the application which shall be referred to the Authority for its recommendations.

(*3*) The Authority shall, within two months from the date of receipt of application under sub-section (*2*), intimate to the competent authority impact of such construction (including the impact of large-scale development project, public project and project essential to the public).

(*4*) The competent authority shall, within one month of the receipt of intimation from the Authority under sub-section (*3*), either grant permission or refuse the same as so recommended by the Authority.

(*5*) The recommendations of the Authority shall be final.

(*6*) In case the competent authority refuses to grant permission under this section, it shall, by order in writing, after giving an opportunity to the concerned person, intimate such refusal within three months from the date of receipt of the application to the applicant, the Central Government and the Authority.

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(*7*) If the competent authority, after grant of the permission under sub-section (*4*) and during the carrying out of the repair or renovation work or re-construction of building or construction referred to in that sub-section, is of the opinion (on the basis of material in his possession or otherwise) that such repair or renovation work or re-construction of building or construction is likely to have an adverse impact on the preservation, safety, security or access to the monument considerably, it may refer the same to the Authority for its recommendations and if so recommended, withdraw the permission granted under sub-section (*4*) if so required:

Provided that the competent authority may, in exceptional cases, with the approval of the Authority grant permission to the applicant referred to in sub-section (*2*) of section 20C until the heritage bye-laws have been prepared under sub-section (*1*) of section 20E and published under sub-section (*7*) of that section.

(*8*) The Central Government, or the Director-General, as the case may be, shall exhibit, on their website, all the permissions granted or refused under this Act.

Heritage bye-laws.

20E. (*1*) The competent authority, in consultation with Indian National Trust for Arts and Cultural Heritage, being a trust registered under the Indian Trusts Act, 1882, or such other expert heritage bodies as may be notified by the Central Government, shall prepare heritage bye-laws in respect of each protected monument and protected area.

2 of 1882.

(*2*) The heritage bye-laws referred to in sub-section (*1*) shall, in addition to such matters as may be prescribed, include matters relating to heritage controls such as elevations, facades, drainage systems, roads and service infrastructure (including electric poles, water and sewer pipelines).

(*3*) The Central Government shall, by rules, specify the manner of preparation of detailed site plans in respect of each protected area or protected monument or prohibited area or regulated area, the time within which such heritage bye-laws shall be prepared and particulars to be included in each such heritage bye-laws.

(*4*) The competent authority for the purpose of preparation of detailed site plans and heritage bye-laws may appoint such number of experts or consultants as it may deem fit.

(*5*) A copy of each of the heritage bye-laws prepared under sub-section (*1*) shall be forwarded to the Authority for its approval.

(*6*) A copy of the heritage bye-laws as approved by the Authority under sub-section (*5*) shall be laid before each House of Parliament.

(*7*) Each heritage bye-laws shall, be made available by the competent authority to the public, by exhibiting the same on its website and also in such other manner as it may deem fit, immediately after laying the same before each House of Parliament.

NATIONAL MONUMENTS AUTHORITY

Constitution of National Monuments Authority.

20F. (*1*) The Central Government shall, by notification in the Official Gazette, constitute an Authority to be called as the National Monuments Authority.

(*2*) The Authority shall consist of,—

(*a*) a Chairperson, on whole-time basis, to be appointed by the President, having proven experience and expertise in the fields of archaeology, country and town planning, architecture, heritage, conservation-architecture or law;

(*b*) such number of members not exceeding five whole-time members and five part-time members to be appointed, on the recommendation of the Selection Committee referred to in section 20G, by the Central Government, having proven experience and expertise in the fields of archaeology, country and town planning, architecture, heritage, conservation-architecture or law;

(*c*) the Director-General as member, *ex officio*.

(*3*) The tenure of the whole-time Chairperson or every whole-time member and every part-time member, of the Authority shall be three years from the date on which he assumes office as such and shall not be eligible for re-appointment:

Provided that, save as otherwise provided in clause (*c*) of sub-section (*2*), any person who has held any post in the Archaeological Survey of India or in the Ministry of Culture of the Government of India or a State Government or has not been found fit to be considered for being appointed to any such post shall, not be eligible to be appointed as the Chairperson or a member of the Authority:

Provided further that any person, who had either been granted a permission or licence or refused any such permission or refused grant of a licence or any person or any of his relative having any interest in a prohibited area or a regulated area shall not be eligible to be appointed as a Chairperson or member.

*Explanation.*—For the purposes of this section, "relative" means—

(*i*) spouse of the Chairperson or member of the Authority;

(*ii*) brother or sister of the Chairperson or member of the Authority;

(*iii*) brother or sister of the spouse of the Chairperson or member of the Authority;

(*iv*) brother or sister of either of the parents of the Chairperson or member of the Authority;

(*v*) any lineal ascendant or descendant of the Chairperson or member of the Authority;

(*vi*) any lineal ascendant or descendant of the spouse of the Chairperson or member of the Authority;

(*vii*) spouse of the person referred to in clauses (*ii*) to (*vi*);

(*4*) An officer, not below the rank of Joint Secretary to the Government of India, shall be the Member Secretary of the Authority.

(*5*) The Central Government shall provide such number of officers and other employees as may be necessary for discharge of functions by the Authority under this Act.

Selection Committee for selection of members of Authority.

20G. (*1*) Every whole-time member and every part-time member of the Authority shall be selected by a Selection Committee consisting of the following persons, namely:—

(*a*) Cabinet Secretary — Chairperson, *ex officio*;

(*b*) Secretary in the Ministry of Culture —member, *ex officio*;

(*c*) Secretary in the Ministry of Urban development— member, *ex officio;*

(*d*) three experts, having proven experience and expertise in the fields of archaeology, architecture, heritage or conservation-architecture to be nominated by the Central Government.

(*2*) The Selection Committee referred to in sub-section (*1*) shall regulate its own procedure for the purposes of selecting whole-time members and part-time members of the Authority.

Salary, allowances and meetings of Authority.

20H. (*1*) The salaries and allowances payable to the whole-time Chairperson and whole-time members, and the other terms and conditions of their service or fees or allowances payable to the part-time members, of the Authority shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the whole-time Chairperson and whole-time members shall be varied to their disadvantage after their appointment.

(2) The Authority shall regulate its own procedure for the purposes of holding its meetings (including quorum of such meetings) and granting permissions under this Act.

(3) All the decisions of the Authority shall be published in such manner as it may decide and also on its own website and on the website of the Central Government.

Functions and powers of Authority.

20-I. (1) The Authority shall exercise or discharge the following powers or functions, namely:—

(a) make recommendations to the Central Government for grading and classifying protected monuments and protected areas declared as of national importance under sections 3 and 4, before the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010;

(b) make recommendations to the Central Government for grading and classifying protected monuments and protected areas which may be declared after the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010, as of national importance under section 4;

(c) oversee the working of the competent authorities;

(d) to suggest measures for implementation of the provisions of this Act;

(e) to consider the impact of large-scale developmental projects, including public projects and projects essential to the public which may be proposed in the regulated areas and make recommendations in respect thereof to the competent authority;

(f) to make recommendations to the competent authority for grant of permission.

(2) The Authority shall, for the purpose of discharging functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 while trying a suit in respect of the following matters, namely:— 5 of 1908.

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) any other matter which may be prescribed.

Removal of Chairperson and members.

20J. (1) Notwithstanding anything contained in sub-section (3) of section 20F, the President in the case of the Chairperson and the Central Government in the case of whole-time member and part-time member may, by order, remove from office, the Chairperson or any such member of the Authority, if he —

(a) has been adjudged an insolvent; or

(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as Chairperson or member; or

(d) has acquired such financial or other interests as is likely to affect prejudicially his functions; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) The Chairperson or any member of the Authority shall not be removed under clauses (d) and (e) of sub-section (1) unless he has been given a reasonable opportunity of being heard in the matter.

Restriction on future employment by Chairperson and members.

20K. On ceasing to hold office, the Chairperson or whole-time member of the Authority, as the case may be, shall, subject to the provisions of this Act, be ineligible, for a period of five years from the date on which they cease to hold office, for further employment (including as consultant or expert or otherwise) in any institution, agency

or organisation of any nature mainly dealing with archaeology, country and town planning, architecture, heritage and conservation-architecture or whose matters had been before the Chairperson or such member.

Power of Central Government to issue directions to Authority.

20L. (*1*) Without prejudice to the foregoing provisions of this Act, the Authority shall, in exercise of its powers or the discharge of its functions under this Act, be bound by such directions on question of policy, other than those relating to technical and administrative matters, as the Central Government may give in writing to it from time to time:

Provided that the Authority shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

(*2*) The decision of the Central Government, whether a question is one of policy or not, shall be final.

Power of Central Government to issue directions to competent authority.

20M. Without prejudice to the foregoing provisions of this Act, the competent authority shall, in exercise of its powers or the discharge of its functions under this Act, be bound by such directions, as the Central Government may give in writing to it from time to time.

Power of Central Government to supersede Authority.

20N. (*1*) If, at any time the Central Government is of the opinion,—

(*a*) that, on account of circumstances beyond the control of the Authority, it is unable to discharge the functions or perform the duties imposed on it by or under the provisions of this Act; or

(*b*) that the Authority has persistently defaulted in complying with any direction given by the Central Government under this Act or in the discharge of the functions or performance of the duties imposed on it by or under the provisions of this Act and as a result of such default the financial position of the Authority or the administration of the Authority has suffered; or

(*c*) that circumstances exist which render it necessary in the public interest so to do,

the Central Government may, by notification in the Official Gazette, supersede the Authority for such period, not exceeding six months, as may be specified in the notification and appoint a person or persons as the President may direct to exercise powers and discharge functions under this Act:

Provided that before issuing any such notification, the Central Government shall give a reasonable opportunity to the Authority to make representations against the proposed supersession and shall consider the representations, if any, of the Authority.

(*2*) Upon the publication of a notification under sub-section (*1*) superseding the Authority,—

(*a*) the Chairperson and all other whole-time members and part-time members shall, as from the date of supersession, vacate their offices as such;

(*b*) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Authority shall, until the Authority is reconstituted under sub-section (*3*), be exercised and discharged by the person or persons referred to in sub-section (*1*); and

(*c*) all properties owned or controlled by the Authority shall, until the Authority is reconstituted under sub-section (*3*), vest in the Central Government.

(*3*) On or before the expiration of the period of supersession specified in the notification issued under sub-section (*1*), the Central Government shall reconstitute the Authority by a fresh appointment of its Chairperson and other whole-time members and part-time members and in such case any person who had vacated his office under

clause (*a*) of sub-section (*2*) shall not be deemed to be disqualified, subject to the provisions of sub-section (*3*) of section 20F for reappointment for the remaining period.

(*4*) The Central Government shall cause a copy of the notification issued under sub-section (*1*) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of Parliament at the earliest.

Bar of jurisdiction of civil court.

20-O. No civil court shall have jurisdiction in respect of any matter which the Authority is empowered by or under this Act to determine and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

Annual report.

20P. (*1*) The Authority shall prepare once in every year, in such form and at such time as may be prescribed by the Central Government, an annual report giving full description of all the activities of the Authority for the previous year.

(*2*) A copy of the report received under sub-section (*1*) shall be laid, as soon as may be after it is received, before each House of Parliament.

Power to call for information.

20Q. Where the Central Government considers it expedient so to do, it may, by order in writing call upon the Authority or the competent authority, as the case may be, to furnish in writing such information, in such form and manner as may be prescribed, relating to its affairs as the Central Government may require.".

Amendment of section 30.

**8.** In section 30 of the principal Act,—

(*a*) in sub-section (*1*),—

(*i*) for the words "imprisonment which may extend to three months", the words "imprisonment which may extend to two years" shall be substituted;

(*ii*) for the words "fine which may extend to five thousand rupees", the words "fine which may extend to one lakh rupees" shall be substituted;

(*b*) in sub-section (*2*), for the words "fine which may extend to five thousand rupees", the words "imprisonment which may extend to two years or with fine which may extend to one lakh rupees or with both" shall be substituted.

Insertion of new sections 30A, 30B and 30C.

**9.** After section 30 of the principal Act, the following sections shall be inserted, namely:—

Punishment for construction, etc., in prohibited area.

"30A. Whoever raises, on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, any construction in the prohibited area, shall be punishable with imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both.

Punishment for construction, etc., in regulated area.

30B. Whoever raises, on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, any construction in the regulated area without the previous permission of the competent authority or in contravention of the permission granted by the competent authority, shall be punishable with imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both.

Offences by officers of Government.

30C. If any officer of the Central Government enters into or acquiesces in any agreement to do, abstains from doing, permits, conceals or connives at any act or thing whereby any construction or re-construction takes place in a prohibited area or regulated area, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.".

Insertion of new sections 35A and 35B.

**10.** After section 35 of the principal Act, the following sections shall be inserted, namely :—

Obligation to survey the protected prohibited area and regulated areas.

"35A. (*1*) The Director-General shall, within such time as may be specified by the Central Government, conduct a survey or cause survey to be conducted in respect of all prohibited areas and regulated areas for the purpose of detailed site plans.

(*2*) A report in respect of such survey referred to in sub-section (1) shall be forwarded to the Central Government and to the Authority.

Identification of un-authorised constructions on or after 16th June, 1992.

35B. (*1*) The Director-General shall, within such time as may be specified by the Central Government, identify or cause to be identified, all constructions (of whatever nature) made on and after the 16th day of June, 1992 in all prohibited areas and regulated areas and, thereafter, submit from time to time a report in respect thereof to the Central Government.

(*2*) The Director-General shall, for the purposes of sub section (*1*), have the power to call for information from the local bodies and other authorities.".

Amendment of section 38.

**11.** In section 38 of the principal Act, in sub-section (*2*), after clause (*c*), the following clauses shall be inserted, namely:—

"(*ca*) the categories of ancient monuments or archaeological sites and remains, declared as of national importance, under sub-section (*1*) of section 4A;

(*cb*) the manner of making application for grant of permission under sub-section (*1*) of section 20D;

(*cc*) the category of applications in respect of which the permission may be granted and applications which shall be referred to the Authority for its recommendation, under sub-section (*2*) of section 20D;

(*cd*) the other matters including heritage controls such as elevations, facades, drainage systems, roads and service infrastructure (including electric poles, water and sewer pipelines) under sub-section (*2*) of section 20E;

(*ce*) the manner of preparation of detailed site plans in respect of each prohibited area and regulated area and the time within which such heritage bye-laws shall be prepared and particulars to be included in each such heritage bye-laws under sub-section (*3*) of section 20E;

(*cf*) salaries and allowances payable to, and the other terms and conditions of service of, the whole-time Chairperson and whole-time members, or fees or allowances payable to the part-time members, of the Authority under sub-section (*1*) of section 20H;

(*cg*) the form in which and time at which the Authority shall prepare an annual report giving full description of its activities for the previous year under section 20P;

(*ch*) the form and manner in which the Authority and competent authority shall furnish information to the Central Government under section 20Q;".

Validation of action taken, etc., under notification No.S.O.1764, dated 16th June, 1992.

**12.** Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority—

(*a*) any thing done or purported to be done or any action taken or purported to be taken by the Central Government, except as provided in the second proviso to sub-section (*3*) of section 20A, immediately before the commencement of this Act, in pursuance of the notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O.1764, dated the 16th June, 1992 issued under rule 34 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, shall be deemed to be and deemed to have always been done or taken validly and in accordance with law at all material times [except as provided in the second proviso to sub-section (*3*) of section 20A] and no action taken or thing done

(including any order made, agreement entered into, or notification issued for constituting any Expert Advisory Committee) in connection with any permission granted or licence issued for any construction in a prohibited area or a regulated area in respect of a protected monument, shall be deemed to be invalid or ever to have become invalid except as provided in the second proviso to sub-section (*3*) of section 20A merely on the ground that the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or the rules, orders or notifications issued thereunder did not contain any provision for constitution of an Expert Advisory Committee or Advisory Committee, as the case may be;

24 of 1958.

(*b*) no suit, claim or other proceedings shall be instituted, maintained or continued in any court, tribunal or other authority for any permission or licence granted by the Central Government or the Director-General under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or any rule, order or notification made thereunder for carrying out any repair, renovation or construction work or for undertaking any public work or public project before the commencement of this Act;

24 of 1958.

(*c*) no claim or challenge shall be made in or entertained by any court, tribunal or other authority solely on the ground that the Central Government or the Director-General did not take into consideration any of the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, as amended by the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010, in granting any permission or licence for the purpose of carrying out any mining or repair, renovation or construction work in a prohibited area or a regulated area at any time between the 16th day of June, 1992 and the date of commencement of this Act.

24 of 1958.

Repeal and savings.

**13.** (*1*) The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010 is hereby repealed.

Ord. 1 of 2010.

(*2*) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act.

V. K. BHASIN,
*Secy. to the Govt. of India.*

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2010 का विधेयक संख्यांक 26—सी

[दि एन्सिऐंट मोनुमेन्ट्स एंड आरकेलोजिकल साइट्स एंड रिमेन्स (अमेंडमेंट एंड वैलिडेशन) बिल, 2010 का हिंदी अनुवाद]

# प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष (संशोधन और विधिमान्यकरण) विधेयक, 2010

**प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 का और संशोधन करने तथा उक्त अधिनियम के अधीन केंद्रीय सरकार द्वारा की गई कतिपय कार्रवाइयों के विधिमान्यकरण का उपबंध करने के लिए विधेयक**

भारत गणराज्य के इकसठवें वर्ष में संसद् द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

संक्षिप्त नाम और प्रारंभ ।

**1.** (1) इस अधिनियम का संक्षिप्त नाम प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष (संशोधन और विधिमान्यकरण) अधिनियम, 2010 है ।

(2) यथा अन्यथा उपबंधित के सिवाय, यह (धारा 3, धारा 5, धारा 7 और धारा 8 से धारा 11 के सिवाय) 23 जनवरी, 2010 को प्रवृत्त हुआ समझा जाएगा ।

धारा 2 का संशोधन ।

1958 का 24

**2.** प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (जिसे इसमें इसके पश्चात् मूल अधिनियम कहा गया है) की धारा 2 में, 16 जून, 1992 से ही,—

(i) खंड (घ) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किए जाएंगे और अंतःस्थापित किए गए समझे जाएंगे, अर्थात् :—

'(घक) "प्राधिकरण" से धारा 20च के अधीन गठित राष्ट्रीय संस्मारक प्राधिकरण अभिप्रेत है ;

(घख) "सक्षम प्राधिकारी" से केंद्रीय सरकार या राज्य सरकार के पुरातत्व

निदेशक या पुरातत्व आयुक्त की पंक्ति से अनिम्न या समतुल्य पंक्ति का ऐसा अधिकारी अभिप्रेत है, जो इस अधिनियम के अधीन कृत्यों का पालन करने के लिए केंद्रीय सरकार द्वारा, राजपत्र में अधिसूचना द्वारा, सक्षम प्राधिकारी के रूप में विनिर्दिष्ट किया जाए :

परंतु केंद्रीय सरकार, राजपत्र में अधिसूचना द्वारा, धारा 20ग, धारा 20घ और धारा 20ङ के प्रयोजनों के लिए भिन्न-भिन्न सक्षम प्राधिकारियों को विनिर्दिष्ट कर सकेगी ;

(घग) "निर्माण" से किसी संरचना या भवन का कोई परिनिर्माण अभिप्रेत है, जिसके अंतर्गत उसमें ऊर्ध्वाकार या क्षैतिजीय कोई परिवर्धन या विस्तारण भी है, किन्तु किसी विद्यमान संरचना, या, भवन का कोई पुनर्निर्माण, मरम्मत और नवीकरण या नालियों और जल-निकास संकर्मों तथा सार्वजनिक शौचालयों, मूत्रालयों और इसी प्रकार की सुविधाओं का निर्माण, अनुरक्षण और सफाई, या, जनता के लिए जल के प्रदाय का उपबंध करने के लिए आशयित संकर्मों का निर्माण और अनुरक्षण, या, जनता के लिए विद्युत के प्रदाय और वितरण के लिए निर्माण या अनुरक्षण, विस्तारण, प्रबंध या जनता के लिए इसी प्रकार की सुविधाओं के लिए उपबंध इसके अंतर्गत नहीं हैं ;';

(ii) खंड (ज) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा और अंतःस्थापित किया गया समझा जाएगा, अर्थात् :—

'(जक) "प्रतिषिद्ध क्षेत्र" से ऐसा कोई क्षेत्र अभिप्रेत है, जो धारा 20क के अधीन प्रतिषिद्ध क्षेत्र के रूप में विनिर्दिष्ट या घोषित किया गया है ;';

(iii) खंड (ञ) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किए जाएंगे और अंतःस्थापित किए गए समझे जाएंगे, अर्थात् :—

'(ट) "पुनर्निर्माण" से किसी संरचना या भवन का उसकी पूर्व विद्यमान संरचना में ऐसा कोई परिनिर्माण अभिप्रेत है, जिसकी समान क्षैतिजीय और ऊर्ध्वाकार सीमाएं हैं ;

(ठ) "विनियमित क्षेत्र" से धारा 20ख के अधीन विनिर्दिष्ट या घोषित किया गया कोई क्षेत्र अभिप्रेत है ;

(ड) "मरम्मत और नवीकरण" से किसी पूर्व विद्यमान संरचना या भवन के परिवर्तन अभिप्रेत हैं, किन्तु निर्माण या पुनर्निर्माण इसके अंतर्गत नहीं होंगे ;'।

नई धारा 4क का अंतःस्थापन ।

3. मूल अधिनियम की धारा 4 के पश्चात्, निम्नलिखित धारा अंतःस्थापित की जाएगी, अर्थात् :—

धारा 3 और धारा 4 के अधीन राष्ट्रीय महत्व के रूप में घोषित प्राचीन संस्मारकों या पुरातत्वीय स्थलों तथा अवशेषों की बाबत प्रवर्ग विहित करने और वर्गीकरण ।

"4क. (1) केन्द्रीय सरकार प्राधिकरण की सिफारिश पर, धारा 3 और धारा 4 के अधीन राष्ट्रीय महत्व के रूप में घोषित प्राचीन संस्मारकों या पुरातत्वीय स्थलों तथा अवशेषों की बाबत प्रवर्ग विहित करेगी और ऐसे प्रवर्गों को विहित करते समय वह ऐतिहासिक, पुरातत्वीय और स्थापत्यकला के महत्व और ऐसी अन्य बातों को ध्यान में रखेगी, जो ऐसे प्रवर्गीकरण के प्रयोजन के लिए सुसंगत हों ।

(2) केंद्रीय सरकार, प्राधिकरण की सिफारिश पर, धारा 3 और धारा 4 के अधीन राष्ट्रीय महत्व के रूप में घोषित सभी प्राचीन संस्मारकों या पुरातत्वीय स्थलों तथा अवशेषों को उपधारा (1) के अधीन विहित प्रवर्गों के अनुसार वर्गीकृत करेगी और तत्पश्चात्, उन्हें जनता के लिए उपलब्ध कराएगी तथा उन्हें अपनी वेबसाइट पर और ऐसी अन्य रीति में

भी, जो वह ठीक समझे, प्रदर्शित करेगी ।"।

नई धारा 20क का अंत:स्थापन ।

4. 16 जून, 1992 से ही, मूल अधिनियम की धारा 20 के पश्चात्, निम्नलिखित धारा अंत:स्थापित की जाएगी और अंत:स्थापित की गई समझी जाएगी, अर्थात् :—

"प्रतिषिद्ध और विनियमित क्षेत्र

प्रतिषिद्ध क्षेत्र की घोषणा और प्रतिषिद्ध क्षेत्र में सार्वजनिक कार्य या अन्य कार्य किया जाना ।

20क. (1) यथास्थिति, संरक्षित क्षेत्र या संरक्षित संस्मारक की सीमा से आरंभ होने वाला और सभी दिशाओं में सौ मीटर की दूरी तक विस्तारित होने वाला प्रत्येक क्षेत्र, उस संरक्षित क्षेत्र या संरक्षित संस्मारक की बाबत प्रतिषिद्ध क्षेत्र होगा :

परंतु केंद्रीय सरकार, प्राधिकरण की सिफारिश पर, राजपत्र में अधिसूचना द्वारा, एक सौ मीटर से अधिक के क्षेत्र को, धारा 4क के अधीन, यथास्थिति, किसी संरक्षित संस्मारक या संरक्षित क्षेत्र के वर्गीकरण को ध्यान में रखते हुए, प्रतिषिद्ध क्षेत्र के रूप में विनिर्दिष्ट कर सकेगी ।

(2) धारा 20ग में यथा अन्यथा उपबंधित के सिवाय, किसी पुरातत्व अधिकारी से भिन्न कोई व्यक्ति, किसी प्रतिषिद्ध क्षेत्र में कोई निर्माण नहीं करेगा ।

(3) ऐसे मामले में, जहां, यथास्थिति, केंद्रीय सरकार या महानिदेशक का यह समाधान हो जाता है कि,—

(क) ऐसे सार्वजनिक कार्य अथवा जनता के लिए अनिवार्य किसी परियोजना को किए जाने के लिए यह आवश्यक या समीचीन है ; या

(ख) ऐसे अन्य कार्य या परियोजना का, उसकी राय में, संस्मारक या उसके अत्यधिक आस-पास के क्षेत्र के परिरक्षण, सुरक्षा, संरक्षा या उस तक पहुंच पर कोई सारवान् प्रतिकूल प्रभाव नहीं पड़ेगा,

तो वह, उपधारा (2) में किसी बात के होते हुए भी, आपवादिक मामलों में और सार्वजनिक हित को ध्यान में रखते हुए, आदेश द्वारा और लेखबद्ध किए जाने वाले कारणों से, प्रतिषिद्ध क्षेत्र में ऐसे सार्वजनिक कार्य या जनता के लिए अनिवार्य परियोजना या अन्य निर्माणों को किए जाने की अनुमति दे सकेगी/दे सकेगा :

परंतु किसी संरक्षित संस्मारक के निकटवर्ती किसी क्षेत्र या उससे लगे हुए ऐसे क्षेत्र को, जिसे 16 जून, 1992 को या उसके पश्चात् आरंभ होने वाली, किंतु उस तारीख से, जिसको प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष (संशोधन और विधिमान्यकरण) विधेयक, 2010 को राष्ट्रपति की अनुमति प्राप्त होती है, पूर्व समाप्त होने वाली अवधि के दौरान ऐसे संरक्षित संस्मारक के संबंध में प्रतिषिद्ध क्षेत्र के रूप में घोषित किया गया है, इस अधिनियम के उपबंधों के अनुसार उस संरक्षित संस्मारक की बाबत घोषित किया गया प्रतिषिद्ध क्षेत्र समझा जाएगा और, यथास्थिति, केंद्रीय सरकार या महानिदेशक द्वारा विशेषज्ञ सलाहकार समिति की सिफारिश के आधार पर प्रतिषिद्ध क्षेत्र के भीतर निर्माण के लिए दी गई कोई अनुमति या अनुज्ञप्ति इस अधिनियम के उपबंधों के अनुसार इस प्रकार विधिमान्य रूप से दी गई समझी जाएगी, मानो यह धारा सभी तात्त्विक समयों पर प्रवृत्त थी :

परंतु यह और कि पहले परंतुक में अंतर्विष्ट कोई बात प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष नियम, 1959 के नियम 34 के अधीन जारी की गई भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं0 का0आ0 1764, तारीख 16 जून, 1992 के अनुसरण में किसी प्रतिषिद्ध क्षेत्र में किसी भवन या संरचना के निर्माण या पुनर्निर्माण के पूरा होने के पश्चात् या भारत सरकार के आदेश सं0 24/22/2006-एम, तारीख 20 जुलाई, 2006 के अनुसरण में गठित समिति की (जिसे

बाद में तारीख 27 अगस्त, 2008 और 5 मई, 2009 के आदेशों में विशेषज्ञ सलाहकार समिति कहा गया है) सिफारिशें प्राप्त किए बिना दी गई किसी अनुमति को लागू नहीं होगी ।"।

धारा 20क का संशोधन ।

5. मूल अधिनियम की धारा 20क (इस अधिनियम की धारा 4 द्वारा इस प्रकार अंतःस्थापित किए गए अनुसार) की उपधारा (3) के पश्चात्, निम्नलिखित उपधारा अंतःस्थापित की जाएगी, अर्थात् :–

"(4) किसी प्रतिषिद्ध क्षेत्र में किसी सार्वजनिक कार्य या जनता के लिए अनिवार्य परियोजना या अन्य निर्माण करने सहित उपधारा (3) में निर्दिष्ट कोई अनुमति, उस तारीख को या उसके पश्चात्, जिसको प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष (संशोधन और विधिमान्यकरण) विधेयक, 2010 को राष्ट्रपति की अनुमति प्राप्त होती है, नहीं दी जाएगी ।"।

नई धारा 20ख का अंतःस्थापन ।

6. 16 जून, 1992 से ही, मूल अधिनियम की धारा 20क के पश्चात्, निम्नलिखित धारा अंतःस्थापित की जाएगी और अंतःस्थापित की गई समझी जाएगी, अर्थात् :–

प्रत्येक संरक्षित संस्मारक के संबंध में विनियमित क्षेत्र की घोषणा

"20ख. धारा 3 और धारा 4 के अधीन राष्ट्रीय महत्व के रूप में घोषित प्रत्येक प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष के संबंध में प्रतिषिद्ध क्षेत्र की सीमा पर आरंभ होने वाले और सभी दिशाओं में दो सौ मीटर की दूरी तक विस्तारित होने वाला प्रत्येक क्षेत्र, ऐसे प्रत्येक प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष की बाबत विनियमित क्षेत्र होगा :

परंतु केंद्रीय सरकार, राजपत्र में अधिसूचना द्वारा, दो सौ मीटर से अधिक के किसी क्षेत्र को, धारा 4क के अधीन, यथास्थिति, किसी संरक्षित संस्मारक या संरक्षित क्षेत्र के वर्गीकरण को ध्यान में रखते हुए, विनियमित क्षेत्र के रूप में विनिर्दिष्ट कर सकेगी :

परंतु यह और कि किसी संरक्षित संस्मारक के निकटवर्ती किसी क्षेत्र या उससे लगे हुए ऐसे क्षेत्र को, जिसे 16 जून, 1992 को या उसके पश्चात् आरंभ होने वाली, किंतु उस तारीख से, जिसको प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष (संशोधन और विधिमान्यकरण) विधेयक, 2010 को राष्ट्रपति की अनुमति प्राप्त होती है, पूर्व समाप्त होने वाली अवधि के दौरान, ऐसे संरक्षित संस्मारक के संबंध में, विनियमित क्षेत्र के रूप में घोषित किया गया है, इस अधिनियम के उपबंधों के अनुसार उस संरक्षित संस्मारक की बाबत घोषित किया गया विनियमित क्षेत्र समझा जाएगा और ऐसे विनियमित क्षेत्र में निर्माण के लिए दी गई कोई अनुमति या अनुज्ञप्ति, इस अधिनियम के उपबंधों के अनुसार इस प्रकार विधिमान्य रूप से दी गई समझी जाएगी, मानो यह धारा सभी तात्त्विक समयों पर प्रवृत्त थी ।"।

नई धारा 20ग, धारा 20घ, धारा 20ङ, धारा 20च, धारा 20छ, धारा 20ज, धारा 20झ, धारा 20ञ, धारा 20ट, धारा 20ठ, धारा 20ड, धारा 20ढ, धारा 20ण, धारा 20त और धारा 20थ का अंतःस्थापन ।

7. मूल अधिनियम की धारा 20ख (इस अधिनियम की धारा 6 द्वारा इस प्रकार अंतःस्थापित किए गए अनुसार) के पश्चात्, निम्नलिखित धाराएं अंतःस्थापित की जाएंगी, अर्थात् :–

'20ग. (1) ऐसा कोई व्यक्ति, जो ऐसे किसी भवन या संरचना का स्वामी है, जो 16 जून, 1992 से पूर्व किसी प्रतिषिद्ध क्षेत्र में विद्यमान थी या जिसका निर्माण बाद में महानिदेशक के अनुमोदन से किया गया था और वह ऐसे भवन या संरचना की कोई मरम्मत या उसका नवीकरण करने की वांछा करता है, यथास्थिति, ऐसी मरम्मत या नवीकरण करने के लिए सक्षम प्राधिकारी को आवेदन कर सकेगा ।

प्रतिषिद्ध क्षेत्र में मरम्मत या नवीकरण अथवा विनियमित क्षेत्र में निर्माण या पुनर्निर्माण अथवा मरम्मत या नवीकरण के लिए आवेदन ।

(2) ऐसा कोई व्यक्ति, जो किसी विनियमित क्षेत्र में किसी भवन या संरचना या भूमि का स्वामी है या कब्जा रखता है और वह ऐसी भूमि पर ऐसे भवन या संरचना का कोई निर्माण या पुनर्निर्माण या उसकी मरम्मत या नवीकरण करने की वांछा करता है, यथास्थिति, निर्माण या पुनर्निर्माण करने के लिए सक्षम प्राधिकारी को आवेदन कर सकेगा ।

**सक्षम प्राधिकारी द्वारा अनुमति प्रदान करना**

20घ. (1) इस अधिनियम की धारा 20ग के अधीन अनुमति प्रदान करने के लिए प्रत्येक आवेदन सक्षम प्राधिकारी को ऐसी रीति में किया जाएगा, जो विहित की जाए ।

विनियमित क्षेत्र के भीतर सक्षम प्राधिकारी द्वारा अनुमति प्रदान करना ।

(2) सक्षम प्राधिकारी, आवेदन की प्राप्ति के पन्द्रह दिन के भीतर, यथास्थिति, संबंधित संरक्षित संस्मारक या संरक्षित क्षेत्र से संबंधित विरासत संबंधी उपविधियों को ध्यान में रखते हुए, ऐसे निर्माण के प्रभाव पर (जिसके अंतर्गत बड़े पैमाने पर विकास परियोजना, लोक परियोजना और जनता के लिए अनिवार्य परियोजना का प्रभाव भी है) विचार करने और उसको सूचना देने के लिए उसे प्राधिकरण को अग्रेषित करेगा :

परंतु केंद्रीय सरकार, ऐसे आवेदनों का, जिनकी बाबत इस उपधारा के अधीन अनुमति दी जा सकेगी और ऐसे आवेदन का, जिसे प्राधिकरण को उसकी सिफारिशों के लिए निर्दिष्ट किया जाएगा, प्रवर्ग विहित कर सकेगी ।

(3) प्राधिकरण, उपधारा (2) के अधीन आवेदन की प्राप्ति की तारीख से दो मास के भीतर ऐसे निर्माण के प्रभाव के बारे में, (जिसके अंतर्गत बड़े पैमाने पर विकास परियोजना, लोक परियोजना और जनता के लिए अनिवार्य परियोजना का प्रभाव भी है) सक्षम प्राधिकारी को सूचित करेगा ।

(4) सक्षम प्राधिकारी, उपधारा (3) के अधीन प्राधिकरण से सूचना की प्राप्ति के एक मास के भीतर प्राधिकरण द्वारा सिफारिश किए गए अनुसार या तो अनुमति प्रदान करेगा या उसे नामंजूर करेगा ।

(5) प्राधिकरण की सिफारिशें अंतिम होंगी ।

(6) इस धारा के अधीन सक्षम प्राधिकारी द्वारा अनुमति प्रदान करने से इंकार किए जाने की दशा में, वह संबंधित व्यक्ति को, अवसर प्रदान करने के पश्चात् आवेदन की प्राप्ति की तारीख से तीन मास के भीतर लिखित आदेश द्वारा, आवेदक, केंद्रीय सरकार और प्राधिकरण को ऐसे इंकार किए जाने की सूचना देगा ।

(7) यदि सक्षम प्राधिकारी की, उपधारा (4) के अधीन अनुज्ञप्ति प्रदान करने के पश्चात् और उस उपधारा में निर्दिष्ट मरम्मत या नवीकरण कार्य या भवन का पुनर्निर्माण या निर्माण किए जाने के दौरान (उसके कब्जे में की सामग्री के आधार पर या अन्यथा) यह राय है कि ऐसी मरम्मत या नवीकरण कार्य या भवन के पुनर्निर्माण या निर्माण का संस्मारक के परिरक्षण, सुरक्षा, संरक्षा या उस तक पहुंच पर अत्यधिक प्रतिकूल प्रभाव पड़ने की संभावना है तो वह उसे प्राधिकरण को उसकी सिफारिशों के लिए निर्दिष्ट कर सकेगा और यदि इस प्रकार सिफारिश की जाती हो तो, यदि अपेक्षित हो, उपधारा (4) के अधीन दी गई अनुमति को वापस ले सकेगा :

परंतु सक्षम प्राधिकारी, आपवादिक मामलों में, धारा 20ङ की उपधारा (1) के अधीन, विरासत संबंधी उक्त विधियां तैयार किए जाने और उस धारा की उपधारा (7) के अधीन उन्हें प्रकाशित किए जाने तक, धारा 20ग की उपधारा (2) में निर्दिष्ट आवेदक को प्राधिकरण के अनुमोदन से अनुमति प्रदान कर सकेगा ।

(8) यथास्थिति, केंद्रीय सरकार या महानिदेशक, इस अधिनियम के अधीन दी गई या नामंजूर की गई सभी अनुमतियों को अपनी बेवसाइट पर प्रदर्शित करेगा ।

विरासत संबंधी उपविधियां ।

20ङ. (1) सक्षम प्राधिकारी, भारतीय राष्ट्रीय कला और सांस्कृतिक विरासत न्यास के, जो भारतीय न्यास अधिनियम, 1882 के अधीन रजिस्ट्रीकृत न्यास है या ऐसे अन्य विशेषज्ञ विरासत न्यासों से, जो केंद्रीय सरकार द्वारा अधिसूचित किए जाएं, परामर्श करके, प्रत्येक संरक्षित संस्मारक और संरक्षित क्षेत्र की बाबत विरासत संबंधी उपविधियां तैयार करेगा । 1882 का 2

(2) उपधारा (1) में निर्दिष्ट विरासत संबंधी उपविधियों में, ऐसे विषयों के अतिरिक्त, जो विहित किए जाएं, उत्थापनों, पुराभागों, निकास प्रणालियों, सड़कों और सेवा अवसंरचना (जिसके अंतर्गत बिजली के खंभे, जल और सीवर पाइपलाइनें भी हैं) जैसे विरासत संबंधी नियंत्रणों से संबंधित विषय भी सम्मिलित होंगे ।

(3) केंद्रीय सरकार, नियमों द्वारा, प्रत्येक संरक्षित क्षेत्र या संरक्षित संस्मारक या प्रतिषिद्ध क्षेत्र या विनियमित क्षेत्र के संबंध में विस्तृत स्थल योजनाएं तैयार करने की रीति, वह समय, जिसके भीतर ऐसी विरासत संबंधी उपविधियां तैयार की जाएंगी और प्रत्येक ऐसी विरासत संबंधी उपविधि में सम्मिलित की जाने वाली विशिष्टियों को विनिर्दिष्ट करेगी ।

(4) सक्षम प्राधिकारी, विस्तृत स्थल योजनाएं और विरासत संबंधी उपविधियां तैयार करने के प्रयोजन के लिए उतने विशेषज्ञों या परामर्शियों को नियुक्त कर सकेगा, जितने वह ठीक समझे ।

(5) उपधारा (1) के अधीन तैयार की गई प्रत्येक विरासत संबंधी उपविधि की एक प्रति प्राधिकरण को उसके अनुमोदन के लिए भेजी जाएगी ।

(6) उपधारा (5) के अधीन प्राधिकरण द्वारा यथा अनुमोदित विरासत संबंधी उपविधियों की एक प्रति संसद् के प्रत्येक सदन के समक्ष रखी जाएगी ।

(7) प्रत्येक विरासत संबंधी उपविधि को, संसद् के प्रत्येक सदन के समक्ष उसे रखे जाने के ठीक पश्चात्, सक्षम प्राधिकारी द्वारा अपनी बेवसाइट पर प्रदर्शित करके और ऐसी अन्य रीति में भी, जो वह ठीक समझे, जनता के लिए उपलब्ध कराया जाएगा ।

**राष्ट्रीय संस्मारक प्राधिकरण**

राष्ट्रीय संस्मारक प्राधिकरण का गठन।

20च. (1) केंद्रीय सरकार, राजपत्र में अधिसूचना द्वारा, राष्ट्रीय संस्मारक प्राधिकरण नामक एक प्राधिकरण का गठन करेगी ।

(2) प्राधिकरण निम्नलिखित से मिलकर बनेगा,--

(क) राष्ट्रपति द्वारा नियुक्त किए जाने वाला, पूर्णकालिक आधार पर, एक अध्यक्ष, जिसके पास पुरातत्व विज्ञान, ग्राम और शहर योजना, वास्तुकला, विरासत और संरक्षण-वास्तुकला या विधि के क्षेत्रों में सिद्ध अनुभव और विशेषज्ञता हो ;

(ख) केंद्रीय सरकार द्वारा धारा 20छ में निर्दिष्ट चयन समिति की सिफारिश पर नियुक्त किए जाने वाले पांच से अनधिक ऐसे पूर्णकालिक सदस्य और पांच अंशकालिक सदस्य, जिनके पास पुरातत्व विज्ञान, ग्राम और शहर योजना, वास्तुकला, विरासत और संरक्षण-वास्तुकला या विधि के क्षेत्रों में सिद्ध अनुभव और

# Annexure 08: *National Conservation Policy for Monuments, Archaeological Sites and Remains Protected by Archaeological Survey of India (May, 2013)*

Archaeological Survey of India
Ministry of Culture, Government of India

सत्यमेव जयते

प्रत्नकीर्तिमपावृणु

# National Conservation Policy
## for Monuments, Archaeological Sites and Remains Protected by Archaeological Survey of India

**(May, 2013)**

**Archaeological Survey of India, New Delhi**

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सत्यमेव जयते

प्रत्नकीर्तिमपावृणु

# NATIONAL CONSERVATION POLICY

## FOR MONUMENTS, ARCHAEOLOGICAL SITES AND REMAINS PROTECTED BY ARCHAEOLOGICAL SURVEY OF INDIA

**(DRAFT – May, 2013)**

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**Archaeological Survey of India**
**Ministry of Culture**
**Government of India**
**Janpath, New Delhi 110011**

*"The functions of the Archaeological Department are, in the main, two – conservation and investigation. In the view of the Government both these functions have an equal claim to its patronage, and it will be seen from that follows that in recent years increasing attention has been paid to exploration and research of every kind. But for the present, owing to its persistent neglect in years gone by, conservation is, and for long remain, the paramount duty of the department. In the discharge of this duty the first essential is to take stock of the existing materials and to decide which of them are worthy of preservation".*

**Indian Archaeological Policy, 1915**
Being a Resolution issued by the Governor General
in Council on 22 October, 1915, Calcutta

DRAFT

# PREAMBLE

India has an extraordinarily rich, vast and diverse cultural heritage in the form of Monuments, Archaeological Sites and Remains which are protected by ASI and various state departments of Archaeology. Their sheer magnitude in number alone is overwhelming and these are symbols of diverse cultural expressions and of historic continuity. One of the prime mandates of the Archaeological Survey of India (henceforth, referred to as ASI in this document) is to ensure the conservation and maintenance of all protected monuments throughout the country by using all resources available for the purpose. Needless to say that ASI has undertaken, in the past 150 years of its existence, mammoth conservation initiatives ensuring the continuing existence of all monuments that were earlier known to be in a vulnerable state. ASI's contribution to conservation and the safeguarding of monuments is noteworthy not only within the country but outside as well. Benchmark conservation works were carried out by ASI, such as the conservation of the Bamiyan Buddhas (Afghanistan) and the Angkor Wat complex in Cambodia. Stupendous conservation works being carried out by ASI have been well documented and are archived in form of a repository of images, drawings, inspection notes, and a large number of publications.

Conservation of monuments in India by the Archaeological Survey of India is drawn from the *Indian Archaeological Policy, 1915* that mandates safeguarding and protection of monuments as an important activity of the organisation. Conservation guidelines and principles were further elaborated in the *Conservation Manual: Handbook for the Use of Archaeological Officers and others Entrusted with the Care of Ancient Monuments, 1923*, and it is these guidelines that have been adhered to by ASI ever since. Several charters and guidelines, noticeable amongst them such as the Venice Charter (1964), the Nara Document on Authenticity (1994), the Burra Charter (1999), etc., to name a few have also been followed by the Archaeological Survey of India in defining conservation approaches for protected monuments.

It is well known a fact that the nature of the duties of ASI has changed manifold since the inception of the organisation and, therefore, responsibilities of ASI's archaeological officers, in-charge of conservation and management of a protected monument, have gone beyond their original and earlier mandate. Monuments, which are finite and a non-renewable cultural resource of our country, are subject to an ever-increasing pressures of development and increasing visitation, unlike ever before, and this puts an unprecedented adverse impact on them.

The proposed Conservation Policy, therefore, aims to, not only draw lessons and inspirations from ASI's rich legacy for conservation and from various international guidelines available in this regard, but enumerates as well contemporary approaches to conservation, management and protection, and proposes various principles to be adopted for interventions within and around a monument. The Policy attempts to put a monument in perspective (as a ubiquitous part of its setting) and underpins the role of local communities and traditional craftsmanship as an integral part of conservation process. The Policy, also for the first time, attempts to deal with very important and topical aspects like tourism, development (within and around a monument), as well as capacity building and building partnerships.

# INTRODUCTION

***Reflecting and learning*** from Archaeological Survey of India (ASI)'s vast experience in conservation of monuments across the country and even abroad;

***Appreciating*** the richness and diversity of our country's monuments protected by ASI and its various state agencies;

***Drawing*** upon various international charters and guidelines for conservation with a view to adapt them to the Indian context as well as ASI's Conservation Manual (1923) with a need to update it in order to deal with contemporary issues of conservation and management;

***Acknowledging and Identifying*** that monuments are not only non-living but are as well living heritage thus necessitating and including the role of local communities in their conservation and management;

***Understanding*** that the country still has long established building crafts and traditions and traditional *Raj Mistris*, *Sthapatis*, stone carvers, carpenters, crafts persons, etc., to name a few, who can play an important role in the conservation of monuments;

***Accepting*** that conservation is a multi-disciplinary endeavour necessary in developing the holistic understanding of an intervention;

***Considering*** the necessity of a futuristic approach for conserving monuments for posterity;

The Text of the National Conservation Policy is proposed as follows:

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# Article 1 Definition and Context

**Article 1.01**

"**Ancient Monument**"[1] 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 100 years and includes:

(i) remains of an ancient monument,

(ii) 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.

**"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.

**Article 1.02**

"Monuments" comprise a vast array of human-built edifices, the tangible manifestation of India's rich past, that include archaeological sites, excavated sites and mounds, cave shelters, rock-cut temples, monoliths, sculptures and bas-relief panels, underground structures, and architectural heritage representing various typologies, e.g., religious, palatial, residential, defensive, funerary, civic, institutional, landscapes, etc. The monuments can be 'functional' or 'non-functional' depending upon whether or not these are functioning as per their original intended use[2].

**Article 1.03**

Monuments reflect myriad applications of a range of building materials – mud, wood, stone, brick, lime, metal, glass, etc., or composite material application, employing different construction techniques, representing different architectural styles and styles of ornamentation (structural and applied), reflecting influences from other regions and cultures due to cultural interactions in the past millennia. There are tremendous regional variations in monuments in terms of materials, styles and techniques also due to influence of vernacular (indigenous) architecture.

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**Article 1.04**

All Monuments, once declared so, transcend their original function and should be conserved as exemplars of bye-gone civilizations, eras and epochs, and represent exemplary human creativity, building crafts tradition, patronization, architectural and/or artistic and/or engineering accomplishments, and also serve as tangible manifestation of historical and cultural events and developments of our past that spreads over several millennia.

**Article 1.05**

All monuments that are declared **nationally important** have very high value / significance – archaeological, architectural (including artistic and engineering), antiquity (age), historical (including association), cultural (including religious). Monuments can have either a single or a combination of these values which contribute to their importance at the national level.

**Article 1.06**

All monuments are an irreversible and non-renewable cultural resource of the country, and thus utmost care must be taken to preserve and protect them for posterity.

**Article 1.07**

The understanding and interpretation of a "Monument" has changed with time, over the past 100 years, world-wide. Many more typologies of historic buildings and sites are considered heritage and are being conserved by countries across the world. The process of identifying monuments of national importance also representing under-represented typologies, for instance, historic gardens, historic cities (settlements and precincts), industrial heritage, vernacular heritage, cultural landscapes, cultural routes, etc., should be regularly undertaken[3].

## Article 2 Various Terminologies

**Article 2.01**

***Conservation***[4] means the processes through which material, archaeological, design and integrity of the monument is safeguarded in terms of its value / significance.

**Article 2.02**

***Structure*** means any building, equipment, device or other facility made by people and which is fixed to the land and is a part of the monument, site and/or archaeological remains.

**Article 2.03**

***Intervention***[5] means the proposed conservation action, as outlined in the subsequent sub-articles, for the safeguarding of a monument and its Integrity.

**Article 2.04**

***Maintenance or preventive conservation*** means the preventive care of a monument or site in order to prevent damages and deterioration and to avoid an intervention as long as possible. All monuments should be duly maintained in order to retain their significance and thwart any major unnecessary intervention.

**Article 2.05**

***Preservation***[6] means maintaining a monument including its setting with as little change as possible.

**Article 2.06**

***Renovation*** means repairing and improving a monument or any part thereof to get it back into good condition.

**Article 2.07**

***Repair*** means making good, removing or replacing decayed or damaged material or portion of a monument with the objective to impart stability and to prevent loss of original material.

**Article 2.08**

***Restoration***[7] means bringing back the monument or any part thereof to an earlier known state or condition. *Restoration* means returning a monument as nearly as possible to a known earlier state.

**Article 2.09**

***Reassembly*** (***Anastylosis***)[8] means putting existing but dismembered parts back together.

**Article 2.10**

***Reinstatement*** means putting components of earlier material back in position.

**Article 2.11**

***Adaptation or Adaptive Reuse***[9] means modifying a part of the monument, or a place inside or outside it, to suit it to a compatible use, involving no loss of cultural heritage value.

**Article 2.12**

***Reconstruction***[10] means to rebuild in the original form.

**Article 2.13**

***Retrofitting***[11] means to consolidate by inserting new parts or new equipment in the monument in order to improve their safety concerns and to make them function efficiently.

**Article 2.14**

***Scientific clearance*** is removal of historic building material, debris, buried within or outside of the protected monument, not desirable at that location, and required to be scientifically and systematically removed and for the purposes of retrieving any buried architectural members or sculptures, etc., for purpose of their study, investigation and possible reuse.

**Article 2.15**

***Stabilization*** **or** ***Consolidation***[12] means the arrest of processes of decay using external agents.

**Article 2.16**

***Transplantation or Translocation***[13] means to remove the monument from its existing location and to relocate it at an alternate location.

**Article 2.17**

***Cleaning*** means removal of any harmful encrustations and bio-deteriorating agent from the surface of a monument to prevent regrowth or re-encrustation.

**Article 2.18**

***Authenticity***[14] is a measure of maintaining the value / significance of a monument through a truthful and credible depiction of one or more of the following attributes such as:

- form and design;
- materials and substance;
- use and function;
- traditions, techniques and management systems;
- location and setting; and
- spirit and feeling.

**Article 2.19**

***Integrity*** is a measure of the completeness of the monument demonstrated through its attributes such as structural, functional (in case of a living monument) and visual.

## Article 3 Conservation of Monuments (Value based intervention)

**Article 3.01**

It is important to define nature of conservation intervention for monuments based on their value / significance which is to determine nature and extent of intervention required for the conservation of a monument. The imperative of such value based approach derives from the nature / typology of a monument and interpretation of its value / significance, for instance:

**Article 3.02**

**Preservation** should be attempted on monuments with a high archaeological value such as archaeological sites and remains, portions of monuments with decorative features such as wall paintings, inscriptions and calligraphy, sculptures, etc.;

**Article 3.03**

**Restoration**[15] may be undertaken on monuments with high architectural value and only in parts of a monument wherein there are missing geometric or floral patterns, or structural members of a monument if damaged recently. At no cost, there should be an attempt to restore an entire building as it will attempt to falsify history and will compromise its authenticity. Similarly, decorative features such as wall paintings, inscriptions and calligraphy and sculptures should not be restored.

**Article 3.04**

**Reconstruction**[16] may be undertaken for such monuments wherein such an intervention is the only way to retain or retrieve their integrity / context and without which its survival is imminently impossible. Reconstruction should be attempted only for a monument that is damaged on account of a disaster or that has collapsed due to failure of its structural and material integrity. Reconstruction should be attempted only in extreme cases.

**Article 3.05**

**Reproduction** of a part of a monument may be undertaken for such a monument whose original members (structural and / or ornamental) have deteriorated and lost their structural and material integrity and removing these from their original location is the only way to saving those members and also monuments.

**Article 3.06**

Sympathetic and Adaptive **Reuse**[17] can be undertaken for monuments / portions of monuments should that be the way to maintain and to enhance/upgrade the monument or to incorporate complimentary functions, for instance, ASI's field offices, interpretation centres, inspection rooms, storage space, public amenities, etc.

## Article 4 Conservation Principles

**Article 4.01**

"Conservation" of monuments, archaeological sites and remains constitutes all necessary action or intervention within and around a monument to a) prolong its existence; b) prevent its decay, and c) minimise the impact of external agents of decay (natural and human induced) on its setting, structure and material.

**Article 4.02**

A monument or an archaeological site should be subject to **minimum - whilst only necessary - interventions** in order to maintain its authenticity and integrity. Original/Historical material

or an architectural / ornamental detail (structural or non-structural) must be retained for as long as possible and should not be replaced without a proper investigation or simply because these have been slightly eroded / deteriorated.

**Article 4.03**

All efforts to conserve a monument shall be to retain its value / significance, its authenticity and integrity, including visual connections to and from the monument, and shall truly represent its original / historic appearance. All efforts to maintain their authenticity and integrity shall be to ensure that they are kept in their original state or, in certain cases, in an earlier known state or in a state as they were discovered at the time of their notification *(or protection)*.

**Article 4.04**

Conservation of a monument is a continuous process. Adequate resources (human and financial) would be made available to conserve a monument for posterity.

**Article 4.05**

Any intervention to be proposed for the conservation of a monument should in no case be based on any conjecture or artistic imagination and should be based on reliable documentary evidences (past conservation records, documents, paintings, photographs, travelogues, etc.), in-situ architectural and / or archaeological evidences.

**Article 4.06**

Conservation should be treated as a multi-disciplinary enterprise focusing on developing a holistic solution to prevent various agencies of decay to act upon a monument. It will be critical to have multiple studies undertaken so as to develop an overarching conservation philosophy and approach.

**Article 4.07**

Conservation of the original / historical material should be an essential pre-requisite in order to sustain the time-dimension of a monument which confirms its antiquity.

**Article 4.08**

All interventions carried out within a monument should, as far as possible, be clearly discernible as a later alteration / repair / restoration, etc., to be able to clearly identify them from the original. However, in certain cases where the intention is to merge the new

intervention into the original fabric of the monument, for the sake of maintaining architectural integrity, work must be done very carefully by matching the original material / detail in terms of form, colour and specification. The decision for achieving such objectives should be carefully recorded / documented for posterity.

## Article 5 Conservation Approach

**Article 5.01**

Conservation of a monument should employ state-of-the-art scientific equipment and technology to facilitate research and understanding of the physical nature of monuments, analysis of its materials and construction technology, and that of its current condition (due to natural or human induced causes). Use of appropriate technology should also be mandated for documentation purposes.

**Article 5.02**

Conservation should not only limit itself to the intervention within the structure / fabric of a monument but shall also include protection and maintenance of the setting or environment integral to it.

**Article 5.03**

Conservation should include regular monitoring and a continuous care of the monument and its setting. Short-term (upto 2 years), Mid-term (2 – 5 years) and Long-term (5 years and above) monitoring and maintenance plans should be developed for to prevent any further deterioration of the structure that may warrant unnecessary comprehensive conservation exercise later[18].

**Article 5.04**

It is important to prepare Conservation Plan[19] for a monument preceding any actual conservation work in order to understand proposed intervention[s] in the context of a monument's typology and function. Conservation Plan should clearly define approach to conservation and the extent of conservation interventions. Conservation Plans should be reviewed regularly to evaluate previous recommendations and their effectiveness and incorporate changes should any new issue be observed that is impacting the authenticity and integrity of the monument. The plan should be reviewed once every five years.

**Article 5.05**

The entire process of conservation should be documented prior to, during and after conservation through maps, drawings, photographs, digital records and field notes in order to create records of interventions. The documentation should capture various stages of intervention and should be undertaken to capture all relevant details of an intervention[20].

This will be useful from the point of view of understanding all past and current interventions in future.

**Article 5.06**

Critical attention should be paid in case a monument is in use and continues to perform its original intended function. In such cases, it is important to review existing conservation approaches / philosophies keeping in mind conservation concerns as well as functions that are being performed within the monument and intrinsic to its being a living heritage. Thus, conservation and functional issues pertaining to such a monument should be seen as a harmonious and complementary activity and should be balanced in a way that there is no compromise to its authenticity and integrity.

**Article 5.07**

Original / historical material or details[21] may or may not be replaced depending upon whether or not the archaeological or architectural integrity of the monument is to be retained. Replacement of parts of the material fabric or a detail may be considered only if it has completely lost its inherent material strength or structural integrity. Replacement may only be undertaken to prevent further deterioration, formation of faults or decay of other portions of the structure.

**Article 5.08**

If the original material or detail is at all to be replaced it must be the last option to be exercised and shall be undertaken only upon ensuring that no other conservation action can ensure its survival. Original material / detail, once it is decided for replacement, as far as possible, should be stored in a safe environment for the purpose of conducting further investigations / research, or it may even be put on display for the purpose of education / interpretation.

**Article 5.09**

Time-dimension (i.e., antiquity or age) should be maintained by preserving the patina (surface encrustation) of the material or its surfaces (exterior and interior)[22]. Hence, care should be taken to clean the material in a way that whilst all bio-deterioration agents are removed, the patina, which is the protective layer, is maintained. Any intervention to clean surfaces should be undertaken after a thorough research and documentation.

**Article 5.10**

The use of inappropriate and modern synthetic chemicals for cleaning or conservation may be avoided keeping in view their incompatibility with the original fabric of a monument. Their likely action towards acceleration of the decay process must be properly investigated before its actual use in conservation work.

**Article 5.11**

Highest attention should be paid to the conservation of fragile ornamentation embellishing a monument. All efforts backed by scientific knowledge should be made to protect and preserve them in-situ for as long as possible. In case all efforts to preserve the fragile ornamentation *in-situ* fail to protect its integrity, an assessment should be made to remove and place them in a safe environment whilst replacing them with reproductions of the same profile and specifications that maintains its architectural integrity[23]. This, however, has to be done in extremely rare cases.

**Article 5.12**

It is important to respect various additions / alterations in time or "layers of history" that have contributed to the development or evolution of a monument[24]. In cases where inappropriate modern or recent additions and/or alterations have been made to the monument in the recent past, after its protection, which have a direct impact on the authenticity / integrity of the monument, it may be desirable to remove or undo such interventions. The monument should then be restored to either its original or an earlier known state depending upon the available evidences.

**Article 5.13**

Any attempts for consolidation that is carried out by inserting new material or by use of chemicals should keep in mind the original / historical material of the fabric. The new material to be used for the conservation should match in specification the original / historic material or should be complementary and compatible. Prior to any intervention, it is desirable that the original / historical material should be analysed for its composition and specifications and for the new material to be accordingly selected.

**Article 5.14**

Landscaping and horticultural practices, including surface development are necessary within and around a monument to provide a cleaner, dust free micro-environment, to create comfortable spaces, and to enhance visual perception. New landscaping within and around a monument should include greater emphasis on using local flora, and should, as far as possible, be least maintenance oriented and be self-sustainable.

**Article 5.15**

Formal landscapes (historic gardens) that were intrinsically designed and laid out as a part of a monument should be preserved, as far as possible, as per the original design and intent, including respecting various historic layers of interventions. Any contemporary inappropriate interventions should be carefully removed so as to not to damage the historic landscape and its layout. In certain cases it may also be necessary to undertake archaeo-botanical investigations or scientific clearing to bring out original landscape features that have been

buried over time. It is desirable to use appropriate technology to understand the original plantation and species of flora that were planted and layout of historic gardens before proceeding with its restoration.

**Article 5.16**

Conservation of a monument should not limit itself to structural interventions but should also consider, wherever necessary, restoration of historic interiors which alleviates the visitor's experience and understanding of the function of a monument. Historic/original furniture and furnishings, including illumination, should be authentically restored to bring out the functional context of the monument. However, this should be done only on the basis of documentary or material evidences and no conjecture or artistic impressions should be allowed in restoring historic interiors.

## Article 6 Role of Building Craftsmanship in Conservation

**Article 6.01**

India is blessed with the continuing existence of traditional masons, crafts persons, carvers, etc., with their practices still available and functioning in different parts of the country. They practice Indian ancient traditions of construction, detailing, sculpting, carving and painting, and their traditional knowledge systems are replete with the understanding of ritualistic aspects and principles and elements of design employed in the production, construction or carving of architectural or ornamental members embellishing a monument. In most cases these traditional knowledge have been transferred within families from a parent to his / her child for generations or following *Guru-Shishya parampara* (teacher-disciple tradition).

**Article 6.02**

Craftspersons that comprise traditional builders and masons such as *Sthapatis*, stone carvers, carpenters, woodcarvers, ironsmiths, painters, etc., to name a few, can play a great role in the conservation process as they are living repositories of building and artistic traditions which have been sustained through generations and, thus, their role in conserving a monument is paramount.

**Article 6.03**

Traditional and ritualistic knowledge in building construction and in the understanding of a material and its application should not only be respected but should be widely applied for the conservation of a monument.

**Article 6.04**

ASI should maintain the tradition of not allowing the replication of sculptures and inscriptions (including calligraphy) on ancient or mediaeval monuments as such an act

decisively will compromise with their antiquity and integrity. However, geometric patterns and carvings, as well as historic interiors, can be allowed to be replicated when there are enough documentary or in-situ evidences available for the same[25].

**Article 6.05**

Conservation should, therefore, become a medium to support and encourage these traditional masons and crafts persons and their traditional systems of knowledge and schools. Not only should traditional knowledge systems be documented, but that these should be encouraged to be transmitted to the youth where they will be encouraged to participate and learn these building crafts techniques which can then be employed, as and when required, in the conservation of monuments.

**Article 6.06**

Conservation should be seen not merely as a product-centric enterprise (i.e., conservation of a monument) but as a process-centric endeavour wherein promoting and sustaining building crafts, and communities practicing these, become integral to safeguarding a monument.

## Article 7 Capacity Building

**Article 7.01**

Conservation of a monument being a multi-disciplinary and scientific enterprise demands regular training of human resource such as archaeologists, engineers, conservation architects, scientists, horticulturists, planner, surveyors, etc. Capacity building has to be undertaken not only for professionals within organisations, such as ASI, but also with allied professionals, technicians, academicians, crafts persons, etc., so as to update and upgrade present conservation methods and to enable the adoption and adaptation to the best conservation practices available anywhere nationally or internationally.

**Article 7.02**

There is a strong need to develop, maintain and regularly update a pool of trained and skilled conservators, artisans and craft persons and they must be engaged in and exposed to a variety of conservation activities, nationally and internationally, from time to time depending on the expertise and skills required for specific conservation projects.

**Article 7.03**

Considering the fact that monuments are irreversible and irreplaceable heritage resources, responsibility for documenting and conserving these monuments should be entrusted to the ASI technical staff who have undergone due training. Anyone who is involved with the conservation of monuments should be well versed with the nature and behaviour of historic materials and their application and the impact of agents (natural and human-induced) that

cause their decay and deterioration. Capacity building[26] of such a person should be undertaken to enable him / her to develop a holistic understanding of the monument (including its setting) and all efforts required in its safeguarding and sustenance.

**Article 7.04**

More and more universities and educational institutions across the country should be encouraged to impart training to professionals and practitioners and offer specialisations in conservation and management of monuments. Specialised courses at doctoral, post-graduate and graduate levels, and short term courses should be evolved and conducted regularly to train young professionals and practitioners.

**Article 7.05**

Collaborative programmes should be encouraged amongst institutions, organisations and laboratories working and researching different aspects of documentation and conservation in order to share knowledge and expertise in these fields.

**Article 7.06**

Central and state agencies, responsible for the conservation of state protected monuments or unprotected historical buildings, should be encouraged, from time to time, to send their in-house staff to enhance their knowledge and skills in various fields of conservation and management of monuments.

## Article 8 Promotional / Outreach Programmes

**Article 8.01**

The need of the hour is to generate public awareness, to educate and involve people by instilling in them a sense of delight and pride for monuments, to make them understand the importance of various legislations in protecting heritage, and to join hands with various agencies working to protect this tangible cultural wealth for posterity. The aim is to make the local communities and visitors aware about their responsibilities towards the monuments of the country, as well as preservation and preventive conservation of these antiquarian remains for the future generations.

**Article 8.02**

All related agencies responsible for the conservation of monuments should, therefore, organise, from time to time, awareness campaigns and promotional / outreach programmes about monuments of the country. The programmes should focus on various aspects related to their history and conservation, and to educate and sensitise local communities in preserving these monuments. At Site Museums attached to the monuments, visitors should be encouraged to engage themselves with the discoveries at the site. Special pamphlets and

brochures, should be developed and distributed freely to a visitor whilst acquainting him / her with the history and context of a monument.

## Article 9 Tourism and Visitor Management

**Article 9.01**

Undoubtedly, there has been an unprecedented interest amongst national and international visitors who visit monuments for a variety of reasons, such as, education, information, recreation and entertainment. A visitor gains tremendous knowledge and insight not only about the history of a monument or an archaeological site but also about the social, cultural and economic aspects of the patron and of the builder or contemporary society at large.

**Article 9.02**

Tourism, as an industry, plays a very important role in promoting visitation to monuments and in providing all necessary infrastructure in its support. However, it has been experienced that, in some instances, due to the over-visitation of the monuments, these are subject to tremendous adverse pressures which catalyse their decay and deterioration.

**Article 9.03**

It is important to determine the carrying capacity of a monument, especially for those where visitation is in very high numbers[27]. In order to better protect and preserve such monuments, the number of people visiting them as well as their access should be controlled, especially to such areas or parts that are highly vulnerable to decay and / or deterioration. Aspects like fragility, rarity, apprehensions of a permanent irreversible damage to the monument or its part should be looked into to determine how many people should be allowed to visit it within a day or at a given point in time.

**Article 9.04**

Suitable facilities / infrastructure should be created within or near the monument for the convenience of visitors. Facilities like parking that allows for a sufficient number of vehicles, toilets, cloak room, potable water, audio-guide facilities, ticket booths, souvenir counter, etc., should be located in a way that these are easily accessible prior to entering a monument[28]. Similarly, guidebooks or pamphlets indicating a monument's history, its architecture and planning, and various do's and don't's, should be provided to a visitor to enhance his / her understanding of the site.

**Article 9.05**

Significantly contributing to the understanding and appraisal of a monument is the facility for interpretation. Interpretation Centres should provide information and interpretation of the monument not only in terms of its history, architecture, all events associated with the

monument, etc., but in its setting, and in the regional, socio-cultural and socio-political context. Appropriate media and technology should be adopted for demonstration and presentation of information to a visitor.

**Article 9.06**

Interpretation centres should be designed and located in a way that these do not disturb, in any way possible, the environment and setting of the monument. As far as possible, the use of vernacular (local) material and techniques or the use of materials complimentary to the historic building material of the monument should be adopted for the construction of the interpretation centre.

**Article 9.07**

Visitor access and circulation should be worked out to facilitate movement within the monument in order to achieve optimum visitation and to cause least hindrance. However, care should be taken in controlling access to areas which are vulnerable to excessive visitation.

**Article 9.08**

Adequate signage should be provided that unambiguously gives information[29] on access and location of various sections of the monument, and various facilities within and near a monument. Signages should also be provided at suitable locations to explain authentically the history and nature of the monument and / or its several portions. Signages should be designed in a way that they are clearly legible, and materials used should be those that complement the nature of the monument.

## Article 10 Illumination of a Monument

**Article 10.01**

Monuments often act as landmarks in urban areas or settings of which they are a part of and this aspect can be accentuated through the introduction of illumination and inter-play of light and shade to highlight their form and silhouette.

**Article 10.02**

Monuments should be illuminated for the benefit of visitors and local communities who may either be, depending upon case by case, allowed to visit and experience them during certain hours in the evening or may appreciate their continuing existence. Monuments may be illuminated externally for distant viewing as well as for its security.

**Article 10.03**

Illumination should be done in a way that the monument is not subject to bright lights that may attract insects, especially during monsoons, or fade the colour of its surfaces, especially when these are painted or carved.

**Article 10.04**

Appropriate technology should be selected for illumination so that there is no intervention made on the structure or fabric of a monument. Lighting, wiring, and related equipment should be designed and located in a way that these are not visible during the day. The technology applied / used should, as far as possible, be maintenance free and self-sustainable[30]. The use of natural sources of energy, wherever possible, should be encouraged, provided that this technology that is adopted for the harnessing of natural sources, does not, in any way whatsoever, impact on the visual integrity of a monument.

## Article 11 Public Private Partnership in Heritage Conservation and Management

**Article 11.01**

It is realised in recent years that despite the best efforts put up by various central and state agencies for the conservation and management of a monument, it is immensely challenging to conserve and manage them on account of the limited availability of human and financial resource.

**Article 11.02**

Therefore, Public Private Partnership (PPP) assumes greater significance in the conservation and management of our monuments and this can be generated with the active support of the public enterprise.

**Article11.03**

Whilst conservation and upkeep of the monument remains with ASI, aspects such as visitor amenities, signages, amelioration of the environment around monument, etc., can be undertaken adopting the PPP model wherein human and financial resources can be tapped from outside government for such a purpose[31].

## Article 12 Community Participation in Conservation

**Article 12.01**

Local communities are important stake holders of heritage and can play a critical role in the conservation and management of a monument. This is particularly seen in monuments that

are "living" and are used by local communities, for instance, monuments in religious use. It has been realised that without the active involvement of local communities or stakeholders it is often challenging to conserve and manage a monument and its environs.

**Article 12.02**

The need of the hour is to engage local communities in decision-making processes such as in the aspects of conservation and management as well as use of the monuments. This enables communities to establish inextricable linkages with the monument and also lead them to generate employment opportunities, the sustenance of local crafts and an increase in tourism related activities[32].

**Article 12.03**

As far as possible, communities traditionally associated with the monuments or living in their vicinity may be encouraged to continue the intrinsic relationship with the monument and its setting provided this doesn't disturb its authenticity and integrity.

## Article 13 Access for the Differently-abled persons

**Article 13.01**

The benefits of visiting a monument should be for all the citizens of the country including those who are differently-abled and are unable to enjoy normal visitation, access or viewing.

**Article 13.02**

Care should be taken to employ all means possible to facilitate access, provide specially designed visitor amenities, as well as provide information and interpretation of a monument to differently-abled individuals by employing adequate means.

**Article 13.03**

However, due care should be taken to provide facilities and access in a way that such provisions do not, in any way whatsoever, compromise the authenticity and integrity of a monument.

**Article 13.04**

Whilst all due emphasis is given to provide access to a monument for differently-abled persons, major physical interventions within its structure impacting its integrity, it may be necessary to resort to the option of creating special areas within or around a monument from where maximum view [of the monument] can be provided / enjoyed.

## Article 14 New buildings / Interventions within a monument

**Article 14.01**

Monuments, contrary to be believed as frozen entities in space, have an inherent dynamism as they continue to 'evolve' over a period of time. The evolution may not always be in terms of changes to the fabric of a monument, but in terms of the continually changing environment around it.

**Article 14.02**

Any new building or facility to be added within or around the monument should be done with great care and in a way that it does not reduce the significance of the monument, its fabric as well as its environment in terms of incompatible intervention as seen in terms of design, material, colour or scale. In the physical intervention to the environment within / around the monument, preference should be given to materials that are compatible with the historic building fabric or which is vernacular (local) to reflect the building characteristics of the region wherein the monument belongs to.

**Article 14.03**

New interventions should, as far as possible, blend with the historic character of the monument and its setting and should not contrast in a way that it is distracting. New materials or construction techniques, if at all to be employed for the construction of new buildings within the monument's immediate environs should be handled with great care and sensitivity, so that these do not become eye-sores with the passage of time.

**Article 14.04**

Designs and details of any intervention should be such that these are easy to maintain, are self-sustainable and are of the least energy intensive.

**Article 14.05**

Priority should be given to interventions that employ reuse of ancillary portions of a monument. The original functions and uses of the monuments should be upheld and continued. Whilst the main monument should not be subjected to any reuse, ancillary structures within these monuments or complexes may be considered for "sympathetic and compatible" reuses.

**Article 14.06**

While interventions within the protected area of the monument would be governed by the policies that the Archaeological Survey of India would follow or adopt, in the surrounding area particularly the prohibited and regulated zone existing 300 meters beyond the protected limit of the monuments, it has now been mandated that National Monument

Authority would consider matters of construction related activity and interventions. This process also involves framing of heritage bye-laws in respect of each protected monument/site and such bye-laws would cover aspects of heritage control such as elevation, facade, drainage system, conservation infrastructure etc.

## Article 15 Disaster Management

**Article 15.01**

Monuments and archaeological sites are increasingly being subject to a variety of hazards (natural and human induced) thus exposing their vulnerability to threats and risks. It is important for all agencies concerned to be sufficiently prepared to mitigate a disaster, should it strike, and to develop mechanisms for quick Response and Recovery.

**Article 15.02**

Adequate training should be provided to the monument in-charge to a) identify disasters that can have deleterious impact on a monument on the basis of the past history of disasters in the region, b) to undertake impact assessment for visualising disaster scenarios, c) to assess current levels of preparedness to mitigate disasters, and d) to be able to coordinate with various agencies (central, state and local) for developing a quick response post-disaster programmes and actions.

**Article 15.03**

Disaster Management Plan should be made as an important pre-requisite of the Conservation Plan for a monument. It would be useful if Vulnerability assessment of each monument also becomes a part of ASI database.

**Article 15.04**

All adequate facilities possible should be provided within the monument, to be located at an appropriate location, so as to give emergency treatment to the victim[s] of a disaster before proper medical attention can be provided to him / her. Access and evacuation routes, and evacuation spaces should be clearly demarcated and indicated through appropriate signage for visitors to improve their response mechanisms. All efforts should be put in place to a) safeguard the lives of people within the monument or living in its vicinity, and b) to safeguard the monument.

**Article 15.05**

Monuments and their structural members (material, construction technique, jointing, etc.) should be examined to determine their behaviour against disasters. Should there be a need, necessary minimum retrofitting of a monument may be carried out for its sufficient consolidation and to mitigate disasters.

**Annexure I**

## ENDNOTES

[1] **National Conservation Policy for Monuments shall refer to the Monuments, Archaeological Sites and Remains** protected by the Archaeological Survey of India (ASI) as defined under Section 2 (a–d) of the AMASR Act 1958, and subsequent (Amendment and Validation), 2010. **For sake of convenience, the expression "Monument" is used henceforth in the document connoting "Monuments, Archaeological Sites and Remains" unless specified.**

[2] The aspect related to the livingness of a protected monument has only been attempted for a religious monument in use (as per the notification) under Section 16 of the AMASR Act, 1958.

[3] Great synergy is required between ASI and various other ministries and agencies at Central, State and district levels to a) identify, b) conserve, and c) chalk out effective modes of management and monitoring. Local planning authorities, NGOs and communities too will have a greater role to play in this regard.

[4] In a broader sense, the conservation activities shall include examination, documentation, treatment, and care of monuments, archaeological sites and remains, supported by adequate research, diagnostic studies, etc. Most importantly, it is an on-going and a continuous process which is realized through an Annual Conservation Plan (ACP) proposed and renewed annually for the sake of successful implementation.

[5] (Ref: Articles 2.04 to 2.17 of the Policy).

[6] All monuments with a high archaeological value, such as archaeological sites, ancient monuments, rock edicts, caves, rock-cut structures should be preserved.

[7] Monuments or their components with high architectural value may be restored. Mediaeval monuments wherein geometric patterns are found missing, can be restored following available evidences and traditional methods. However, restoration should not attempt to recreate sculptures or inscriptions and calligraphy in any monument. Restoration could be achieved by reassembly, reinstatement and/or the removal of inappropriate extraneous additions. Restoration should also not be attempted in an archaeological site, rock-cut caves, etc.

[8] To the extent possible, restoration of a monument using original architectural members should be favoured. Whilst attempting *Anastylosis*, the missing elements should be replaced by simple members maintaining the profile but devoid of any ornamentation to distinguish it from the original.

[9] Adaptive reuse of secondary portion of a monument should be preferred to incorporate functions such as providing visitor amenities, ASI field offices, etc., subject to the condition that the authenticity and integrity of the monument is least disturbed. No main portion of the monument, however, should be subject to any reuse or tempered for any physical modification.

[10] Reconstruction should only be attempted in rare cases wherein a monument is damaged severely on account of a disaster (natural or human induced) or having lost its structural stability leading to its sudden collapse. Reconstruction should be undertaken only when there is sufficient documentation available to accurately reconstruct the monument. As far as possible, the original material of the damaged monument should be salvaged and used for reconstruction purposes.

[11] Care, however, should be undertaken to undertake insertions in a way that these do not compromise authenticity and integrity as well as aesthetics of the monument and follows the principle of minimum intervention.

[12] Consolidation should be done for the purpose of imparting strength to the fabric of a monument by using appropriate structural or chemical interventions.

[13] Transplantation or Translocation of a monument is to be done in the rarest of rare circumstances, and that it should only be done as a means for safeguarding the integrity of a monument. Transplantation should precede a comprehensive documentation, a thorough recording of all events and circumstances that necessitate such intervention. Relocation of the monument should be undertaken after careful analysis of the new site (to which the relocation is proposed), and aspects like soil investigation and visual integrity.

[14] For a detailed definition and understanding of Authenticity and Integrity, following documents may also be referred: *Venice Charter* (1964), *Nara Document on Authenticity* (1994), *Burra Charter* (1999), and World Heritage Centre's *Operational Guidelines* (July, 2012).

[15] Elements of a monument, such as murals, sculptures, inscriptions and calligraphy should not be restored. Monuments must be restored on the basis of documentary, archaeological or architectural evidences, and not on the basis of any conjecture.

[16] Monuments must be restored on the basis of documentary, archaeological or architectural evidences, and not on the basis of any conjecture.

[17] While considering a portion of a monument for reuse, care must be taken that no major portions of a monument with high archaeological / architectural value should be subject to reuse. Only ancillary portions of a monument may be considered for adaptive reuse.

[18] Periodic inspection of a monument should be undertaken by the archaeological officers and site in-charge to have a vigil on the condition of the monument. Inspection notes should be carefully to highlight the condition of a monument and actions required for its conservation and safeguarding. These notes should be available at each monument.

[19] Conservation plans should reflect adequate research on the monument and should take into account all past interventions. As regards the Archaeological Survey of India, Conservation Plan should indicate conservation decisions regarding a monument that reflects coordinated structural, scientific and horticultural inputs.

[20] All information related to the past and on-going conservation works should be made available at the site office for the benefit of understanding all past interventions. For this purpose, the practice of maintaining a "Log book" at sites should be mandatory for all monuments.

[21] "Detail" means architectural members, surfaces, decorations and ornamentation (structural and applied). Most monuments are embellished with irreplaceable and non-renewable structural and non-structural ornamentation in the form of geometric patterns, textures, sculptures, carvings, paintings, etc., made out of fragile and soft materials that are vulnerable to natural and human-induced agents of decay. There are instances where such forms of ornamentation have degenerated beyond recognition due to loss in its inherent material strength.

[22] The preservation of patina on the surface of a material should be carried out with the essential identification of the extent of the patina. However, extraneous depositions on the surface such as dust, dirt, soot, chemical salts, and later additions such as paint layers, etc., which are harmful to the original substrate must be removed along with the biological agents without damaging the patina.

[23] It may be incumbent upon the archaeological officer to take a decision regarding whether or not to allow replacements of geometric patterns, if significantly eroded, in case of a monument with high architectural value. Reasons for removing any material or ornamentation must be duly recorded. Replacement should also precede extensive documentation.

[24] Establishing different layers of history will require a careful evaluation of historical phases through research in order to establish the 'original' and the subsequent 'layers'.

[25] India has unique distinction of having living building crafts traditions that continue to be practiced in various parts of the country. In Sir John Marshall's Manual (1923), there is inherent scepticism about contemporary craftsmanship having ability to reproduce a sculpture or an architectural detail in an ancient monument whilst this practice was allowed in a mediaeval monument. This needs a review and for this purpose, craftsmen, traditional masons, *et al*, need to be identified, and only after a thorough process of reviewing and certification, etc., may they be considered for replicating a detail on an ancient as well as a mediaeval monument.

[26] All conservation professionals should be encouraged to undertake on-site training with experienced archaeologists, architects, engineers, scientists and horticulturists who are well versed with on-site conditions and various issues impacting the conservation and management of a monument.

[27] In such cases it is important to have sufficient human resources available to monitor the movement of visitors and allow only the desired number within the monument. Computers and web-based applications can also be used for online appointment for visiting the monument which can be monitored by the related agency in-charge of that monument / site.

[28] Facilities should be designed and integrated in a way that these do not impact the authenticity and integrity of the monument and its immediate surroundings.

[29] As far as possible, signages should have information in multiple languages (English, Hindi and vernacular language) for the convenience of visitors, both domestic and foreigners.

[30] Illumination of a monument should be handled by a specialist lighting expert with a sensitive attitude to fixtures and understanding of highlighting its characteristic features.

[31] This shall entrust greater responsibility on private organisations, donor agencies or even individuals for the protection and maintenance of a monument.

[32] Volunteers can be identified from within the local communities who may be engaged for assisting ASI in managing visitors, preventive conservation, security, etc.

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# Annexure 09: *The Antiquities and Art Treasures Act 1972*

# The Antiquities and Art Treasures Act, 1972

(Act No. 52 of 1972)

# THE ANTIQUITIES AND ART TREASURES ACT, 1972

## ARRANGEMENT OF SECTIONS

## SECTIONS


1. Short title, extent and commencement.
2. Definitions.
3. Regulation of export trade in antiquities and art treasures.
4. Application of Act 52 or 1962.
5. Antiquities to be sold only under a licence.
6. Appointment of licensing officers.
7. Application for licence.
8. Grant of licence.
9. Renewal oflicence.
10. Maintenance of records, photographs and registers by licencees.
11. Revocation, suspension and amendment of licences.
12. Persons who licences have been revoked may sell antiquities to other licencees.
13. Power of Central Government to carry on the business of selling antiquities to the exclusion of others.
14. Registration of antiquities.
15. Appointment of registering officers.
16. Application for registration and grant of certificate of registration.
17. Transfer of ownership, etc., of antiquities to be intimated to the registering officer.
18. Provisions of sections 14,16 and 17 not to apply in certain cases.
19. Power of Central Government to compulsorily acquire antiquities and art treasures.
20. Payment of compensation for antiquities and art treasures compulsorily acquired under section 19.
21. Appeals against decisions of licensing officers and registering officers.
22. Appeals against awards of arbitrators.
23. Powers of entry, search, seizure, etc.
24. Power to determine whether or not an article, etc., is antiquity or art treasure.
25. Penalty.
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30. Application of other laws not barred.
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# THE ANTIQUITIES AND ART TREASURES ACT, 1972

## (ACT NO. 52 OF 1972)[1]
## (As modified upto April 1, 1975)

**(9th September, 1972)**

***An Act to regulate the export trade in antiquities and art treasures, to provide for the prevention of smuggling of, and fraudulent dealings in, antiquities, to provide for the compulsory acquisition of antiquities and art treasures for preservation in public places and to provide for certain other matters connected therewith or incidental or ancillary thereto.***

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Antiquities and Art Treasures Act, 1972.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and for different States and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Definitions

2. (1) In this Act, unless the context otherwise requires—

(I) (a) **"antiquity"** includes

(i) any coin, sculpture, painting epigraph or other work of art or craftsmanship;

(ii) any article, object or thing detached from a building or cave;

(iii) any article, object or thing illustrative of science, art, crafts, literature, religion, customs, morals or politics in bygone ages;

[1] Published in Gazette of India, Extraordinary, Part II, Section I, dated 9.09.1972.

(iv) any article, object or thing of historical interest;

(v) any article, object or thing declared by the Central Government, by notification in the Official Gazette, to be an antiquity for the purposes of this Act,

which has been in existence for not less than one hundred years; and

(II)

any manuscript, record or other document which is of scientific, historical, literary or aesthetic value and which has been in existence for not less than seventy-five years;

(b) **"art treasure"** means any human work of art, not being an antiquity, declared by the Central Government by notification in the Official Gazette, to be an art treasure for the purposes of this Act having regard to its artistic or aesthetic value:

Provided that no declaration under this clause shall be made in respect of any such work of art so long as the author thereof is alive;

(c) **"export"** means taking out of India to a place outside India;

(d) **"licensing officer"** means an officer appointed as such under section 6;

(e) **"registering officer"** means an officer appointed as such under section 15;

(f) **"prescribed"** means prescribed by rules made under this Act.

(2) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area.

Regulation of export trade in antiquities and art treasures

3. (1) On and from the commencement of this Act, it shall not be lawful for any person, other than the Central Government or any authority or agency authorised by the Central Government in this behalf, to export any antiquity or art treasure.

(2) Whenever the Central Government or any authority or agency referred to in sub-section (1) intends to export any antiquity or art treasure such export shall be made only under and in accordance with the terms and conditions of a permit issued for the purpose by such authority as may be prescribed.

Application Act 52 of 1962

4. The Customs Act, 1962, shall have effect in relation to all antiquities and art treasures, the export of which by any person



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antiquities and art treasures, the export of which by any person (other than the Central Government or any authority or agency authorised by the Central Government) is prohibited under section 3 save in so far as that Act is inconsistent with the provisions of this Act and except that (notwithstanding anything contained in section 125 of that Act) any confiscation authorised under that Act shall be made unless the Central Government on an application made to it in this behalf, otherwise directs.

5. [1][As from the date of expiry of a period of six months from the commencement of this Act], no person shall, himself or by any other person on his behalf, carry on the business of selling or offering to sell any antiquity except under and in accordance with the terms and conditions of a licence granted under section 8.

**Explanation.—**In this section and in sections 7, 8, 12, 13, 14, 17, and 18 "antiquity" does not include ancient and historical records other than those declared by or under law made by Parliament to be of national importance.

Appointment of licensing officers

6. The Central Government may, by notified order,---

(a) appoint such persons, being gazetted officers of Government, as it thinks fit, to be licensing officers for the purposes of this Act;

(b) define the limits of the area within which a licensing officer shall exercise the powers conferred on licensing officers by or under this Act.

Application for licence

7. (1) Any person desiring to carry on, himself or by any other person on his behalf, the business of selling or offering to sell antiquities may make an application for the grant of a licence to the licensing officer having jurisdiction.

(2) Every application under sub-section (1) shall be made in such form and shall contain such particulars as may be prescribed.

Grant of licence

8. (1) On receipt of an application for the grant of a licence under section 7, the licensing officer may, after holding such inquiry as he deems fit, grant a licence to the applicant having regard to the following factors, namely:--

(a) the experience of the applicant with respect to trade in antiquities;

(b) the village, town or city where the applicant intends to carry on business;

[1] Substituted by the Antiquities and Art Treasures (Amendment) Act, 1976 (82 of 1976), Section 2 with retrospective effect from 4.06.1976.

(c) the number of persons already engaged in the business of selling, or offering for sale of, antiquities in the said village, town or city; and

(d) such other factors as may be prescribed:

31 of 1947

Provided that no licence shall be granted to the applicant if he is convicted of an offence punishable under the Antiquities (Export Control) Act, 1947 unless a period of ten years has elapsed since the date of the conviction.

(2) Every licence granted under this section shall be on payment of such fees as may be prescribed.

(3) Every licence granted under this section shall be for such period, subject to such conditions and in such form and shall contain such particulars, as may be prescribed.

(4) No application for the grant of a licence made under section 7 shall be rejected unless the applicant has been given a reasonable opportunity of being heard in the matter.

Renewal of licence

9. (1) A licence granted under section 8 may, on an application made by the licencee, be renewed by the licensing officer for such period and on payment on such fees as may be prescribed.

(2) No application made under this section shall be rejected unless the applicant has been given a reasonable opportunity of being heard in the matter.

Maintenance of records, photographs, and registers by licencees.

10. (1) Every holder of a licence granted under section 8 or renewed under section 9 shall maintain such records, photographs and registers, in such manner and containing such particulars, as may be prescribed.

(2) Every record, photograph and register maintained under sub-section (1) shall, at all reasonable times, be open to inspection by the licensing officer or by any other gazetted officer of Government authorised in writing by the licensing officer in this behalf.

Revocation, suspension and amendment of licences.

11. (1) If the licensing officer is satisfied either on a reference made to him in this behalf or otherwise that—

(a) a licence granted under section 8 has been obtained by misrepresentation of an essential fact, or

(b) the holder of a licence, has without reasonable cause, failed to comply with the conditions subject to which the licence has been granted or has contravened any of the provisions of this Act or the rules made thereunder.

Then, without prejudice to any other penalty to which the holder

of the licence may be liable under this Act, the licensing officer may after giving the holder of the licence an opportunity of showing cause, revoke or suspend the licence.

(2) Subject to any rules that may be made in this behalf, the licensing officer may also vary or amend a licence granted under section 8.

Persons whose licences have been revoked may sell antiquities to other licencees.

12. Notwithstanding anything contained in section 5, any person whose licence has been revoked under section 11 may, after making a declaration before the licensing officer, within such period, in such form and in such manner, as may be prescribed, of all the antiquities in his ownership, control or possession immediately before such revocation, sell such antiquities to any other person holding a valid licence under this Act:

Provided that no such antiquity shall be sold after the expiry of a period of six months from the date of revocation of the licence.

Power to Central Government to carry on the business of selling antiquities to the exclusion of others.

13. (1) If the Central Government is of opinion that with a view to conserving antiquities or in the public interest it is necessary or expedient so to do, it may, by notification in the Official Gazette, declare that with effect on and from such date as may be specified in the notification, the Central Government or any authority or agency authorised by the Central Government in this behalf shall alone be entitled to carry on the business of selling or offering for sale of antiquities.

(2) On the issue of a notification under sub-section (1),--

(a) it shall not be lawful for any person, authority or agency, other than the Central Government or any authority or agency authorised by the Central Government, to carry on the business of selling or offering for sale any antiquity on and from the date specified therein;

(b) the provisions of this Act, in so far as they relate to the licensing of persons carrying on the business of selling or offering for sale of antiquities shall cease to have effect except as respects things done or omitted to be done before such cesser of operation and section 6 of the General Clauses Act, 1897 shall apply upon such cesser of operation as if those provisions had been repealed by a Central Act:

10 of 1897

Provided that every licence granted under section 8 and in force on the date aforesaid shall, notwithstanding that the period specified therein has not expired, cease to be in force.

(3) Every person whose licence has ceased to be in force under the proviso to clause (b) of sub-section (2) shall, within such period, in such form and in such manner as may be prescribed, make a declaration before the licensing officer of

all the antiquities in his ownership, control or possession immediately before the date specified in the notification issued under sub-section (1).

Registration of antiquities

14. (1) The Central Government may, from time to time, by notification in the Official Gazette, specify those antiquities which shall be registered under this Act.

(2) In specifying the antiquities under sub-section (1), the Central Government shall have regard to the following factors, namely:.—

(i) The necessity for conserving the objects of art;

(ii) The need to preserve such objects within India for the better appreciation of the cultural heritage of India;

(iii) Such other factors as will, or are likely to, contribute to the safeguarding of the cultural heritage of India.

(3) Every person who owns, controls or is in possession of any antiquity specified in the notification issued under sub-section (1) shall register such antiquity before the registering officer—

(a) in the case of a person who owns, controls or possesses such antiquity on the date of issue of such notification, within three months of such date; and

(b) in the case of any other person, within fifteen days of the date on which he comes into ownership, control or possession of such antiquity,

and obtain a certificate in token of such registration.

Appointment of registering officers.

15. The Central Government may, by notified order—

(a) appoint such persons, as it thinks fit, to be registering officers for the purposes of this Act; and

(b) define the limits of the area within which a registering officer shall exercise the powers conferred on registering officers by or under this Act.

Application for registration and grant of certificate of registration.

16. (1) Every person required to register any antiquity before the registering officer under section 14 shall make an application to the registering officer for the grant of a certificate of registration.

(2) Every application under sub-section (1) [1][shall, in the case of such antiquities or class of antiquities as the Central

[1] Substituted by Antiquities and Art Treasures (Amendment) Act 1976 (82 of 1976), Section 3, w.e.f. 4.06.1976.

Government may, by notification in the Official Gazette, specify, be accompanied] by such photographs of the antiquity which is to be registered and by such number of copies, not exceeding six, as may be prescribed and shall be made in such form and shall contain such particulars as may be prescribed.

(3) On receipt of an application under sub-section (1), the registering officer may, after holding such inquiry as he deems fit grant a certificate of registration containing such particulars as may be prescribed.

(4) No application made under this section shall be rejected unless the applicant has been given a reasonable opportunity of being heard in the matter.

Transfer of ownership, etc., of antiquities to be intimated to the registering officer.

17. Whenever any person transfers the ownership, control or possession of any antiquity specified in any notification issued under sub-section (1) of section 14 such person shall intimate, within such period and in such form as may be prescribed, the fact of such transfer to the registering officer.

Provisions of sections 14, 16 and 17 not to apply in certain cases

18. Nothing in section 14 or section 16 or section 17 shall apply to any antiquity kept—

(i) in a museum; or

(ii) in an office; or

(iii) in an archive; or

(iv) in an educational or cultural institution,

owned, controlled or managed by the Government [1][or by any local authority or by any such body as the Central Government may, for reasons to be recorded in writing, approve for the purpose of this section by general or special order].

Power of Central Government to compulsorily acquire antiquities and art treasures.

19. (1) If the Central Government is of opinion that it is desirable to preserve any antiquity or art treasure in a public place, that Government may make an order for the compulsory acquisition of such antiquity or art treasure.

(2) On the making of an order under sub-section (1) the Collector of the district in which such antiquity or art treasure is kept shall give notice to the owner thereof intimating him of the decision of the Central Government to acquire the same and it shall be lawful for the Collector to take possession of such antiquity or art treasure, for which purpose the Collector may use such force as may be necessary.

[1] Inserted by the Antiquities and Art Treasures (Amendment) Act 1976 (82 of 1976), Section 4 dated 4.06.1976.

(3) Where the owner of any antiquity or art treasure the possession of which has been taken over by the Collector under sub-section (2) objects to the taking over of such possession, he may, within a period of thirty days from the date on which such possession was taken over, make a representation to the Central Government putting forth his objections:

Provided that the Central Government may entertain the representation after the expiry of the said period of thirty days, if it is satisfied that the owner of such antiquity or art treasure was prevented by sufficient cause from making the representation in time.

(4) On receipt of any representation under sub-section (3), the Central Government, after making such inquiry as it deems fit and after giving to the objector an opportunity of being heard in the matter shall, within a period of ninety days from the date of receipt of the representation, either rescind or confirm the order made by it under sub-section (1).

(5) Where any order made by the Central Government under sub-section (1) is rescinded under sub-section (4) the antiquity or art treasure shall be returned to the owner thereof without delay and at the expense of the Central Government.

(6) Where the order made by the Central Government under sub-section (1) is confirmed under sub-section (4) the antiquity or art treasure shall vest in the Central Government with effect from the date on which the possession thereof has been taken over by the Collector under sub-section (2).

(7) The power of compulsory acquisition conferred by this section shall not extend to any object, being an antiquity or art treasure, used for *bona fide* religious observances.

Explanation.—In this section, "public place" means any place which is open to the use of the public, whether on payment of fees or not, or whether it is actually used by the public or not.

Payment of compensation for antiquities and art treasures compulsorily acquired under section 19.

20. (1) Where any antiquity or art treasure is compulsorily acquired under section 19, there shall be paid compensation, the amount of which shall be determined in the manner and in accordance with the principles hereinafter set out, that is to say,—

(a) where the amount of compensation can be fixed by agreement, it shall be paid in accordance with such agreement;

(b) where no such agreement can be reached, the Central Government shall appoint as arbitrator a person who is,



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or has been, or is qualified for appointment as, a Judge of a High Court;

(c) the Central Government may, in any particular case, nominate a person having expert knowledge as to the nature of the antiquity or art treasure compulsorily acquired to assist the arbitrator and where such nomination is made, the person to be compensated may also nominate an assessor for the same purpose;

(d) at the commencement of the proceedings before the arbitrator, the Central Government and the person to be compensated shall state what, in their respective opinion, is a fair amount of compensation;

(e) the arbitrator shall, after hearing the dispute, make an award determining the amount of compensation which appears to him to be just and specifying the person or persons to whom such compensation shall be paid and in making the award he shall have regard to the circumstances of each case and the provisions of sub-section (2);

(f) where there is any dispute as to the person or persons who are entitled to the compensation, the arbitrator shall decide such dispute and if the arbitrator finds that more persons than one are entitled to compensation, he shall apportion the amount thereof amongst such persons;

10 of 1940

(g) nothing in the Arbitration Act, 1940 shall apply to the arbitration under this section.

(2) While determining the compensation under sub-section (1), the arbitrator shall have regard to the following factors, namely:—

(i) the date or the period to which the antiquity or art treasure belongs;

(ii) the artistic, aesthetic, historical, architectural, archaeological or anthropological importance of the antiquity or art treasure;

(iii) the rarity of the antiquity or art treasure;

(iv) such other matters as are relevant to the dispute.

(3) The arbitrator appointed under sub-section (1), while holding arbitration proceedings under this section, shall have all the powers of a Civil Court, while trying a suit, under the Code of Civil Procedure, 1908, in respect of the following matters, namely:--

5 of 1908

(a) Summoning and enforcing the attendance of any

person and examining him on oath;

(b) Requiring the discovery and production of any document;

(c) Reception of evidence on affidavits;

(d) Requisitioning any public record from any court or office;

(e) Issuing commissions for the examination of witnesses.

Appeals against decisions of licensing officers and registering officers

21. (1) Any person aggrieved by a decision of a licensing officer under section 8 or section 9 or section 11 or by a decision of a registering officer under section 16 may, within thirty days from the date on which the decision is communicated to him, prefer an appeal to such authority as may be prescribed:

Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard, pass such orders as it deems fit.

Appeals against awards of arbitrators.

22. Any person aggrieved by an award of the arbitrator made under section 20 may, within thirty days from the date on which the award is communicated to him, prefer an appeal to the High Court within whose jurisdiction he resides:

Provided that the High Court may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by a sufficient cause from filing the appeal in time.

Powers of entry, search, seizure, etc.

23. (1) Any person, being an officer of Government, authorised in this behalf by the Central Government, may, with a view to securing compliance with the provisions of this Act or to satisfying himself that the provisions of this Act have been complied with—

(i) enter and search any place;

(ii) seize any antiquity or art treasure in respect of which he suspects that any provision of this Act has been, is being, or is about to be, contravened and thereafter take all measures necessary for securing the production of the antiquity or art treasure so seized in a court and for its safe custody, pending such production.

Power to determine whether or not an article, etc., is

24. If any question arises whether any article, object or thing or manuscript, record or other document is or is not an antiquity or is not an art treasure for the purposes of this Act, it shall be



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antiquity or art treasure

is not an art treasure for the purposes of this Act, it shall be referred to the Director-General, Archaeological Survey of India, or to an officer not below the rank of a Director in the Archaeological Survey of India authorised by the Director-General, Archaeological Survey of India and the decision of the Director-General, Archaeological Survey of India or such officer, as the case may be, on such question shall be final.

(2) The Provisions of sections of 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898)[1] relating to search and seizure shall, so far as may be, apply to searches and seizures under this section.

5 of 1898

Penalty

25. (1) If any person, himself or by any other person on his behalf, exports or attempts to export any antiquity or art treasure in contravention of section 3, he shall, without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Customs Act, 1962 as applied by section 4, be punishable with imprisonment for a term which shall not be less than six months but which may extend to three years and with fine.

52 of 1962

(2) If any person contravenes the provisions of section 5 or section 12 or sub-section (2) or sub-section (3) of section 13 or section 14 or section 17, he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both and the antiquity in respect of which the offence has been committed shall be liable to confiscation.

(3) If any person prevents any licensing officer from inspecting any record, photograph or register maintained under section 10 or prevents any officer authorised by the Central Government under sub-section (1) of section 23 from entering into or searching any place under that sub-section, he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Cognizance of offences

26. (1) No prosecution for an offence under sub-section (1) of section 25 shall be instituted except by or with the sanction of such officer of Government as may be prescribed in this behalf.

(2) No court shall take cognizance of an offence punishable under sub-section (2) or sub-section (3) of section 25 except upon complaint in writing made by an officer generally or specially authorised in this behalf by the Central Government.

(3) No court inferior to that of a Presidency Magistrate or a Magistrate of the First Class shall try any offence

[1] See the Code of Criminal Procedure, 1973 (2 of 1974), Section 100.

punishable under this Act.

Magistrate's power to impose enhanced penalties

5 of 1898

27. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898[1], it shall be lawful for any Presidency Magistrate or any Magistrate of the First Class to pass any sentence under this Act in excess of his power under section 32 of the said Code.

Offences by companies

28. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, or was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section.—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

Protection of action taken in good faith

29. No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government for anything which is in good faith done or is intended to be done under this Act.

Application of other laws not barred

7 of 1904
24 of 1958

30. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of the Ancient Monuments Preservation Act, 1904 or the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or any other law for the time being in force.

[1] Code of Criminal Procedure, 1898 (5 of 1898) and now the Code of Criminal Procedure, 1973 (2 of 1974), Section 100.

Power to make rules.

31. (1) The Central Government may, by notification in the Official Gazette, make rules[1] for the purpose of giving effect to the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the authority for issue of permit under sub-section (2) of section 3;

(b) the form in which an application for the grant of a licence may be made under sub-section (1) of section 7 and the particulars which such application shall contain;

(c) the factors to which regard may be had while granting a licence under sub-section(1) of section 8;

(d) the fees on payment of which, the period for which, the conditions subject to which and the form in which a licence may be granted under sub-section (1) of section 8 and the particulars which such licence shall contain;

(e) the fees on payment of which and the period for which a licence may be renewed under sub-section (1) of section 9;

(f) the records, photographs and registers which are to be maintained under section 10 and the manner in which such records, photographs and registers shall be maintained and the particulars which such records, photographs and registers shall contain;

(g) the nature of the photographs of the antiquity and the number of copies thereof which shall accompany an application for the grant of a certificate of registration to be made under sub-section (1) of section 16 and the form in which such application may be made and the particulars which such application shall contain;

(h) the particulars which a certificate of registration granted under sub-section (3) of section 16 shall contain;

(i) the authority to which an appeal may be preferred under sub-section (1) of section 21; and

(j) any other matter which has to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as

[1] Antiquities and Art Treasures Rules, 1973, GSR 405 (E) of 1973, dated 31.08.1973, Part II as amended by GSR 564 (E) dated 30.11.1978.

may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Repeal

32. 1. The Antiquities (Export Control) Act, 1947is hereby repealed.

3 of 1947

2. For the removal of doubts it is hereby declared that every licence issued under section 3 of the Act repealed under sub-section (1) and in force at the commencement of this Act shall, notwithstanding that the period specified therein has not expired, cease to be in force.

Amendment of Act 24 of 1958

33. In the Ancient Monuments and Archaeological Sites and Remains Act 1958—

(i) in section 1, for sub-section (2), the following sub-section shall be substituted, namely—

"(2) It extends to the whole of India";

(ii) after section 2, the following section shall be inserted, namely:--

"2A.—Any reference in this Act to any law which is not in force in the State of Jammu and Kashmir shall, in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State";

(iii) in section 23,—

(a) in sub-section (2) and (4), for the words, " compulsory purchase", the words, "compulsory acquisition" shall be substituted;

(b) in sub-section (3), for the words " compulsory purchase of any such antiquities at their market value", the words "compulsory acquisition of any such antiquities" shall be substituted;

(iv) in section 26.—

(a) in sub-section (1), for the words "compulsory purchase of such antiquity at its market value", the words "compulsory acquisition of such antiquity" and for the

words, "to be purchased", the words, "to be acquired" shall be substituted;

(b) in sub-section (2) and (3) for the words "compulsory purchase" the words, "compulsory acquisition" shall be substituted;

(v) in section 28, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) For every antiquity in respect of which an order for compulsory acquisition has been made under sub-section (3) of section 23 or under sub-section (1) of section 26, there shall be paid compensation and the provisions of sections 20 and 22 of the Antiquities and Art Treasures Act, 1972 shall, so far as may be, apply in relation to the determination and payment of such compensation as they apply in relation to the determination and payment of compensation for any antiquity or art treasure compulsorily acquired under section 19 of that Act"


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# Annexure 10: *The Antiquities and Art Treasures Rules 1973*

**Registered No. D. 221**

THE GAZETTE OF INDIA

**EXTRAORDINARY**
**PART II-SECTION 3 –SUB-SECTION (I)**
**PUBLISHED BY THE AUTHORITY**

**No. 212 New Delhi, Friday, August 31, 1973/Bhadra 9, 1895**

**MINISTRY OF EDUCATION AND SOCIAL WELFARE**
**(Archaeological Survey of India, New Delhi, 31st August 1973)**

**G.S.R. 405 (E).** In exercise of the powers conferred by section 31 of the Antiquities and Art Treasure Act, 1972 (52 of 1972), the Central Government hereby makes the following rules, namely:

1. **SHORT TITLE AND COMMENCEMENT:** (a) The rules may be called the **Antiquities and Art Treasure Rules 1973.**

   (b) They shall come into force in a State on the date on which the Act comes into force in that State.

2. **DEFINITION: (a) "Act"** means the Antiquities and Art Treasures Act, 1972;

   (b) **"Form"** means a Form appended to these rules;

   (c) **"Licencee"** means a holder of a licence granted under the Act;

   (d) **"Section"** means a section of the Act.

[1]**[2A. Reference to committee of experts for report as to artistic and aesthetic value of any human work or art.**

Were having regard to the nature and other matters pertaining to any human work of art which the Central Government proposes to declare to be an art treasure under clause (b) of Section 2 of the Act the Central Government considers it necessary so to do so, it may, by notification in the Official Gazette, constitute a committee consisting of not less than three persons having expert knowledge as to like works of art to consider and submit a report on the artistic and aesthetic value of the work of art so proposed to be declared.

[1] *Vide* by GSR 683(E), dated 6.12.1979

**2B. Notice for ascertaining whether the author of a work of art is alive.**

(1) With a view to determining whether the author of any human work of art which the Central Government proposes to declare to be an art treasure under clause (b) of Section 2 of the Act is alive the Central Government may, by notification in the Official Gazette, give notice of its intention to make such declaration and require,—

(a) That in case the author thereof is alive, he shall, within two months from the date of publication of the notification in the Official Gazette, communicating the fact and his address to the Central Government;

(b) That any other person knowing such author to have been alive within thirty years, to make known to the Central Government [2][within two months from the date of the publication of the notification in the Official Gazette] the name of the author and the fact of the author being alive and his address or, as the case may be, the date on which the author was last seen alive, and the last known address of the author.

(2) A copy of a notice pubished under sub-rule (1) may also be published in any Indian or Foreign newspaper or journal.]

**3. AUTHORITY COMPETENT TO ISSUE PERMITS UNDER SUB-SECTION (2) OF SECTION 3.**

The Director General shall be the authority competent to issue permit under Section 3 for the export of any antiquity or art treasure.

**EXPLANATION:** For the purpose of this rule, the expression "Director General" means the Director General, Archaeological Survey of India and includes an officer not below the rank of the Director, Archaeological Survey of India [3][duly authorized in this behalf by the Director General.]

4. **FORM OF APPLICATION FOR LICENCE TO CARRY ON BUSINESS OF SELLING ANTIQUITIES:** Every application for a licence to carry on the business of selling or offering to sell antiquities, shall be made in Form I and shall be accompanied with a challan of [4][rupees two thousand] in token of having paid the fee for the licence applied for.

**5. GRANT OF LICENCE UNDER SUB-SECTION (1) OF SECTION 8.**

(1) On receipt of an application for a licence to carry on the business of selling or offering to sell the antiquities, the licensing officer shall, in addition to considering the factors mentioned in clauses (a), (b) and (c) of sub-section (1) of section 8 consider the *bona-fide*

[2] *Vide* by GSR 815(E), dated 2.11.1983, published in Gazette of India, Extraordinary, Part II, Section 3(i), dated 2.11.1983.
[3] *Vide* by GSR 564 (E), dated 30.11.1978.
[4] *Vide* by GSR 746 (E), dated 28.08.1992, w.e.f. 28.08.1992.

intention of the applicant and if satisfied about such intention, may grant a licence to the applicant in Form II.

[5][(2) Every licence granted under sub-rule (1), shall be valid for two years from the date of issue. This period of two years may be extended by one year by the licensing officer, if application for such extension is received by him at least two months before the date of expiry and [6](the licensee (i) has been submitting all the prescribed returns; (ii) has satisfactorily maintained all the prescribed records; and (iii) continues to comply with all the conditions laid down for the grant of lincence)]:

[7][Provided that an application for extension under this sub-rule may be entertained by the licensing officer even upto one month before the date of expiry if he is satisfied that the delay in applying in extension was due to circumstances beyond the control of the applicant]

6. **CONDITION OF LICENCE UNDER RULE 5:** Every licence granted under Rule 5 shall to subject to the following conditions, namely:

The licence shall not be transferable:

(a) Provided that where a licencee transfers his business to another person, the transferee may, on an application made in [8][Form I-A] be granted a fresh licence, without payment of a licence fee, for the unexpired period of the licence of the transferor, by the licensing officer, having regard to the factors mentioned in Rule 5:

[1][Provided further that in the case of the death of licencee, when the licencee is an individual, a fresh licence for the unexpired period of the licence can be granted in Form II-A, without payment of any fee, to the legal heir of the late licencee subject to the condition that an application in Form I-A is made by that heir to the licensing officer [9][within three months of the date of death of licensee], and the licensing officer is satisfied with the factors mentioned in Rule 5, in regard to the applicant];

Note.—The grant of a fresh licence under the second proviso shall not be deemed to affect the rights of any other person over the business or business premises of the deceased licensee to which such other person may be lawfully entitled;

[10][(b) No licencee shall enter into partnership, or if the licencee is already a partnership firm, into further partnership, in regard to the business covered by the licence:

Provided that if the licencee wants to enter into partnership or further partnership, as the case may be, in regard to the business covered by

[5] *Vide* GSR 564 (E), dated 30.11.1978.
[6] *Vide* GSR 56 (E), dated 10.02.1981.
[7] *Vide* GSR 56 (E), dated 10.02.1981.
[8] *Vide* GSR 564 (E), dated 30.11.1978.
[9] *Vide* GSR 56 (E), dated 10.02.1981.
[10] *Vide* GSR 564 (E), dated 30.11.1978.

the licence, all the proposed partners including the one(s) may apply in Form I-A to the licensing officers and if the licensing officers is satisfied with all the facts mentioned in Rule 5 in regard to all the proposed partner(s) he may issue a fresh licence in Form-II A for the unexpired period of the licence without payment of any fee;]

(c) Where a firm in respect of which a licence is granted is dissolved, every person who was a partner of that firm immediately before the dissolution shall, within ten days of such dissolution send to report thereof to the licensing officer.

(d) Where a licencee carries on his business at more than one place, he shall obtain a separate licence for each place.

[3][(e) No licencee shall shift his business covered by the licence to new premises during the currency of the licence. However, if he wants to do so, he may apply in Form IA to the licensing officer and if the licensing officer is satisfied with the fact mentioned in section 8 (b) of the said Act, in regard to the proposed premises, he may modify the licence accordingly. The modified licence shall be valid in regard to the new premises only from the date of such modification;]

(f) The licencee shall if so required by the licensing officer permit the licensing officer's photographer to take photographs of antiquities in the possession of the licencee.

(g) The licencee shall cause his licence to be prominently displayed at his licenced premises.

(h) The licencee shall submit to the licensing officer in Form III, a monthly return of sales and acquisition of antiquities, within fifteen days of the expiry of the month to which the return relates and shall also, on demand, within such time as the licensing officer may specify, produce such records.

(i) Where a licence is revoked or suspended under the Act, the licencee shall not be entitled to any compensation for such revocation or suspension, nor shall he be entitled to claim refund of any sum paid in respect of his licence.

[11][(j) In case of termination of a licence through expiry/ dissolution of partnership, the ex-holders of the licence shall be allowed to sell the antiquities in his/her/their possession on the date of termination to a licencee or recognized museum in India within six months of the date of termination of the licence provided the ex-holder of the licence has/have properly declared his/her/their stock in Form V as laid down in conditions (k) and (m).

(k) Two months before the date of expiry of a licence, every licencee shall send to the licensing officer a declaration of stock in Form V and another

[11] *Vide* GSR 564 (E), dated 30.11.1978.

declaration of stock in Form VI immediately after six months from the date of expiry.

(l) In the case of revocation of a licence for non-compliance with any condition for the grant of a licence, an ex-licencee shall submit a declaration of stock in Form V to the licensing officer within fifteen days of revocation.

(m) In the case of dissolution of a partnership firm, which holds a licence, every partner in the firm shall immediately on dissolution, jointly, or severally, send to the licensing officer a declaration of stock in Form V and another declaration of stock in Form VI immediately after six months from the date of dissolution;

(n) A licencee who wants to surrender his licence shall apply in Form X to the licensing officer. The application shall be accompanied by a declaration of stock in Form V. If the licensing officer is satisfied that there has been compliance with all the conditions of the licence by the licencee, he may accept the surrender and the licence shall be deemed to have terminated form the date of such acceptance. This shall not entitle the licencee to any compensation by way of refund of licence fee in any form.

(o) The licencee who has surrendered his licence shall be allowed to sell the antiquities declared to another licencee or recognized museum in India up to six months from the date of acceptance of the surrender of his licence provided that on the expiry of such six months, he shall send to the licensing officer a declaration of stock in Form VI.]

7. **RENEWAL OF LICENCE UNDER SUB-SECTION (1) OF SECTION 9:** On an application made by the licencee for the renewal of the licence and on payment of a fee of [12][rupees one thousand], the licence may be renewed [13][for a further period of two years at one time]:

[14][Provided that such application is received by the licensing officer at least two months before the date of expiry of the licence and is accompanied by a declaration of stock in Form VI.]

**8. MAINTENANCE OF RECORD, PHOTOGRAPHS AND REGISTER BY LICENCEE:** Every licencee shall maintain the following records namely:

(a) a register of antiquities [15][* * * ] in Form IV separately for each category of antiquity for which he has been authorized to carry on business of selling or offering to sell; and

[12] *Vide* GSR 746 (E), dated 28.08.1992, w.e.f. 28.08.1992.
[13] *Vide* GSR 564 (E), dated 30.11.1978, w.e.f. 30.11.1978.
[14] Omitted by GSR (E), dated 30.11.1978.
[15] Substituted by GSR (E), dated 30.11.1978.

(b) photo albums separately for each category of antiquities having clear photograph in at least postcard size, pasted in the album, together with a loose photograph bearing the serial number of his register.

**9. FORM OF DECLARATION UNDER SECTION 12 AND RULES 6 AND 7 AND PERIOD WITHIN WHICH IT SHALL BE MADE:** Every person whose licence has been revoked under section 11 shall make before the licensing officer:

(a) a declaration in Form V, within fifteen days from the revocation of his licence; and

(b) a declaration in Form VI, immediately after a period of six months from the date of revocation of his licence.

**10. AMENDMENT OF LICENCE:** A licence may be waived or amended by the licensing officer *suo moto* or an application made in that behalf by the licence:

Provided that no amendment or variation shall be made *suo moto* by the licensing officer unless the licencee has been given a reasonable opportunity of being heard in the matter.

**11. APPLICATION FOR CERTIFICATE OF REGISTRATION UNDER SECTION 16:**

(1) Every application for a certificate of registration under section 16 shall be made in Form VII to the registering officer having jurisdiction over the area in which the applicant resides.

(2) Every such application shall be accompanied by [16][three copies of photographs in post card or quarter size] in sharp focus, of each antiquity in the applicant's possession, and if so required by the registering officer, by an equal number of photographs of different sides, or facets of such antiquity.

**12. FORM OF CERTIFICATE OF REGISTRATION UNDER SECTION 16:** The certificate of registration under section 16 shall be granted in Form VIII.

[16] *Vide* GSR (E), dated 30.11.1978.

13. **TRANSFER OF OWNERSHIP:** When any person transfers the ownership, control or possession of a registered antiquity to any other person, the transfer shall be intimated in Form IX by the transfer to the registering officer having jurisdiction over the area where the transferor resides and also to the registering officer having jurisdiction over the areas where the transferor resides.

14. **APPEAL AGAINST A DECISION OF THE LICENSING OFFICER OF REGISTERING OFFICER:** Any person aggrieved by a decision of a licensing officer under section 8 or section 9 or section 11 or by a decision of a registering officer under section 16 may, within thirty days from the date on which the decision is communicated, prefer an appeal to the Director General, Archaeological Survey of India.

[17][**15. DIRECTOR GENERAL TO SANCTION PROSECUTION:** The Director General shall be the officer competent in terms of sub-section (1) of section 26 of the Act, to institute, or to sanction institution of, prosecution for offences under sub-section (1) of section 25 of the Act.

Note.—The declaration in Form V and VI referred to in conditions (j) to (o) of rule 6 and sub-rule (b) of rule 9, shall be made either by registered post or in person.]

[17] *Vide* GSR (E), dated 30.11.1978

## THE ANTIQUITIES AND ART TREASURES RULES, 1973.

### FORM I

***APPLICATION FOR LICENCE TO CARRY ON BUSINESS OF SELLING OR OFFERING TO SELL ANTIQUITIES***
***(See Rule 4)***

* 1 Name and address of applicant/s

** 2 Name and address of firm including its branches or collaterals and other names (aliases) and addresses during the last 10 years.

3. Names and addresses of partners, if any, including adult members of the family having an interest in, or share in, the business.

4. Addresses of showroom/sale premises

5. Address of all godowns and depositaries including residential premises of the constituencies.

6. The period for which the applicant has been in business giving the details of the experience.

7. Whether the applicant/firm (including all constituents individually and jointly) was convicted of any offence punishable under the antiquities (antiquities, if so, details thereof may be stated.

8. Whether the applicant/firm (including all constituents individually or jointly) is a subject of prosecution /investigations /inquiry regarding the infringement/inquiry regarding the infringement of the antiquities (export control) Act. 1947 or the thereof antiquities or art treasure.

9. Whether all stock upto the date of application has been entered in the applicant's register.

10. The village, town or city, including district and State, where the applicant intends to carry on the business.

11. Nature i.e. details of the varieties of antiquities in which the applicant wishes to deal in, such as stone sculptures, metal works, wood, works, coins, paintings, jewellery and the like.

12. Category-wise list of all objects on hand claimed by the applicants to be antiquities including these, which have been registered with registering officer.

13. Proof of deposition of licence fee, i.e. treasury challan of Rs. 100/- payable into the Account no. …… bearing no. ……. Dated …… to be attached.

14. I declare that the above information is correct and complete to the best of my knowledge and belief. I/We also undertake to observe the previsions of the Antiquities and Art Treasures Act, 1972, and the rules made there under. I also enclose an attested** copy of the Income Tax Certificate for the preceding year (_____) and the Registration No. of the business establishment. I also undertake to intimate any change of address or acquisition of new godown within a week*. I also undertake to maintain such record, photographs and registers and furnish at my expense periodical returns with such particulars and photographs and register maintain in this connection for the inspection of the Licensing Officer, or any other gazetted officer of Government authorized in writing by the licensing officer in this behalf.

Seal of the Organization
Place

Name
and Signature of the applicant

Date:

**Notes:**

- *Any change address has to be promptly (within a week shifting) intimated to the licensing officer.*

*** To be attested by a gazette officer with seal of office.*

**THE ANTIQUITIES AND ART TREASURES RULES, 1973**

**FORM - IA**

***APPLICATION FOR GRANT OF A FRESH LICENCE CARRYING ON BUSINESS OF SELLING OR OFFERING TO SEAL ANTIQUITIES IN LIEU OF ONE, THE HOLDER OF WHICH HAS DIED, OR THE HOLDER (S) OF WHICH HAS/HAVE TRANSFERRED HIS/THEIR BUSINESS TO OTHER (S) OR THE HOLDER (S) OF WHICH PROPOSE (S) TO ENTER INTO PARTNERSHIP/FURTHER PARTNERSHIP. 444***

***(See rule 6)***

**1.** Name and address of applicants (s)

**2.** Name and address of firm including its branches or collaterals and other name (aliases) and addresses during the last 10 years.

**3.** Name and addresses of partners, if any, including adult members of the family having an interest in or share in the business[18]

**4.** Address of showroom/ sale premises.

**5.** Address of all godowns and repositories including residential premises of the constituents.

**6.** The period for which the applicant has been in business giving the details of the experience.

**7.** Whether the applicant/firm (including all constituents individually and jointly) was convicted of any offence punishable under the antiquities (antiquities, if so, details thereof may be stated.

**8.** Whether the applicant/firm (including all constituents individually or jointly) is a subject of prosecution/investigations/ inquiry regarding the infringement/ inquiry regarding the infringement of the antiquities (export control) Act. 1947 or the thereof antiquities or art treasure.

**9.** Whether all stock upto the date of

[18] *In case this application is in consequence of proposed entry into, or proposed enlargement of the existing partnership the required details should be applied separately for the existing holders and the proposed partners.*

application has been entered in the applicant's register.

**10.** The village, town or city, including district and State, where the applicant intends to carry on the business.

**11.** Nature i.e. details of the varieties of antiquities in which the applicant wishes to deal in, such as stone sculptures, metal works, wood, works, coins, paintings, jewellery and the like.

**12.** Category-wise list of all objects on hand claimed by the applicants to be antiquities including these, which have been registered with registering officer.

**13.** Particulars of the licence in lieu of which a fresh licence is need.

a) No,

b) Date

c) Name(s) of the licences

d) Period with dates for which issued/ renewed.

**14.** The circumstances in consequence of which this application has been made.

(Death of the licences/transfer of business/entry into partnership/ enlargement of the existing partnership) Proof must be furnished.

I / We declare that the above information is correct and complete to the best of my knowledge and belief. I / We also undertake to observe the previsions of the Antiquities and Art Treasures Act, 1972, and the rules made there under. I also enclose an attested** copy of the Income Tax Certificate for the preceding year (_____) and the Registration No. of the business establishment. I also undertake to intimate any change of address or acquisition of new godown within a week*. I also undertake to maintain such record, photographs and registers and furnish at my expense periodical returns with such particulars and photographs and register maintain in this connection for the inspection of the

Licensing Officer, or any other gazetted officer of Government authorized in writing by the licensing officer in this behalf.

Seal of the Organization

Name and Signature of
the applicant

Place
Date:

Notes:

- *Any change address has to be promptly (within a week shifting) intimated to the licensing officer.*

** To be attested by a gazette officer with seal of office.

**THE ANTIQUITIES AND ART TREASURE RULES, 1973**

**FORM II**

**Licence No.**
**Date of Issue.**

***LICENCE FOR CARRYING ON THE BUSINESS OF SELLING OF SELLING OR OFFERING TO SELL ANTIQUITIES***

**See rule 5 (1)**
**Not transferable**

Whereas ……. (son of) …….. of (address) has applied for a licence for carrying on business or selling or offering to sell antiquities and undertaken to observe the previsions of the Antiquities and Art Treasures Act, 1972 and the rules made there under has further deposited the sum or Rs. 100/- (Rupees one hundred) only as required by the rules.

I ……. Licensing officer, do hereby grant this licence under sub-rule (1) or rule 5 of the Antiquities and Art Treasures Rules, 1973 …… for the period of …… years effect from ……..

The licence is granted subject to the provisions of the said Act, and rules and in further subject to the following conditions:-

(1) Accordingly licences will deal only in the following categories of antiquities.

The area when the business will be carried on will be ……

(1)
(2)
(3)
(4)
(5)
(6)
(7)
(8)

Seal of the Office — Signature

Place Name — Licensing Officer
Date — Designation

## THE ANTIQUITIES AND ART TREASURE RULES, 1973

### [19][FORM-II A
### (See Rule 6)

**LICENCE NO.**
**Date of Issue**

Licence for carrying on the business of selling or offering to sell antiquities, in lieu of one the holder of which had died or the holder (s) of which has/have transferred propose(s) or the holder(s) to enter into partnership/further partnership.

Whereas the holder(s) of licence no. _____ dated veiled from _____ to _____ has /have transferred his/her/their business to other/ propose(s) to enter into partnership/further partnership.
And whereas the heir/transferee proposed partners whose particulars are given below, has/have applied for the issue of a fresh licence in lieu of the licence aforesaid for the un-expired period of the licence aforesaid.

Name :
Father's Name:
Address :

And whereas the applicants aforesaid has undertaken to observed the previsions of the Antiquities and Art Treasures Act, 1972 and the rules made there under, as amended from time to time.

I, …… licensing officer do hereby grant this licence under sub-rule (1) of rule (5) of the Antiquities and Art Treasure Rules, 1973 ……..…….. for the period with effect from ……

The licence is granted subject to the provisions of the said Act, and rules and in further subject to the following conditions:-

(1) The licence will deal only in the following categories of antiquities. The area where the business will be carried on will be ……..
(1)
(2)
(3)
(4)
(5)
(6)
(7)
(8)

Seal of the Office — Signature

Place Name — Licensing Officer
Date — Designation]

[19] Inserted by GSR 564 (E), dated 30.11.564, w.e.f. 30.11.1978.

**THE ANTIQUITIES AND ART TREASURE RULES, 1973**

**FORM-III**

**Name of the firm (Licensee)_____**

**MONTHLY RETURN OF SALES OR ACQUISITION OF ANTIQUITIES**

**(See rule 6(h))**

**For the month of _____**

1. Serial Number
   (in the register)

2. (Description of object
   with a photograph

3. Address of person from
   to whom sold whom acquired

Seal of Organisation ** Signature of licencee

Date
Place

**Notes:**

1. The nationality of foreigners to whom an antiquity is sold together with their addresses in India and at home and passport number should be recorded.

** In the case of a firm, the signature of the head of the organization.

**THE ANTIQUITIES AND ART TREASURES RULES 1973**

**FROM IV**
**REGISTER OF ANTIQUITIES**
***(See rules 8(a))***

Antiquities such as stone sculptures / terracottas /metal /objects /objects of bone and ivory / jewellery / woodwork / seals /medals / coins / paintings / manuscripts and textiles.

| 1<br>S. No. | 2<br>Identification of objects and description | 3<br>Material | 4<br>Size | 5<br>Approximate Age |
|---|---|---|---|---|

| 6<br>Date of Acquisition | 7<br>Source of acquisition including the name of the person/firm from Whom acquired with address | 8<br>Mode of acquisition |
|---|---|---|

| 9<br>Price paid acquisition | 10<br>Registration No. | 11<br>Date of registration if registered |
|---|---|---|

| 12<br>Date of sale, if any | 13<br>Name and address of person or firm to whom sold | 14<br>Place where object is kept |
|---|---|---|

| 15<br>Reference to photo album no. | 16<br>Photo No. and page | 17<br>Photographs in 6x6 cm. size |
|---|---|---|

**(To be pasted in the register)**

In the cast of a foreigner, his addresses in India and at home and passport number should also be recorded.

## [20][Form V

Declaration of stock (See conditions under rule 6(j), (k), (i), (m), (n) rule 7 (ii) and rule 9(a).

### PARTICULARS OF OBJECTS (CATEGORY-WISE)

| 1<br>S. No. in the register | 2<br>Identification and description of the object (registered or unregistered) | 3<br>Material | 4<br>Size | 5<br>Approxi-mate Age | 6<br>Date of registration if registered | 7<br>Registration |
|---|---|---|---|---|---|---|
| | | | | | | |

I / We declare our stock of antiquities as here above on the date of the declaration.

Seal of Organization — Signature of the Licensee

Place — Name of the firm

Date — Licence number……..]

[20] *Vide* by GSR 564 (E), dated 30.11.564, w.e.f. 30.11.1978.

## [21][FORM VI

[Declaration of stock {See conditions under rule 6(k), (m), (o) and 9(b)}]

Particulars of objects sold out of the stock declared on _____

| 1<br>S.No. in the register | 2<br>Description of the objects with photographs | 3<br>Name and address of the licence/ licencee firms to whom sold | 4<br>Date of sale | 5<br>Price at which sold | 6<br>Approximate Age | 7<br>Balance with details (registration no. etc.) on the object in hand |
|---|---|---|---|---|---|---|
| | | | | | | |

I / We hereby declare the stock of antiquities as here above held by me/us on the date of making this declaration.

Seal of Organization — Signature of the Licencee

Place — Name of the firm

Date — Licence number……]

[21] *Vide* by GSR 564 (E), dated 30.11.564, w.e.f. 30.11.1978.

**Form VII**

**Licence No**

**Application for registration of antiquities**
**(See rule 11)**

1. Name of applicant (person or firm)

2. Address of applicant (person or firm)

3. Identification and description of object with [22][three copies of photographs in post card or quarter size.]

4. Material

5. Size

6. Approximate date

7. Source of acquisition

8. Where the applicant has come into ownership, control or possession of any antiquity which is already registered under the Act, registration number of such antiquity and the name of the registering officer, who had registered it.

9. Date of acquisition

10. Mode of acquisition

11. Price paid, if any

12. (a) Present location and (b) condition of preservation and security

13. If the antiquity is already registered under the Act, whether its registration certificate has been attached

I declare that the above information is correct and complete to the best of my knowledge and belief. I also undertake to observe the provisions of the Antiquities and Art Treasures Act, 1972, and the rules made thereunder.

[22] Vide GSR 564 (E), dated 30.11.1978.

Seal of the Organisation

Place……..

Date……

……..
Signature

…….
Name of the applicant

---

1. If the application is on behalf of an organisation, the name thereof should be given
2. If the application is on behalf of an organisation, the signature should be that of the head of that .organisation.

**Form VIII**

**Certificate of registration of antiquities**
**(See rule 12)**

Whereas ……resident of …….. has applied for registration of the antiquity / antiquities mentioned below, and has undertaken to observe the provision of the Antiquities and Art Treasures Act, 1972, and the rules made thereunder.

(Place)

I, ……. Registering officer …….. do hereby grant this certificate under Section 16 of the said Act to the said …… for the object described below together with …….. authenticated photographs.

1. Name of objects
2. Material
3. Size (height and width)
4. Approximate date
5. Location

This certificate is granted to subject to the provisions of the said Act and the rules made thereunder and is further subject to the condition that in the event of change of location of the antiquity from area of registration to another or its sale, the fact must be communicated by the owner to the registering officer, with the name and address of the person / firm, etc., whom / which it was sold or gifted.

Seal of the office

Place……..

Date……

……..
Signature

…….
Name of registering officer

Designation

[23]**[Form IX**

**Transfer of ownership**
(See rule 13)

N.B.
1. This form must be completed (in triplicate) simultaneously with the transfer of ownership.
2. One copy shall be sent to registering officer concerned and the other two to the Director-General, Archaeological Survey of India, New Delhi, by registered post so as to reach then within ten days of transfer.
3. In case the object is an unregistered antiquity, each copy of this form shall be accompanied by a photograph (in sharp focus) of the object in post-card or quarter-size. If the sides of the object are decorated differently than the front, then photographs, as stated above, shall be sent in respect of each such side also in addition to the front side.
4. The responsibility of the above formalities rests with the seller / giver, if the object has been sold, gifted or donated; otherwise with the new owner of the object.

**Section A (to be completed by the seller / giver)**

1. Name of owner
2. Address of owner
3. Licence No.
4. [24]Serial No. in register
5. [2]Serial No. in Album
6. Name / Subject of object
7. Nature (e.g. sculpture, painting, manuscript, coins, etc.)
8. Whether it is registered?
   i. Name and Station of registering officer
   ii. Registration No.
9. Material
10. Size
11. Price offered

Place……..
Date……

……..
Signature
……
Name (in block letters)
as signed and Seal

[23] Inserted by GSR 564 (E), dated 30.11.1978, w.e.f. 30.11.1978.
[24] Application in the case of dealers only.

**Section B (to be completed by the new owner)**

1. Name
2. Complete address
    i. Present
    ii. Permanent
3. Mode of acquisition

    (e.g. purchase, gift, inheritance, donation, etc.)
4. Present location of object
5. Safeguards for preservation and security of the object
6. Nationality
7. Passport No.
8. Duration of stay in India
9. Purpose of visit

I hereby declare that the information given by my is correct and complete to the best of my knowledge and belief. I undertake to observe the provisions of the Antiquities and Art Treasures Act, 1971, and the rules made thereunder as in force from time to time.

I am aware that the object now acquired by me is an antiquity, that it cannot be taken or sent out of the territorial limits of India except on the authority of a permit issued by Director-General, Archaeological Survey of India and that any attempt to take or send out of India without such a valid permit is punishable under the law.

Place……..

Date……

……..
Signature

…….
Name (in capital letters)
as signed

## [25][Form X

**Application for surrender of a licence for carrying on the business of selling or offering to sell antiquities**

[See rule 6(n)]

1. Name of the applicant
2. Present address of the applicant
3. Particulars of the licence to be surrendered:
    a. Number
    b. Date
    c. Name of the holder
    d. Period with dates of validity
4. Reason for surrendering the licence.

I / We hereby declare my / out intention of surrendering the licence aforesaid, of which I / We am / are holder(s) and am / are aware that on the acceptance of this surrender, I / We will not be entitled to any compensation by way of refund of licence fee or in any other form.

8I / We hereby attach a declaration in Form V of the stock of antiquities held by me / us on the date of the declaration and hereby undertake to submit another declaration of Form VI immediately six months after the date of acceptance of this surrender.

Place……..

……..
Signature

Date……

…….
Name of the applicant
No. of licence……
Seal of the firm.]

[25] Inserted by GSR 564 (E), dated 30.11.1978, w.e.f. 30.11.1978

**Various notifications under the various provisions of the Antiquities and Art Treasures Act, 1972 and Rules, 1973**

**GSR 279(E), dated 5.4.1976**[26] -In exercise of the powers conferred by sub-section (3) of Section 1 of the Antiquities and Art Treasurers Act, 1972 (52 of 1972), the Central Government hereby appoints the date of publication of this notification in the Official Gazette as the date on which the said Act shall come into force in the whole of India (except the State of Sikkim).

**GSR 280(E), dated 5.4.1976**[1] -In exercise of the powers conferred by sub-section (1) of Section 14 of the Antiquities and Art Treasurers Act, 1972 (52 of 1972), the Central Government hereby specifies the antiquities mentioned in the schedule given below as the antiquities which shall be registered under the said Act.

**The Schedule**

(1) The following antiquities which have been in existence for not less than one hundred years, namely:

(i) Sculpture in all media, that is to say, stone, terracotta, metals, ivory, wood and the like;
(i) Painting (including miniatures and tanks) in all media, that is to say, paper, wood, cloth, silk and the like;
(ii) Coins;
(iii) Arms, armour, medals, furniture, textiles and jewellery of historical interest.

(2) Manuscripts, which are of scientific, historical, literary or aesthetic value and which have been in existence for not less than seventy-five years, in all media, that is to say, paper, palm leaf and the like.

**GSR 281(E), dated 5.4.1976**[1] -In exercise of the powers conferred by Section 6 of the Antiquities and Art Treasures Act, 1972 (52 of 1972), the Central Government hereby appoints the persons, specified in column 2 of the Table given below, being Gazetted Officers of Government to be licensing officers for the purposes of the said Act, who shall exercise the powers conferred on licensing officers by or under the said Act within the limits of the area specified in the corresponding entry in column 3 of the said table.

**S.O. 448(E), dated 2.7.1976 as amended by 8.0. 397(E), dated 15.5.1980**[27].- In exercise of the powers conferred by sub-section (I) of Section 14 of Antiquities and Art Treasures Act, 1972 (52 of 1972), and in supersession of the notification of Government of India in the Ministry of Education and Social Welfare (Archaeological Survey of India) No. GSR 280(E), dated 15th April, 1976, the Central Government hereby specifies the antiquities mentioned in the Schedule annexed hereto as the antiquities which shall be registered under the said Act:

Provided that notwithstanding the supersession of the notification aforesaid, -

[26] Published in Gazette of India, Extraordinary, Part II, Section 3(i), dated 5.04.1976.
[27] Published in the Gazette of India, Extraordinary, Part II, Section 3(ii), dated 2.07.1976 and 12.06.1980

a. all antiquities specified in the schedule annexed to the said notification and registered under the said Act before the date of publication of this notification shall be deemed to be validly registered under the said Act;

b. all applications for the registration of the antiquities specified in the Schedule annexed to the said notification shall be deemed to have been validly made and shall be dealt with as if the said notification had not been superseded.

**The Schedule**

The following antiquities which have been in existence for not less than one hundred years, namely:

(i) Sculptures in stone, terracotta, metals, ivory and bone;
(ii) Paintings (including miniatures and tanks) in all media, that is to say, paper, wood, cloth, silk and the like;
(iii) Manuscripts, where such manuscripts contain paintings, illustrations or illuminations;
(iv) Sculptured figures in wood (both in relief and round).

**G.8.R. 904(E), dated 1st December, 1976**[28] -In exercise of the powers conferred by clause (b) of sub-section (1) of Section 2 of the Antiquities and Art Treasures Act, 1972 (52 of 1972), the Central Government hereby declares the following human works of art, not being antiquities, to be 'art treasures' for the purposes of the said Act, having regard to their artistic and aesthetic yalue, namely :-

Paintings (including drawing, sketches, diagrams and the like) and objects of plastic art by

1. Rabindranath Tagore;
2. Amrita Sher-Gil;
3. Jamini Roy; and
4. Nandalal Bose.

**GSR 477(E), dated 10th August, 1979**[29] -In exercise of the powers conferred by clause (b) of sub-section (i) of section 2 of the Antiquities and Art Treasures Act, 1972 (52 of 1972), the Central Government hereby declares the following human works of art, not being antiquities, to be art treasures for the purposes of the said Act having regard to their artistic and aesthetic value, namely :-

Paintings (including drawing, sketches, diagrams and the like) and objects of plastic art by

1. Ravi Verma;
2. Gaganendra Nath Tagore ;
3. Abanindra Nath Tagore ;
4. Sailoz Mooker:jee ;
5. N. Roerich.

[28] Published in the Gazette of India, Extraordinary, Part II, Section 3(i), dated 1.12.1976.
[29] Published in the Gazette of India, Extraordinary, Part II, Section 3(i), dated 10.08.1979.

**List of Licensing Officers of Archaeological Survey of India with Designation, Address and Limits of Area**

**S.O. 1789, dated 23rd June, 1998**[30]- In exercise of the powers conferred by section 6 of the Antiquities and Art Treasures Act, 1972 (52 of 1972) hereinafter referred to as the said Act and in supersession of the notification of the Department of Culture, (Archaeological Survey of India) No. GSR 211(E), dated the 18th April, 1980, the Central Government hereby appoints the persons specified in column 2 of the table given below, being Gazetted Officers of the Central Government, to be licensing officers for the purposes of the said Act, who shall exercise the powers conferred on licensing officers by or under the said Act within the jurisdiction specified in the corresponding entry in column 3 of the table namely:

| | |
|---|---|
| Superintending Archaeologist,<br>Archaeological Survey of India<br>Agra Circle,<br>22, The Mall Road<br>Agra-282001 (Uttar Pradesh). | Aligarh, Almora, Badaun, Bareilly, Bijnor, Bulandshahar, Chamoli, Dehradun, Etah, Etawah, Farrukhabad, Firozabad, Ghaziabad, Haridwar, Mahamayanagar, Mainpuri, Mathura, Meerut, Muradabad, Muzzaffarnagar, Nainital, Pauri Garhwal, Pilibhit, Pithorgarh, Rampur, Saharanpur, Shahjahanpur, Tehri Garhwal, Udham Singh Nagar and Uttar Kashi districts of Uttar Pradesh. |
| Superintending Archaeologist,<br>Archaeological Survey of India,<br>Bangalore Circle, 5th Floor,<br>"F' Wing, Kendriya Sadan,<br>17th Main Road<br>Koramangala, Bangalore-560034<br>(Karnataka) | Urban and Rural, Bellary, Chamaraja Nagar, Chikmangalur, Chitradurga, Dakshina Kannada, Davanagere, Hassan, Kolar, Mandya, Mysore, Shimoga, Tumkur and Udipi districts of Karnataka. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Bhopal Circle, II Floor, B-Block,<br>G.T.B. Complex, T.T. Nagar,<br>Bhopal-462003 (Madhya Pradesh) | Balaghat, Betul, Bhind, Bhopal, Chhatarpur, Chhindwara, Damoh Datia, Dewas, Dhar, Guna, Gwalior, Hoshangabad, Indore, Jabalpur, Jhabua, Khandwa (Nimar East), Khargone (Nimar West), Mandla, Mandsaur, Morena, Narsingpur, Panna, Raisen, Rajgarh, Ratlam, Rewa, Sagar, Satna, Sehore, Seoni, Shahdol, Shajapur, Shivapuri, Sidhi, Tikamgarh, Ujjain and Vidisha districts of Madhya Pradesh. |
| Superintending Archaeologist<br>Archaeological Survey of India,<br>Bhubaneswar Circle, Old Town<br>Bhubaneswar-751002 (Orissa). | Angul, Balangir, Baleswar, Baragarh, Baudh, Bhadrak, Cuttack, Deogarh, Dhenkanal, Gajapati, Ganjam, Jagatsinghpur Jajpur, Jharsuguda, Kalahandi, Kendrapada, Keonjhar, Khurda, Koraput, Malkangiri, Mayurbhanj, |

[30] Published in the Gazette of India, Extraordinary, Part II, Section 3(i), at page no. 3457 dated 12.09.1998.

| | |
|---|---|
| | Nabarangpur, Naupada, Nayagarh, Phulbani, Puri, Raygarh, Sonpur and Sundergarh, districts of Orissa;<br><br>and<br><br>Bastar, Bilaspur, Durg, Raigarh, Raipur, Rajnandgaon, and Sarguja districts of Madhya Pradesh. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Calcutta Circle, Multi Storeyed Office Building,<br>(4th Floor), Block DF, Salt lake City,<br>Calcutta-700064 (West Bengal) | Bankura, Birbhum, Burdwan, Calcutta, Cooch Behar, Darjeeling, Hooghly, Howrah, Jalpaiguri, Maida, Midnapore, North Dinajpur, North 24 Parganas, Purulia, South Dinajpur, South 24 Parganas and Murshidabad districts of West Bengal;<br><br>Sikkim; and Andaman and Nicobar Islands. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Chandigarh Circle,<br>S.C.O. 2909-10 Sector 22-C,<br>Chandigarh-160022 | Ambala, Bhiwani, Faridabad, Fatehabad, Gurgaon, Hissar, Jhhajhar, Jind, Kaithal, Karnal, Kurukshetra, Mahenderagarh, Panchkula, Panipat,<br>Rewari, Rohtak, Sirsa, Sonepat and Yamuna Nagar, districts of Haryana ;<br><br>Amritsar, Bhatinda, Faridkot, Ferozpur, Fatehgarh, Sahib, Gurdaspur, Hoshiarpur, Jalandhar, Kapurthala, Ludhiana, Mansa, Moga, Muktsar, Newanshahar, Patiala, Rupnagar, and Sangrur, districts of Punjab;<br><br>Bialspur, Chamba; Hamirpur, Kangra, Kinnaur, Kullu, lahaul and Spiti, Mandi, Shimla, Sirmaur, Solan and Unna districts of Himachal Pradesh;<br><br>and Chandigarh Union Territory. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Chennai Circle, Fort St. George<br>Chennai-600009 (Tamil Nadu) | Coimbatore, Guddalore, Dharampuri, Dindigul, Erode, Kanchipuram, Karur, Madurai, Nagapattinum, Namakkal, Pudukkottai, Perambalur, Ramanathapuram, Salem, Sivagangai, Thanjavur, Theni, Thiruannamalai, Thiruvarur, Thiruvallur, Tuticorin, Tiruchi, Vellore, Virudunagar and Villupuram districts of Tamil Nadu<br><br>Pondicherry and Karaikkal Range of Union |

| | |
|---|---|
| | Territory of Pondicherry. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Dharwad Circle, 8th Cross<br>17th Ward, Kalyan Nagar, Karnataka.<br>Dharwad-580007 (Karnataka) | Belgaum, Bidar, Bijapur, Dharwad, Godag, Gulbarga, Haveri, Koppal, Raichur and Uttara Kannada districts of Karnataka |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Guwahati Circle Ananda Nagar,<br>Dispur Guwahati-781005 (Assam). | Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura states. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Hyderabad Circle, Kendriya Sadan,<br>Ill Floor, II Block, Sultan Bazar<br>Hyderabad-51 0195 (Andhra Pradesh) | Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari, Kakinada, Guntur, Hyderabad, Karim Nagar, Khammam, Krishna, Machilipatnam, Kurnool, Mahabub Nagar, Medak, (Sanga Reddy H.Q.), Nalgonda, Nellore, Nizamabad, Prakasam, Ranga Reddy (Hyderabad H. Q.), Srikakulam, Vijaya Nagaram, Visakhapatnam, Warangal and West Godavari (Eluru H. Q.) districts of Andhra Pradesh. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Jaipur Circle, Sector -7,<br>Flat No. 70/133-140,<br>Patel Marg Mansrovar, Jaipur-302020 (Rajasthan) | Ajmer,Alwar, Banswara, Baran, Bermer, Bharatpur, Bhilwara, Bikaner, Bundi, Chittorgarh, Churu, Dausa, Dholpur, Dungarpur, Ganganagar, Hanumangarh, Jaipur, Jaisalmer, Jalor, Jhalwar, Jhunujhunu, Jodhpur, Karauli, Kota, Nagaur, Pali, Rajsamand, Sawai Madhopur, Sikar, Sirohi, Tonk and Udaipur, districts of Rajasthan. |
| Superintending Archaeologist<br>Archaeological Survey of India Lucknow Circle, Baillie Guard Cottage, P.O. Golaganj Lucknow-226018 (Uttar Pradesh). | Allahabad, Ambedkarnagar, Balrampur, Bahraich, Banda, Barabanki, Basti, Faizabad, Fatehpur, Gonda, Hamirpur, Hardoi, Jalon, Jhansi, Kabir Nagar, Kanpur City, Kanpur Dehat, Kaushambi, Lakhimpur, Lalitpur, Lucknow, Maharaj Kshatrapati Sahu, Mahoa, Pratapgarh, Ralbarelli, Siddarth Nagar, Sitapur, Sravasti Nagar, Sultanpur and Unnao, districts of Uttar Pradesh. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Sion Fort, Sion Mumbai-400022 (Maharashtra). | Ahmedanagar, Akola, Amaravati, Aruangabad, Beed, Bhandara, Buldhana, Chandrapur, Dhule, Gadchiroli, Jalgaon, Jalna, Kolhapur, Latur, Mumbai, Nanded, Nagpur, Nasik, Osmanabad, rune, Raigarh, Ratnagir, Sangli, Satara, Solapur, Thane, Wardha and Yeotmal, districts of Maharashtra and Goa. |

| | |
|---|---|
| Superintending Archaeologist<br>Archaeological Survey of India,<br>Delhi Circle, Safdarjung Tomb,<br>New Delhi-11 0003. | The National Capital Territory of Delhi |
| Superintending Archaeologist<br>Archaeological Survey of India.<br>Patna Circle<br>Graham's House, J.C. Road<br>Anta Ghat, Patna 800001 (Bihar). | Araria, Aurangabad, Begusarai, Bhagalpur, Bhojpur, Bokaro, Buxar, Champaran (East), Champaran (West), Chatra, Darbhanga, Deoghar, Dhanbad, Garhwa, Gaya, Giridih, Godde, Gopalganj, Gumla, Hazaribagh, Jahanabad, Jamui, Kaimur, Katihar, Khagaria, Kishanganj, Lohardaga, Madhepura, Madhubani, Munger, Muzaffarpur, Nalanda, Nawada, Palamu, Patna, Purnia, Ranchi, Rohtas, Saharoa, Sahibaganj, Samastipur, Santhal Pargans, Saran, Singhbhum (West), Singhbhum (East), Sitamarhi, Siwan Supaul and Vaishali, districts of Bihar;<br><br>and Azamgarh, Ballia, Bhadohi, Chandauli, Deoria, Gorakhpur, Ghajipur, Jaunpur, Maharajganj, Mirzapur, Padrauna, Sonbhadra and Varanasi, districts of Uttar Pradesh. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Srinagar Circle,<br>Camp: Jammu, 141 A / D, Green Belt Park<br>Gandhi Nagar, Jammu 180004 (Jammu & Kashmir). | Anantnag, Badgam, Baramulla, Kupwara, Pulwama and Srinagar districts of Kashmir Valley; Leh and Kargil districts of Ladakh and Doda, Qthua, Punch, Rajouri and Udhampur districts of Jammu. |
| Superintending Archaeologist<br>Archaeological Survey of India<br>Thrissur Circle<br>Puratattva Bhawan, KSHB flats, ff19(a)<br>Block no. 3, Pullazhy Housing Scheme, Pullazhy<br>Thrissur 680612 (Kerala) | Alappuzha, Ernakulam, Idukki, Kannur Kasargode, Kollam, Kottayam, Kozhigode, Malappuram, Palakkad, Pathanamthitta, Thiruvanathapuram, Kasargoda, Kollam, Kottayam, Kozhikode, Palakkad, Thrissure and Wayanad, districts of Kerala ;<br><br>Kanyakumari, Nilgiris, (Udhangamandalam) and Tirunelveli, districts of Tamil Nadu ;<br><br>and Mahe districts of Pondicherry, Union Territory;<br>and Lakshadweep Union Territory. |

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| Superintending Archaeologist<br>Archaeological Survey of India<br>Vadodara circle<br>Puratattva Bhawan, Near Central Library<br>Mandvi, Vadodara 390006 (Gujarat). | Ahmedabad, Amreli, Anand, , Banaskantha, Bharuch, Bhavnagar, Dahod, Dongs, Gandhinagar, Godhara, Jamnagar, Junagadh, Kheda, Kutch, Mehsana, Narmada, (H,Q. Rajpipla), Navsari, Patan, Porbandar, Rajkot, Sabarkantha, Surat, Surendranagar, Vadodara (Baroda), and Valsad, districts of Gujarat ;<br><br>Daman and Diu. |

**NOTIFICATION**

New Delhi, the 23rd June, 1998

S.O. 1789--- In exercise of the powers conferred by section 6 of the Antiquities and Art Treasures Act, 1972 (52 of 1972) hereafter referred to as the said Act and in supersession of the notification of the Department of Culture, (Archaeological Survey of India ) NO. G.S.R. 211 (E), dated the 18th April, 1980, the Central Government hereby appoints the persons specified in column 2 of the table given below, being Gazetted Officers of the Central Government, to be licensing officers for the purposes of the said Act, who shall exercise the powers conferred on licensing, officers by or under the said Act within the jurisdiction specified in the corresponding entry in column 3 of the table namely:

| Sl. NO. | Designation and address of the officer | Limits of the area |
|---|---|---|
| 1 | 2 | 3 |
| 1. | Superintending Archaeologist<br>Archaeological Survey of India<br>Agra Circle, 22, The Mall Road, Agra-282001 (Uttar Pradesh | Agra, Aligarh, Badaun, Bareilly, Bijnor, Bulandshahar,Etah, Etawah, Farrukhabad, Firozabad, Ghaziabad, Mahamayanagar, Mainpuri, Mathoura, Meerut, Muradabad, Muzzaffarnagar, Pilibhit, Rampur, Saharanpur, Shahjahanpur, Udham Singh Nagar, |
| 2. | Superintending Archaeologist<br>Archaeological Survey of India<br>Bangalore Circle, 5th Floor, 'F' Wing, Kendriya Sadan, 17the Main Road, Koramangala, Bangalore-560034 (Karnataka) | Bangalore Urban and Rural, Bellary, Chamaraja Nagar, Chikmangalur, Chitradurga, Dakshina kannada, Davnagere, Hassan, Kolar, Mandya, Mysore, Shimoga, Tumkur and Udipi district of Karnataka |
| 3. | Superintending Archaeologist<br>Archaeological Survey of India<br>Bhopal Circle, IInd Floor, B-Block, G.T.B. Complex, T.T. Nagar, Bhopal- 46 003 (Madhya Pradesh) | Balaghat, Betul, Bhind, Bhopal, Chhatarpur, Chhindwara, Damoh, Datia, Dewas, Dhar, Guna, Gwalior, Hoshangabad, Indore, Jabalpur, Jhabua, Khandwa, (Nimar East), Khargone, (NIrmar West), Mandla, Mandsaur, Morena, Narsingpur, Panna, Raisen, Rajgarh, Ratlam, Rewa, Sagar, Satna, Sehore, Seoni, Shahdol, Shajapur, Shivpuri, Siddhi, Tikamgarh, Ujjain and Vidisha districts of |

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| | | Madhya Pradesh. |
| 4. | Superintending Archaeologist ,<br>Archaeological Survey of India<br>Bhubaneswar Circle, Old Town, Bhubaneswar-751 002 (Orissa) | Angul, Balangir, Baleswar Baragarh, Baudh, Bhadrak, Cuttack, Deogarh, Dhenkanal, Gajapati, Ganjam, Jagatsinghpur Jajpur, Jharsuguda, Kalahandi, Kendrapada, Keonjhar, Khudrda, Korapur, Malkangiri, Mayurbhanj, Nabarangpur, Naupada, Nayagarh, Phulbani, Puri, Raygarh, Sonpur and Sundergah, district of Orissa; |
| 5. | Superintending Archaeologist<br>Archaeological Survey of India<br>Calcutta Circle, Multi Storeyed Office Building (4th Floor), Block DF, Salt Lake City, Calcutta-700 064 (West Bengal) | Bankura, Birbhum, Burdwan, Calcutta, Cooch Behar, Darjeeling, Hooghly, Howrh, Jalpaiguri, Malda, Midnapore, North Dinajpur, North 24 Parganas, Purulia, South Dinajpur, South 24 Parganas and Murshidabad districts of West Bengal; Sikkim; and Andaman and Nicobar Islands. |
| 6. | Superintending Archaeologist<br>Archaeological Survey of India<br>Chandigarh Circle, S.C.O. 2909-10, Sector -22-C, Chandigarh- 160 022. | Ambala, Bhiwani, Faridabad, Fatehabad, Gurgaon, Hissar, Jhhajhar, JInd, Kaithal, Karnal, Kurukshetra, Mahendrergarah, Panchkula, Panipat, Rewari, Rohtak, Sirsa, Sonepat, and Yamuna-Nagar, Districts of Haryana; Amritsar, Bhatinda, Faridkot, Ferozpur, Fatehgarh, Sahib, Gurdaspur, Hoshiarpur, Jalandhar, Kapurthala, Ludhiana, Mansa, Moga, Muktsar, Newanshahar, Patiala, Rupnagar, and Sangrur, districts of Punjab; Bialspur, Chamba, Hamirpur, Kangra,Kinnaur, Kullu, Lahaul and Spiti, Mandi, Shimla, Sirmaur, Solan and Unna districts of Himachal Pradesh; and Chandigarh Union Territory |
| 7. | Superintending Archaeologist<br>Archaeological Survey of India<br>Chennai Circle, Fort St. George, Chennai- 600 009 (Tamil Nadu) | Chenni, Coimbatore, Guddalore, Dharampuri, Dindigul, Erode Kanchipuram, Karur, Madurai, Nagapattinum, Namakkal, Pudukkottai Perambnalur, Ramanathapuram, Salem, Sivagangai, Thanjavur, Theni, Thiruannamalai, Thiruvarur, Thiruvllur, Tuticorin, Tiruchi, Vellore, Virudunagar and Villupuram districts of Tamil Nadu; Pondicherry and Karaikkal Range of Union Territory of Pondicherry. |
| 8. | Superintending Archaeologist<br>Archaeological Survey of India<br>Dharwad Circle, 8th Cross, 17th Ward, Kalyan Nagar, Dharwad -580007 (Karnataka) | Belgaum, Bidar, Bijapur, Dharwad, Godag, Gulbarga, Haveri, Koppal, Raichur and Uttara Kannada districts of Karnataka. |
| 9. | Superintending Archaeologist<br>Archaeological Survey of India<br>Guwhati Circle, Vican Villa, Ananda Nagar, Dispur, | Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura states. |

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| | Guwahati- 781005 (Assam) | |
| 10. | Superintending Archaeologist<br>Archaeological Survey of India<br>Hyderabad Circle, Kendriya Sadan, IIIrd Floor , IInd Block, Sultan Bazar, Hyderabad-510195 (Andhra Pradesh) | Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari (Kakinada H.Q), Guntur, Hyderabad, Karim Nagar, Khammam, Krishna, (Machilipatnam H.Q.) Kurnool, Mahabub Nagar Medak (Sanga Reddy H.Q.) Nalgonda, Nellore, Nizamabad, Prakasam, Ranga Reddy (Hyderabad H.Q.), Srikakulam, Vijaya Nagaram, Visakhapatnam, Warangal and West Godavari (Eluru H.Q.) districts of Andhra Pradesh. |
| 11. | Superintending Archaeologist<br>Archaeological Survey of India<br>Jaipur Circle, Sector-7,<br>Flat No. 70/133-140, Patel Marg,<br>Mansrovar, Jaipur- 302020 (Rajasthan) | Ajmer, Alwar, Banswara, Baran, Bermer, Bharatpur, Bhilwara Bikaner, Bundi, Chittorgarh, Churu, Dausa, Dholpur, Dungarpur, Ganganagar, Hanumangarh, Jaipur, Jaisalmer, Jalor, Jhalwar, Jhunujhunu, Jodhpur, Karauli, Kota, Nagaur, Pali, Rajsamand, Sawai Madhopur, Sikar, Sirohi, Tonk and Udaipur, districts of Rajasthan. |
| 12. | Superintending Archaeologist<br>Archaeological Survey of India<br>Lucknow Circle, Baillic Guard, Cottage, P.O. Golaganj, Lucknow-226018 (Uttar Pradesh) | Allahabad, Ambedkarnagar, Balrampur, Bahraich, Banda, Barabanki, Basti, Faizabad, Fatehpur, Gonda, Hamirpur, Haardoi, Jalon, Jhansi, Kabir Nagar, Kanpur City, Kanpur Dehat, Kaushambi, Lakhimpur, Lalaitpur, Lucknow, Maharaj Kshatrapati Sahu, Mahobe, Pratapgarh, Raibareili, Siddarth Nagar, Sitapur, Sravasti Nagar, Sultanpur and Unnao, districts of Uttar Pradesh |
| 13. | Superintending Archaeologist<br>Archaeological Survey of India<br>Sion Fort, Sion,<br>Mumbai- 400022 (Maharashtra). | Ahmednagar, Akola, Amaravati, Aurangabad, Beed, Bhandara, Buldhana, Chandrapur, Dhule, Gadchiroli, Jalgaon, Jalna, Kolhapur, Latur, Mumbai, Nanded, Nagpur, Nasik, Osmanabad, Pune, Raigarh, Ratnagir, Sangli, Satara, Solapur, Thane Wardha and Yeotmal, districts of Maharashtra and Gola |
| 14. | Superintending Archaeologist<br>Archaeological Survey of India<br>Delhi Circle, Safdarjung Tomb, New Delhi -110003. | The National Capital Territory of Delhi. |
| 15. | Superintending Archaeologist<br>Archaeological Survey of India<br>J.C. Road, Patna-800001(Bihar) | Araria, Aurangabad, Begusarai, Bhagalpur, Bhojpur, Buxar, Champaran (East), Champara (West), Darbhanga, Gaya, Gopalganj, Jahanagad, Jamui, Kaimur, Katihar, Khagaria, Kishanganj, Madhepura, Madhubani, Munger, Muzaffarupur, Nalanda, Nawada, Patna, Purnia, Rohtas, Saharoa, Samastipur, Saran, Sitamarhi, Siwan, Supaul and Vaishali, district of Bihar; and Azamgarh , Ballaia, Bhadohi, Chandauli, Deoria, Gorakhpur, Ghajipur, Jaunpur, Maharajganj, Murzapur, Padrauna, SOnbhadra and Varanasi, districts |

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| | | of Uttar Pradesh |
| 16. | Superintending Archaeologist<br>Archaeological Survey of India<br>Srinagar Cirlce, Moonte Building, Raj Bagh , Srinagar,(Kashmir)/Luthra Building, Kachi Chawni, Jammu- 180001 (Jammu & Kashmir) | Anantnag, BAdgam, BAramulla, Kupwara, Pulwama and Srinagr districts of Kashmir Valley; Leh and Kargil districts of Ladakh and Doda, Jammu, Kathua, Punch, Rajouri and Udhampur districts of Jammu. |
| 17. | Superintending Archaeologist<br>Archaeological Survey of India<br>Thrissure Circle, Thopinmoola,<br>Aranattukara, Thrissure-680618 (Kerala) | Alappuzha, Ernakulam, Idukki, Kannur, Kasargoda, Kollam, Kottayam Kozhikode, Malappuram, Palakkad, Pathanamthitta, Thiruvanathapuram, Thrissure and Wayanad, districts of Kerala; Kenyakumari, Nilgiris (Udhangamandalam) and Tirunelveli, districts of Tamil Nadu; and Mahe district of Pondicherry, Union Territory; and Lakshadweep Union Territory. |
| 18. | Superintending Archaeologist<br>Archaeological Survey of India<br>Vadodara Circle, Madhav Baug, Makarpura Road, Near Sapna Hall, Vadodara-390009 ( Gujarat) | Ahmedabad, Amreli, Anand, BAnaskantha, Bharuch, Bhavnagar Dahod, Dongs, Gandhinagar, Godhara, Jamnagar, Junagadh, Kheda, Kutch, Mehsana, Narmada (H.Q. Rajpipla), Navasari, Patan, Porbandar, RAjkot, Sabarkantha, Surat, Surendranagar, Vadodara (Baroda), and Valsad, districts of Gujarat; Daman and Diu. |

(F. NO. 16-3/97-ANT)
J.R. AGGARWAL, Under Secy.

(TO BE PUBLISHED IN PART II, SECTION 3,
Sub-section (ii) of the Gazette of India)

Government of India
Ministry of Culture
(Archaeological Survey of India)

New Delhi, The_____, 2004

**NOTIFICATION**

S.O._____, In exercise of the powers conferred by section 6 of the Antiquities and Art Treasures Act, 1972 (52 of 1972) hereinafter referred to as the said Act and in partial modification of the notification of the Department of Culture, (Archaeological Survey of India) No. G.S.R.1789 dated the 23rd June, 1998, the Central Government hereby appoints by Designation specified in column 2 of the table given below, being Gazetted Officers of the Central Government, to be Licensing Officers for the purposes of the said Act, who shall exercise the powers conferred on Licensing Officers by or under the said Act within the jurisdiction specified in the corresponding entry in column 3 of the table, namely:-

| **S. No.** | **Designation & address of the officer** | **Limits of the area** |
|---|---|---|
| 1. | Superintending Archaeologist, Archaeological Survey of India, Dehradun Circle, 4, Rest Camp, Tyagi Road, Dehradun (Uttranchal) | Dehradun, Pauri Garhwal, Chamoli, Rudra Prayag, Tehri Garhwal, Uttarkashi, Haridwar, Nainital, Almora, Pithoragarh, Bageshwar, Uddham Singh Nagar, Champawat. |
| 2. | Superintending Archaeologist, Archaeological Survey of India, Ranchi Circle, Harmu Housing Colony, Ranchi -834012 (Jharkhand) | Bokaro, Chatra, Devghar, Dhanbad, Garhwa, Giridih, Godda, Gumla, Hazaribagh, Jamtara, Kodarma, Latehar, Lohardaga, Pakur, Palamu, West Singhbhum, East Singhbhum, Ranchi, Sahibganj, Santhal Pargana, Saraikela Kharsawan, Simdega. |
| 3. | Superintending Archaeologist, Archaeological Survey of India, Raipur Circle, J-10, Anupam Nagar, Raipur -429007 (Chhatisgarh) | Bastar, Kankar, Dantewada, Raipur, Dhamtari, Mahasamund, Kavardha, Bilaspur, Janjgir-Champa, Korba, Raigarh, Jaspur, Durg, Saguja Koria, Rajnandgaon. |

(C. BABU RAJEEV)
DIRECTOR GENERAL
(F. No.6-41/2003-Ant.

[TO BE PUBLISHED IN PART II, SECTION 3,]
[Sub-section (i) of the Gazette of India]

Government of India
Ministry of Culture
(Archaeological Survey of India)

New Delhi, the_____, 2005

**NOTIFICATION**

G.S.R. _____ - In exercise of the powers conferred by section 15 of the Antiquities and Art Treasures Act, 1972 (52 of 1972), hereafter referred to as the said Act, of the Ministry of Education and Social Welfare, Department of Culture, (Archaeological Survey of India) published in the Gazette of India, Pt. II, Section 3, sub-section (i), No. G.S.R. 282 (E) dated the 5th April, 1976, and partial modification, vide GSR 73 Ministry of Culture, Archaeological Survey of India, notification New Delhi dated1st March 2005, and further partial modification the Central Government hereby appoints the persons by designation specified in column 2 of the Table given below to be registering officers for the purposes of the said Act, who shall exercise the powers conferred on registering officers by or under the said Act within the limits of the area specified in the corresponding entry in column 4 of the Table.

**THE TABLE**

| S. No. | Name of the persons by Designation | Name of Circle including museums | Jurisdiction |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
| 1. | Assistant Superintending Archaeologist | Agra | Whole working jurisdiction of Circle. |
| 2. | Assistant Superintending Archaeologist | Aurangabad | Whole working jurisdiction of Circle. |
| 3. | Assistant Superintending Archaeologist | Bangalore | Whole working jurisdiction of Circle. |
| 4. | Assistant Superintending Archaeologist | Bhopal | Whole working jurisdiction of Circle. |
| 5. | Assistant Superintending Archaeologist | Bhubaneswar | Whole working jurisdiction of Circle. |
| 6. | Assistant Superintending Archaeologist | Kolkata | Whole working jurisdiction of Circle except Sikkim and Union Territory of Andaman and Nicobar. |
| 7. | Assistant Superintending Archaeologist | Chandigarh | Whole working jurisdiction of Circle. |
| 8. | Assistant Superintending Archaeologist | Chennai | Whole working jurisdiction of Circle. |

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| 9. | Assistant Superintending Archaeologist | Hyderabad | Whole working jurisdiction of Circle. |
| 10. | Assistant Superintending Archaeologist | Jaipur | Whole working jurisdiction of Circle. |
| 11. | Assistant Superintending Archaeologist | Lucknow | Whole working jurisdiction of Circle. |
| 12. | Assistant Superintending Archaeologist | Patna | Whole working jurisdiction of Circle. |
| 13. | Assistant Superintending Archaeologist | Srinagar | Whole working jurisdiction of Circle. |
| 14. | Assistant Superintending Archaeologist | Vadodara | Whole working jurisdiction of Circle except whole Union Territory of Daman and DIu. |
| 15. | Assistant Superintending Archaeologist/Dy. Superintending Archaeologist | Mini Circle Shimla/Mumbai | Whole working jurisdiction of Mini Circle. |
| 16. | Assistant Superintending Archaeologist/Dy. Superintending Archaeologist | Dharwar | Whole working jurisdiction of Circle. |
| 17. | Assistant Superintending Archaeologist/Dy. Superintending Archaeologist | Delhi | Whole working jurisdiction of Circle. |
| 18. | Assistant Superintending Archaeologist/Dy. Superintending Archaeologist | Thrissure | Whole working jurisdiction of Circle. |

(F. No.23-5/2005-Ant.)

Name: C. BABU RAJEEV
Designation: DIRECTOR GENERAL
of the Competent authority

**S.O. 448 (E), dated 2.7.1976 as amended by S.O. 397 (E), dated 15.5.1980.**

In exercise of the powers conferred by sub-section(1) OF Section 14 of Antiquities and Art Treasures Act, 1972 (52 of 1972), and in supersession of the notification of Government of India in the Ministry of Education and Social Welfare (Archaeological Survey of India ) No. GSR 280 (E), dated 15th April, 1976, the Central Government hereby specifies the antiquities mentioned in the Schedule annexed hereto as the antiquities which shall be registered under the said Act.

Provided that notwithstanding the supersession of the notification aforesaid,

(a) all antiquities specified in the schedule annexed to the said notification and registered under the said Act before the date of publication of this notification shall be deemed to be validity registered under the said Act;
(b) all applications for the registration of the antiquities specified in the Schedule annexed to the said notification shall be deemed to have been validly made and shall be dealt with as if the said notification had not been superseded.

**The Schedule**

The following antiquities which have been in existence for not less than one hundred years, namely:

(i) Sculptures in stone, terracotta, metal, ivory and bone;
(ii) Paintings 9including miniatures and tanks) in all media, that is to say, paper, wood, cloth, silk and the like;
(iii) Manuscripts, where such manuscripts contain paintings, illustrations or illuminations;
(iv) Sculptured figures in wood (both in relief and round).

# Annexure 11: *The Bihar Ancient Monuments and Archaeological Sites Remains and Art Treasures Act, 1976*

# THE BIHAR ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES REMAINS AND ART TREASURES ACT, 1976

## AN ACT

To provide for preservation of ancient monuments and archaeological sites and remains other than those declared by or under law made by parliament to be of national importance for the regulation of archaeological excavations and for the protection of antiquities in the state of Bihar.

Be it enacted by the Legislature of the State of Bihar in the twenty-fifth year of the Republic of India as follows:

### 1. Short title extent and commencement:

(1) This Act may be called the Bihar Ancient Monuments and Archaeological Sites, Remains And Art Treasures Act, 1976.

(2) It extends to the whole of the State of Bihar.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

### 2. Definitions

In this Act, unless there is anything repugnant in the subject or context –

(a) "Ancient Monument" means any structure, erection or monument or any tumulus or place of internment, or burning 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 -

- the remains thereof,
- the site thereof,
- the portion of land adjoining such site which may be necessary or required for the preservation, protection, upkeep and maintenance of the same; and
- the means of access thereto and of convenient inspection and repairs thereof;

(b) "antiquity" includes –

- any coin, sculpture, painting, epigraph, or other work of art or craftsmanship.
- any article, object or thing detached from a building or cave;
- any article, object or thing illustrative of science, art, crafts, literature, religion, customs, morals or politics in bygone ages;
- any article object or thing of historical interest; and
- any article object or thing which the State Government may by reason of its historical or archaeological association by notification in the Official Gazette, declare to be an antiquity for the purposes of this Act and which has been in existence for not less than one hundred years, and
- any manuscript, record or other document which is of scientific, historical, literary or aesthetic value and which has been in existence for not less than seventy-five years.

(c) "Art Treasure" means any human work of art, not being an antiquity declared by the

State Government by notification in the Official Gazette, to be an art treasure for the purposes of this Act having regard to its historical and aesthetic value;

*Provided that no declaration under this clause shall be made in respect of any such work or art so long as the author thereof is alive;*

(d) "Archaeological Officer" means any officer of the Department of Archaeology and Museums of the State Government not below such rank as the State Government may from time to time prescribe;

(e) "Archaeological Site and Remains" means any area which contains or is reasonably believed to contain ruins or relics of historical or archaeological importance and which have been in existence for not less than one hundred years and includes –

- such portion of land adjoining the area as may be required for fencing or covering in or otherwise preserving it; and
- the means of access to, and convenient inspection of the area;

(f) "Director" means the Director of Archaeology and Museums of the State Government and includes any officer authorized by the State Government to perform the duties of the Director;

(g) "Maintain" with its grammatical variations and cognate expressions, includes the fencing, covering in, repairing, restoring and clearing 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;

(h) "Owner" includes –

- 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
- any manager or trustee exercising powers of management and the successor-in-office of any such manager or trustee;
- "Prescribed" means prescribed by rules made under this Act;
- "Protected area" means any archaeological site and remains which is declared to be a protected area by or under this Act;
- "Protected monument" means an ancient monument which declared to be a protected monument by or under this Act; and
- "State Government" means the State Government of Bihar.

## PROTECTION OF ANCIENT MONUMENT AND ARCHAEOLOGICAL SITES AND REMAINS

### 3. Power of State Government to declare ancient monuments, etc. to be protected monuments and areas –

(1) Where the State Government is of opinion that any ancient monument or archaeological site and remains requires protection under this Act, it may, by notification in the Official Gazette, give two months' notice of its intention to declare such ancient monument or archaeological site and remains to be a protected monument or a protected area, as the case may be ; and a copy of every such notification shall be affixed in a conspicuous place near the monument or the site and remains, as the case may be.

(2) Any person interested in any such ancient monument or archaeological site and

remains may, within two months after the issue of the notification, object to the declaration of the monuments or the archaeological site and remains, to be a protected monument or a protected area.

(3) On the expiry of the said period of two months, the State Government may, after considering the objections (if any) received by it, declare by notification in the Official Gazette, the ancient monuments or the archaeological site and remains, as the case may be, to be a protected monument or a protected area.

(4) A notification published under section (3) shall, unless and until it is withdrawn, be conclusive evidence of the fact that the ancient monument or the archaeological site and remains to which it relates is a protected monument or a protected area for the purposes of this Act.

## PROTECTED MONUMENT

### 4. Acquisition of rights in a protected monuments

(1) The director may with the sanction of the State Government purchase, or take a lease of or accept a gift or bequest of, any protected monuments.

(2) Where a protected monument is without an owner, the Director may, by notification in the Official Gazette assume the guardianship of the monument.

(3) The owner of any protected monument may, by written instrument, constitute the Director the guardian of the monument, and the Director may, with the sanction of the State Government, accept such guardianship.

(4) When the Director has accepted the guardianship of a monument under sub-section (3), the owner shall, accept as expressly provided in this Act, have the same estate, right, title and interest in and to the monument as if the Director had not been constituted a guardian thereof; and the provisions in this Act relating to agreement executed under section 5 shall apply to the written instrument executed under sub-section (3).

(5) Nothing in this section shall affect the use of any protected monument for customary religious observances.

### 5. Preservation of Protected Monument by Agreement

(1) The Director, when so directed by the State Government, shall propose to the owner of a protected monument to enter into an agreement with the State Government within a specified period for the maintenance of the monument.

(2) An agreement under this section may provide for all or any of the following matters, namely:

(a) the maintenance of the monument;

(b) the custody of the monument and the duties of any person who may be employed to look after it;

(c) the restriction of the owner's right –
- to use the monument for any purpose,
- to charge any fee for entry into, or inspection of, the monument.
- to destroy, remove, alter or deface the monument, or
- to build on or near the site of the monument;

(d) the facilities of access to be permitted to the public or any section thereof or to archaeological officers or to persons deputed by the owner or any archaeological officer or other officer or authority authorized by the State Government to inspect or maintain the monument;

(e) the notice to be given to the State Government in case the land on which the monument is situated or any adjoining land is offered for sale by the owner, and the right to be reserved to the Government to purchase such land, or any specified portion of such land, at its market value;

(f) the payment of any expenses incurred by the owner or by the Government in connection with the maintenance of the monument;

(g) the proprietary or other rights which are to vest in the State Government in respect of the monument when any expenses are incurred by the State Government in connection with the maintenance of the monument;

(h) the appointment of an authority to decide any dispute arising out of the agreement; and

(i) any matter connected with the maintenance of the monument which is a proper subject of agreement between the owner and the State Government.

(3) The State Government or the owner may, at any time, after the expiration of three years from the date of execution of an agreement under this section terminate it on giving six months notice in writing to the other party.

*Provided that when the agreement is terminated by the owner, he shall pay to the State Government the expenses, if any, incurred by it on the maintenance of the monument during the five years immediately preceding the termination of the agreement or, if the agreement has been in force for a shorter period, during the period the agreement was in force.*

(4) An agreement under this section shall be binding on any person claiming to be the owner of the monument to which it relates, from through or under a party by whom or on whose behalf the agreement was executed.

6. **Persons competent to exercise power of Owners under Section 5, in respect of Protected Monument, when Owner is under disability or when it is a village property** –

(1) If the owner of a protected monument is unable, by reason of minority or other disability, to act for himself, the person legally competent to act on his behalf may exercise the powers conferred upon an owner by section 5.

(2) In the case of a protected monument which is a village property, the headman or other village officer exercising powers of management over such property may exercise the powers conferred upon an owner by section 5.

(3) Nothing in this section shall be deemed to empower any person not being of the same religion as the person on whose behalf he is acting to make or execute an agreement relating to a protected monument which or any part of which is periodically used for the religious worship or observances of that religion.

**7. Application of endowment to repair a Protected Monument:**

(1) If any owner or other person competent to enter into an agreement under section 5 for the maintenance of a protected monument refuses or fails to enter into such an agreement, and if any endowment has been created for the purpose of keeping such monument in repair or for that purpose among others, the State Government may institute a suit in the Court of the District Judge or, if the estimated cost of repairing the monument does not exceed one thousand rupees, may make an application to the District Judge, for the proper application of such endowment or part thereof.

(2) On the hearing of an application under sub-section (1), the District Judge may summon and examine the owner and any person whose evidence appears to him necessary and may pass an order for the proper application of the endowment or any part thereof, and any such order may be executed as if it were a decree of the Civil Court.

**8. Failure or Refusal to enter into an Agreement:**

(1) If any owner or other person competent to enter into an agreement under section 5 for the maintenance of a protected monument refuses or fails to enter into such an agreement, the State Government may make an order providing for all or any of the matters specified in sub-section (2) of section 5 and such order shall be binding on the owner or such other person and on every person claiming title to the monument from, through or under the owner or such other person.

(2) Where an order made under sub-section (1) provides that the monument shall be maintained by the owners or other person competent to enter into an agreement, all reasonable expenses for the maintenance of the monument shall be payable by the State Government.

(3) No order under sub-section (1) shall be made unless the owner or other person has been given an opportunity of making a representation in writing against the proposed order.

**9. Power to make order prohibiting contravention of agreement under section 5:**

(1) If the Director apprehends that the owner or occupier of a protected monument intends to destroy, remove, alter, deface, imperil or misuse the monument or to build on or near the site thereof in contravention of the terms of an agreement executed under section 5, the Director may, after giving the owner or occupier an opportunity of making a representation in writing, make an order prohibiting any such contravention of the agreement.

*Provided that no such opportunity need be given in any case when the Director, for reasons to be recorded, is satisfied that it is not expedient or practicable to do so.*

(2) A person aggrieved by an order under this section may appeal to the State Government within such time and in such manner as may be prescribed, and the decision of the State Government shall be final.

**10. Enforcement of Agreement:**

(1) If an owner or other person who is bound to maintain a monument by an agreement executed under section 5 refuses or fails, within such reasonable time as the Director may fix, to do any act which in the opinion of the Director is necessary for the maintenance of the monument the Director may authorize any person to do any such act, and the owner or other person shall be liable to pay the expenses of doing any such act or such portion of the expenses as the owner may be liable to pay under the agreement.

(2) If any dispute arises regarding the amount of expenses payable by the owner or other person under sub-section (1), it shall be referred to the State Government whose decision shall be final.

**11. Purchasers at certain sales and persons claiming through owner bound by instrument executed by owner:**

Every person who purchases at a sale for arrears of land revenue or any other public demand, any land on which is situated a monument in respect of which any instrument has been executed by the owner for the time being under section 4 or section 5, and every person claiming any title to a monument from, through or under, an owner who executed any such instrument, shall be bound by such instrument.

**12. Acquisition of Protected Monument:**

If the State Government apprehends that a protected monument is in danger of being destroyed, injured, misused or allowed to fall into decay, it may acquire the protected monument under the provisions of the Land Acquisition Act, 1894 (I of 1894), as if the maintenance of the protected monument were a public purpose within the meaning of that Act.

**13. Maintenance of certain Protected Monuments:**

(1) The State Government shall maintain every monument which has been acquired under section 12 or in respect of which any of the rights mentioned in section 4 has been acquired.

(2) When the Director has assumed the guardianship of a monument under section 4, he shall, for the purpose of maintaining such monument, have access to the monument at all reasonable times, by himself and by his agents, subordinates and workmen, for the purpose of inspecting the monument and for the purpose of bringing such materials and doing such acts as he may consider necessary or desirable for the maintenance thereof.

**14. Voluntary Contributions:**

The Director may receive voluntary contributions towards the cost of maintaining a protected monument and may give such general or special directions as he considers necessary for the management and application of the contributions so received by him:
Provided that no contribution received under section shall be applied to any purpose other than the purpose for which it was contributed.

**15. Protection of place of worship from misuse, pollution or desecration:**

(1) A protected monument maintained by the State Government under this Act which is a place of worship or shrine shall not be used for any purpose inconsistent with its sanctity.

(2) Where the State Government has acquired a protected monument under section 12, or where the Director has purchased or taken a lease or accepted a gift or bequest or assumed guardianship of a protected monument under section 4, and such monument or any part thereof is used for religious worship or observances by any community, the Director shall make due provision for the protection of such monument or part thereof, from pollution or desecration:

(a) by prohibiting the entry therein, except in accordance with the conditions prescribed with the concurrence of the persons, if any, in religious charge of the said monument or part thereof, of any person not entitled so to enter by the religious usage of the community by which the monument or part thereof is used, or

(b) by taking such other action as Director may think necessary in this behalf.

**16. Relinquishment of State Government rights in a monument:**

With the sanction of the State Government, the Director may -

(a) Where rights have been acquired by the Director in respect of any monument under this Act by virtue of any sale, lease, gift or will, relinquish, by notification in the Official Gazette, the rights so acquired to the person who would for the time being be the owner of the monument if such rights had not been acquired; or

(b) relinquish any guardianship of a monument which he has assumed under this Act.

**17. Right of Access to Protected Monument:**

Subject to the provision of this Act and the rules made there under, the public shall have a right of access to any protected monument.

**PROTECTED AREA**

**18. Restrictions on enjoyment of property rights in Protected Area:**

(1) No person, including the owner or occupier of a protected area, shall construct any building within protected area or carry on any mining, quarrying excavating, blasting or any operation of a like nature in such area, or utilize such area or any part thereof in any other manner without the permission of the State Government:

*Provided that noting in this sub-section shall be deemed to prohibit the use of any such area or part thereof for the purpose of cultivation if such cultivation does not involve the digging of more than one foot of soil from the surface.*

(2) The State Government may, by order, direct that any building constructed by any person within a protected area in contravention of the provisions of sub-section (1) shall be removed within a specified period and, if the person refuses or fails to comply with the order, the Director may cause the building to be removed and the person shall be liable to pay the cost of such removal.

**19. Power to acquire a Protected Area:**

If in the opinion of the State Government any protected area contains an ancient monument or antiquities, it may acquire such area under the provisions of the Land Acquisition Act, 1894 (I of 1894) in the interest of public purpose.

## ARCHAEOLOGICAL EXCAVATIONS

**20. Excavations in Protected Area:**

An archaeological officer or an officer authorized by him in his behalf or any person holding a license granted in this behalf under this Act (hereinafter referred to as the licensee) may, after giving notice in writing to the Director and the owner, enter upon and make excavations in any protected area if it is not inconsistent with the provisions of section 24 of the Ancient Monuments Provisions, Archaeological Sites and Remains Act, 1958 (24, 1958)

**21. Excavations in areas other than Protected Areas:**

Subject to the provisions of section 24 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (XXIV of 1958), where an archaeological officer has reason to believe that any area, not being a protected area contains ruins or relics of historical or archaeological importance, he or an officer authorized by him in this behalf may, after giving notice in writing to the Director and the owner, enter upon and make excavations in the area if it is not inconsistent with the provisions of section 24 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, (24, 1958).

**22. Compulsory Acquisition of Antiquities, etc., discovered during excavation operations:**

(1) Where, as a result of any excavations made in any area under section 20 or section 21, any antiquities are discovered, the archaeological officer or the licensee, as the case may be shall -

(a) as soon as practicable, examine such antiquities and submit a report to the State Government in such manner and containing such particulars as may be prescribed.

(b) at the conclusion of the excavation operations, give notice in writing to the owner of the land from which such antiquities have been discovered, as to the nature of such antiquities.

(2) Until an order for the compulsory acquisition of any such antiquities is made under sub-section (3), the archaeological officer or the licensee, as the case may be, shall keep them in such safe custody as he may deem fit.

(3) On receipt of a report under sub-section (1), the State Government may make an order for the compulsory acquisition of any such antiquities at their market value.

(4) When an order for the compulsory purchaser of any antiquities is made under sub-section (2), such antiquities shall vest in the State Government with effect from the date of the order.

**23. Excavation, etc., for archaeological purposes:**

Save as provided in section 21 no archaeological officer or other authority shall undertake, or authorize any person to undertake, any excavation or other like operation for archaeological purposes in any area which is not a protected area except with the previous approval of the State Government and in accordance with such rules or directions, if any, as the State Government may make or give in this behalf.

## PROTECTION OF ANTIQUITIES

**24. Power of State Government to control moving of antiquities:**

(1) If the State Government considers that any antiquity or class of antiquities ought not to be moved from the place where they are without their sanction, the State Government may, by notification in the Official Gazette, direct that any such antiquity or any class of such antiquities shall not be moved except with the written permission of the Director.

(2) Every application for permission under sub-section (1) shall be in such form and contain such particulars as may be prescribed.

(3) An appeal shall lie to the State Government against an order refusing permission whose decision shall be final.

**25. Acquisition of antiquities by State Government:**

(1) If the State Government apprehends that any antiquity mentioned in a notification issued under sub-section (1) of section 24, is in danger of being destroyed, removed, injured, misused or allowed to fall into decay or is of opinion that, by reason of its historical or archaeological importance, it is desirable to preserve such antiquity in a public place, the State Government may make an order for the compulsory acquisition of such antiquity and the Director shall thereupon give notice to the owner of the antiquity to be acquired.

(2) Where a notice of compulsory acquisition is issued under sub-section (1) in respect of any antiquity, such antiquity shall vest in the State Government with effect from the date of the notice.

(3) The power of compulsory acquisition given by this section shall not extend to any image or symbol actually used for bona fide religious observances.

## PRINCIPLES OF VALUATION AND COMPENSATION

**26. Compensation for Loss or Damage:**

Any owner or occupier of land who has sustained any loss or damage or any diminution of profits from the land by reason of any entry on, or excavations in, such land or the exercise of any other power conferred by this Act, shall be paid compensation by the State Government for such loss, damage or diminution of profits.

**27. Assessment of Value or Compensation:**

(1) The value of any property which the State Government is empowered to purchase at

such value under this Act, or the compensation to be paid by the State Government in respect of anything done under this Act shall, where any dispute arises in respect of such value of compensation be ascertained in the manner provided in section 3, 5, 8 to 34, 45 to 47 and 52 of the Land Acquisition Act, 1894 (1 of 1894), so far as they can be made applicable.

*Provided that, when making an enquiry under the Land Acquisition Act, the Collector shall be assisted by two assessors, one of whom shall be a competent person nominated by the State Government within such time as may be fixed and one a person nominated by the owner or in case the owner fails to nominate an assessor within such time as may be fixed by the Collector in this behalf by the Collector.*

(2) The value of any antiquity which the State Government is empowered to acquire at such value under this Act, or the compensation to be paid by the State Government in respect of anything done under this Act where any dispute arises in respect of such value, the Collector shall be assisted by two assessors, one of whom shall be a competent person nominated by the owner, or in case the owner fails to nominate an assessor within such time as may be fixed by the Collector in this behalf.

(3) Notwithstanding anything in sub-section (1) or in the Land Acquisition Act, 1894 (I of 1894), in determining the market value of any antiquity in respect of which an order for compulsory acquisition is made under sub-section (3) of section 22 or under sub-section (1) of section 25, any increase in the value of the antiquity by reason of its being of historical or archaeological importance shall not be taken into consideration.

## MISCELLANEOUS

**28. Delegation of Power:**

The State Government may, by notification in the Official Gazette, direct that any powers conferred on it by or under this Act shall, subject to such conditions as may be specified in the direction be exercisable also by such officer or authority subordinate to the State Government as may be specified in the direction.

**29. License for dealing in Antiquities:**

No person shall deal in antiquities except under a license granted by the State Government.

**30. Bar to sell, etc. of antiquities:**

Subject to provision of section 5 and 8 of the Antiquities And Art Treasures Act, 1972 (52 of 1972) no person shall, without the permission of the State Government sell, remove or make gift of any antiquity or art treasure or otherwise transfer its ownership.

**31. Authority to make enquiry and take photograph of any antiquity:**

An archaeological officer, authorized by the State Government in this behalf, may enquire into and take photograph of any antiquity in possession, or custody of any person, or religious institution or private museum.

**32. Declaration as to any antiquity:**

(1) Whoever owns or is in possession, custody or control of any antiquity, on the date of the commencement of this Act, make a declaration to that effect to the Director, or to such authority, and in such form, as may be prescribed.

(2) Whoever owns or comes in possession, custody or control of any antiquity after the coming into force of this Act, shall, within the period of fifteen days of owning or coming into possession, custody or control of such antiquity, make a declaration to that effect to the Director, or to such authority, and in such form, as may be prescribed.

*Provided that the above provisions shall not apply to the officers of the Archaeological Survey of India.*

**33. Report regarding Loss of Antiquity:**

Whoever owns or is in possession, custody or control of any antiquity, shall, in the event of its loss or destruction give intimation within seven days of the loss or destruction thereof, to such authority and in such form as may be prescribed.

**34. Powers of Entry, Search, Seizure, etc.**

(1) Any person being an officer of Government, authorized in this behalf by the State Government may, with a view to securing compliance with the provisions of this Act or to satisfying himself that the provisions of this Act have been complied with -

(a) enter and search any place;

(b) seize any antiquity or art treasure in respect of which he suspects that any provision of this Act has been, is being, or is about to be, contravened and thereafter take all measures necessary for securing the production of the antiquity or art treasure so seized in a Court and for its safe custody, pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898) relating to search and seizure shall, so far as may be applied to searches and seizures under this section.

**35. Power to determine whether or not an article, etc. is Antiquity or Art treasure:**

If any question arises whether any article, object or thing or manuscript, record or other document is or is not an antiquity or is not an art treasure for the purposes of this Act, it shall be referred to the Director, Archaeology and Museums, Bihar or to an officer authorized by him and the decision of the Director such officer, as the case may be, on such question shall be final.

**36. Penalties:**

(1) Whoever –

(a) destroys, removes, injures, alters, defaces, imperils or misuses a protected monument, or

(b) being the owner or occupier of a protected monument contravenes an order made under sub-section (1) of section 8 or under sub-section (1) of section 9, or

(c) removes from a protected monument any sculpture, carving, image, bas relief, inscription or other like object, or

(d) does any act is contravention of sub-section (1) of section 18,

(e) fails to make the declaration as required under section 32, or

(f) fails to give intimation as required under section 33, shall be punishable with imprisonment which may extend to three months or with fine which may extend to five thousand rupees or with both.

(2) Whoever –

(a) deals in antiquity without license granted by the State Government, or

(b) sells, removes or makes gift of, any antiquity or art treasure or otherwise transfers its ownership, without the permission of the State Government, or

(c) commits theft of any antiquity from any temple, archaeological site, private museum or any place of religious importance, shall be punishable with imprisonment which may extend to three years or with fine which may extend to ten thousand rupees or with both.

(3) Any person who moves any antiquity in contravention of a notification issued under sub-section (1) of section 24 shall be punishable with fine which may extend to five thousand rupees, and the court convicting a person of any such contravention may, by order, direct such person to restore the antiquity to the place from where it has been removed.

**37. Jurisdiction to try offences:**

No court inferior to that of a magistrate of the second class shall try any offence under this Act.

**38. Certain offences to be cognizable:**

Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898), an offence under clause (a) or clause (b) of sub-section (1) of section 36 shall be deemed to be a cognizable offence within the meaning of that Code.

**39. Special provision regarding fine:**

Notwithstanding anything in section 32 of the Code of Criminal Procedure, 1898 (V of 1898), it shall be lawful for any magistrate of the first class specially empowered by the State Government in this behalf to pass a sentence of fine exceeding two thousand rupees on any person convicted of an offence which under this Act is punishable with fine exceeding two thousand rupees.

**40. Recovery of amount due to State Government:**

Any amount due to the State Government from any person under this Act may, on a certificate issued by the Director or an archaeological officer authorized by him in this behalf, be recovered in the same manner as an arrear of land revenue.

**41. Ancient Monuments, etc., no longer requiring protection:**

If the State Government are of opinion that it is no longer necessary to protect any ancient and historical monument or archaeological site and remains under the provisions of this Act it may by notification in the Official Gazette, declare that the ancient and historical monument or archaeological site and remains, as the case may be, has ceased to be a protected monument or a protected area for the purpose of this Act.

**42. Power to correct mistakes, etc.:**

Any clerical mistake, patent error or error arising from accidental slip or omission in description of any ancient monument or archaeological site and remains declared to be a protected monument or a protected area, by or under this Act may, at any time, be corrected by the State Government by notification in the Official Gazette.

**43. Protection of action taken under the Act:**

No suit for compensation and no criminal proceeding shall lie against any public servant in respect of any act done or in good faith intended to be done in the exercise of any power conferred by this Act.

**44. Power to Make Rules:**

(1) The State Government may, by notification in the Official Gazette, make rules to carry out the purpose of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters, namely -

(a) the prohibition or regulation by licensing or otherwise or mining, quarrying, excavating, blasting or any operation of a like nature near a protected monument or the construction of buildings on land adjoining such monument and the removal of unauthorized building;

(b) the grant of licenses and permissions to make excavations for archaeological purpose in protected areas, the authorities, by whom and the restrictions and conditions subject to which such licences may be granted, the taking of securities from licences and fees that may be charged for such licences;

(c) the right of access of the public to a protected monument and the fee, if any, to be charged therefore;

(d) the form and contents of the report of an archaeological officer or a licensee under clause (a) of sub-section (1) of section 22;

(e) the form in which applications for permission under section 18 or section 24 may be made and the particulars which they should contain;

(f) the form and manner of preferring appeals under this Act and the time within which they may be preferred;

(g) the manner of service of any order or notice under this Act;

(h) the manner in which excavations and other like operations for archaeological purposes may be carried on;

(i) any other matter which is to be or may be prescribed.

(3) Any rule made under this section may provide that a breach thereof shall be punishable -

(i) in the case of a rule made with reference to clause (a) of sub-section (2), with imprisonment which may extend to three months, or with fine which may extend to five thousand rupees or with both;

(ii) in the case of a rule made with reference to clause *(b)* of sub-section (2), with fine which may extend to five thousand rupees;

(iii) in the case of a rule made with reference to clause *(c)* of sub-section (2), with fine which may extend to five hundred rupees.

(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before expiry of the session in which it is so laid of the session immediately following, both the Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**45. Act not applicable to certain ancient monuments or archaeological sites and remains or antiquities**

Nothing in this Act shall apply -

(a) to ancient monuments or archaeological sites and remains which have been, or may hereafter be, declared by or under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (XXIV of 1958) or by or under any other law made by parliament to be of national importance; or

(b) to antiquities to which the provisions of the Ancient Monument and Archaeological Sites and Remains Act, 1958 (XXIV of 1958), apply for the time being; or

(c) to ancient monuments or archaeological sites and remains or antiquities to which the provisions of the Ancient Monuments Preservation Act, 1904(VII of 1904) apply for the time being.

**46. Repeal and Saving:**

(1) The Bihar Ancient Monuments and Archaeological Sites and Remains Second Ordinance, 1976 (Bihar Ordinance No. 138 of 1976) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken in the exercise of any powers conferred by or under the said ordinance shall be deemed to have been done or taken in the exercise of powers conferred by or under this Act as if this, were in force on the day on which such thing was done or action taken.

# Annexure 12: *Bihar Tourism Policy-2009*

Government of Bihar
Department of Tourism

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# BIHAR TOURISM POLICY- 2009

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## Resolution

**SUBJECT:- BIHAR TOURISM POLICY- 2009 FOR ACCELERATED TOURISM GROWTH OF THE STATE.**

Tourism has grown into one of the world's largest industries with a growth rate in excess of 5 percent per annum over the past twenty years. Globally, tourism accounts for 11 percent of the global GDP and 8 percent of the world trade employment. There is growing recognition worldwide of the essential role tourism can play in reducing poverty, employment generation, environmental regeneration and promoting sustainable development.

In India, tourism and travel sector generate employment to 9.3 million people with optimism of raising this to 12.9 million jobs to the people by 2010. This will mean that the tourism industry would provide job to one person out of 15 people by 2010 in the country. Every rupee spent by a tourist in the state changes hands thirteen times. Every hotel room generates direct employment to three persons and indirect employment opportunities to eight persons.

TOURISM DEVELOPMENT IN BIHAR – CURRENT SITUATION AND PROSPECTS

Bihar is famous for religious and cultural heritage sites. Bihar draws its name from the word „vihara' or monastery, and was the early home of Buddhism. Steeped in history and religion, Bihar is the birthplace of the great Emperor Ashoka and Lord Mahavir. All major religions of India have left their mark here and this has made Bihar a great religious melting pot. It is that great land where once Buddha attained enlightenment at Bodh Gaya under the sacred Bodhi tree. Bodh Gaya is now a World Heritage Site and is attracting the Buddhist tourists from across the world. Pawapuri being the Nirwan Sthal of Bhagwan Mahavira attracts people following the Jain religion. Patna Sahib- birth place of Guru Govind Singh, Xth Guru of Sikhs attracts tourists. It also has the Ashoka's installed pillar with Lion capital that has braved more than two millennia raising its head in all its splendors. Historical importance of Bihar has been established again with the discovery of „biggest ever Buddha stupa' at Kesariya by the Archeological Survey of India.

The states' wealth of religious and historical monuments has, in one way or another, defined tourism in the state. However, the tourism sector's contribution to the state's development priorities and strategies has so far been relatively limited. A review of the sector's competitive strengths and weaknesses, opportunities, and threats (SWOT Analysis) indicates that it has considerable growth potential.

Bihar's great competitive strength from tourism point of view is its ancient and yet living civilization that gave rise to two of world's great religions namely Buddhism and Jainism. Bihar was the nerve centre of religious activities of Hindu, Buddhist, Jain, Sikh and Islam. Endowed with a rich cultural and religious heritage, Bihar was a seat of power of the vast and powerful Magadh Empire, whose might had checked further onslaught of Alexander the Great. This is a land of ancient universities of Nalanda and Vikramshila, the seat of higher learning, which spread knowledge far and wide through its students coming from different countries of the world. The remnants of these two ancient universities, the antiques and artefacts are already attracting tourists. Bihar has in fact been attracting domestic and foreign tourists

from the ancient times. The Travelogues of the Chinese travelers Huen Tsang and Fa-Hien describe historical splendor of Bihar, which offers much to tourists irrespective of their age and class. Bihar's contact with other civilizations is reflected in the rich cultural diversity of its people, traditions, customs, religious practices and festivals, architecture and art and craft. A trip to the state offers revelations in history, architecture, yoga, eco-tourism, fairs and festivals, art and crafts besides a unique cuisine.

The main competitive constraints faced by the tourism sector in Bihar have been the poor quality of the environments surrounding many of state's main tourist sites, the security scenario in the state that affects the perception of Bihar as a safe and secure destination, the quality of facilities and services at tourist attraction places, the quantity and quality of transportation service and related infrastructure, limited availability of tourist information in-source markets and at destination, insufficient marketing of Bihar in its domestic and international markets, limited and poor facilities and services especially in rural areas and limited financing of attractive projects by the private sector.

The key competitive opportunities before Bihar are: 1) develop its strength as a major religious destination attracting tourists of diverse religious beliefs; 2) promote the Buddhist circuit to attract Buddhists from a number of countries; 3) leverage its rich cultural history to increase its share of the huge international travel market; 4) harness the huge potential of promoting rural tourism revolving around its rich tradition of art, craft and handloom and 5) leverage its strength in yoga to develop well-being centres to attract a sizeable number of international and domestic tourists.

The main internal threats to the development of the tourism sector have been the inability to fully resolve the constraints identified above. These are security, safety, absence of trained manpower, inadequate connectivity, accommodation and other basic infrastructure like roads, electricity etc., and failure to market the tourist destinations in the state. External threats are not addressing the competition from other states like Rajasthan, Kerala and Uttar Pradesh. The Tourism Policy 2009 proposes to concentrate on addressing the identified threats and harnessing the opportunities by adopting and implementing appropriate plans to handle the threats and overcome our weaknesses with the objective of increasing the tourist inflow into the state significantly.

TOURISM DEVELOPMENT OBJECTIVES AND STRATEGIES

## *Key Objectives*

- Position tourism as state priority
- Focus on domestic tourism as a major driver of tourism growth.
- Promote Bihar for cultural, religious and „wellness' tourism
- Improve the efficiency of the industry, for enhanced social and economic benefit, and consequential increased economic benefits, including increased employment generation.
- Ensure the participation of all the stake holders in society, including the travel trade and tourism industry.
- Create world class infrastructure
- Plan and implement a professionally managed integrated communications strategy to be called the „Tourism Awareness and Promotion Campaign'
- Provide quality services to all domestic & international consumers and stake holders.
- Improving connectivity of important tourist sites.

## *Strategy for Development*

1) Establishment of Tourist Security Force:

- The State Government shall recruit security personnel to provide security services to the tourists to instill in them a sense of security while visiting to any particular tourist spot and also to offer a helping hand to co-operate with them. For this purpose, competent and skilled force shall be identified or through outsourcing qualified and smart security personnel from private sector will be posted at different important identified tourist spots.

2) Preparing and Implementing Master Plans for Integrated Development and Marketing of Identified Circuits:
    - The tourism projects implemented under Central assistance and the State plans have not been able to create an impact in terms of creation of international standard tourism infrastructure. A Master Plan with a time frame of 10 years giving year-wise phasing of investment both by the government and the private sector would be developed and implemented. Such a plan would clearly state the short term and long term plans, targets and ground realities.
    - Efforts will be made to dovetail external assistance, central assistance and state plan resources with private investments to attain the set goals as under the Master Plan.

3) Upgrading and Augmenting of Accommodation, Catering and Recreational Facilities:

    - The hotel accommodation in Bihar is grossly inadequate and there is need to not only increase the number of average beds per thousand by building budget hotels, but also build star category hotels at all the important tourist destinations to provide quality services to the high end international and national tourists. „Land Banks' will be developed to offer land identified for construction of star hotels to private sector at market price/lease/joint venture within the identified circuits.
    - Way side facility is an important part of tourism. In this vein, comfortable rest houses fitted with basic amenities on highways' flanks, alongside the fuel filling stations (petrol pumps), would be created with public and private investments.
    - The state government would also encourage establishment of Heritage Hotels in Bihar by identifying heritage buildings and mansions to convert them to Heritage Hotels in order to provide quality accommodation to tourists.
    - The state government will explore and develop the possibilities for launching Paying Guest Scheme by identifying and registering the houses, house owners and families interested in this stream of tourism development.
    - Light and Sound shows, Laser shows, Multi-media museums etc. would be developed in partnership with private sector for entertaining tourists at important tourist sites including the historical sites.
    - The state government would encourage private sector to set up world class Amusement Parks, Golf Courses, Casinos, Floating restaurants etc. to attract more tourists.

4) Augmenting Connectivity and Transport Facilities by:

    - Connecting tourist spots with world class roads.
    - Introducing more specialized vehicles
    - Introducing special Tourist Trains with a preset itinerary
    - Introducing Air Taxi service and helicopter services in identified circuits with Hub-Airport concept

5) Improving and Expanding Tourism Products to meet new market requirements:

- Improve infrastructure in identified circuits like Buddhist, Jain and Sikh circuits by converging all resources and expertise for development of these circuits as international standard destinations.
- Develop and promote new circuits like Ramayan, Sufi and Gandhi circuits.
- Bihar has a unique cultural heritage. It has a vast array of protected monuments and one world heritage site. There are several other sites like the ruins of Nalanda, the oldest University in the world, that have the potential of being a world heritage site. Scope of cultural tourism shall be expanded by conservation, preservation and integrated development of the area around historical monuments.
- Promote and develop Rural Tourism around art and crafts of Bihar to spread the socio-economic benefits of tourism to rural areas. Select villages engaged in Madhubani painting, Patharkatti, Handloom and Tussar weaving in districts of Madhubani, Gaya, Nalanda and Bhagalpur shall be taken up for development of tourism facilities to promote rural tourism. With a view to promote handloom and handicrafts of Bihar, „Shilp Grams' (Craft villages) and handicrafts market shall be established near the tourist place.
- Promote „Wellness Tourism' based on yoga and aqua therapy using sulphur water from hot water springs in Rajgir and Munger. Bihar is home to an internationally known Yoga University and has several sulphur water springs having therapeutic quality. This can be Bihar's most unique tourism product offering holistic healing and rejuvenation of the individual from every dimension- physical, mental and spiritual. Knowledge of „yoga' is something which they can take back with them and practice in their daily lives to distress and keep physically fit.
- Promote Eco-Tourism by integrating Wildlife Sanctuaries and Valmiki National Park into tourism product. The state would endeavour to develop tourist facilities near its Wildlife Sanctuaries and National Park and develop special packages to attract tourists to these sites.
- Promote Ganga as a unique tourism product by introducing cruise along the river connecting historical sites near its banks. Riverfront development will be undertaken at identified places like Patna, Bhagalpur to promote tourism. Aqua Tourism shall also be promoted by developing water sports like river rafting, para sailing etc.

5) Establishing and Strengthening Institutions for the Development of Human Resources

- Set up Hotel Management Institutes, Food Craft Institutes and Travel and Trade Institutes to create a pool of trained manpower in the hospitality and travel and trade sector.
- Training of Guides, especially foreign language speaking guides shall be undertaken to fulfill the need for well informed guides speaking different languages at all tourist sites.
- Short term training would be organized for all the stakeholders in tourism like Immigration officers, Customs officers, Police officers, Taxi drivers etc. under the „Capacity Building Programme' of Government of India.

6) Effective Marketing of Destinations both in the Domestic and International Market

- Shift its current traditional marketing to one that is more aggressive and competitive
- Differentiate itself from competing destinations, including developing a unique market position, image and brand
- Establish an effective and on-going market representation presence with the travel trade in each source market
- Participate in important national and international tourism fairs to showcase tourist destinations in Bihar
- Organize familiarization trips for leading national and international tour operators and media persons to give hem first hand information about tourist sites in Bihar

- Strengthen Tourist Information Centres of the state by equipping them with modern information and communication technology (ICT) - computer, fax, internet, email etc. This would help in providing information to the tourists regarding tourist places, hotel bookings, transport facilities etc.
- Establish an Internet portal in various languages to service the information, product description, and product sales requirements of the target market segments in each source market.

7) Focus on Domestic Tourism and Regional Tourism/Cooperation:

While developing tourism to attract foreign tourists the importance of promoting domestic and regional tourism has also to be kept in mind. Domestic tourism market is mostly local or regional and efforts shall be made to attract the domestic tourists, especially religious tourists, to Bihar by facilitating their arrivals, augmenting accommodation facilities and developing tour packages. Also, packages in coordination with Tourism Development Corporations of the neighbouring states shall be promoted to tap the unlimited potential of tourism within the region.

8) Promotion of Arts, Crafts, Festivals and Cuisine of the State

- Bihar has unique events, fairs and festivals like Sonepur fair, Chath festival, Saurat Sabha, Rajgir festival and Boudh festival that need to be promoted as tourism products. These unique events would be integrated with tourism and special tourist packages shall be developed and promoted to attract more international and domestic tourists during these events. A „Calendar of Events' shall be drawn up every year and promoted in all the source countries and states.

- The unique cuisine of the state like Khaja, Lai, Belgrami, Tilkut, Litti-chokha, Sattu and Makhana preparations will be promoted by holding „Food Festivals' and ensuring their sale at tourism fairs and through restaurants.

ROLE OF STATE GOVERNMENT:

1) The role of the state government will that be of a catalyst, facilitator, promoter and provider of infrastructure.
2) An administrative body „Tourism Promotion and Development Council' shall be established in coordination with all the agencies endeavoring to develop and promote tourism. Its main objective will be to work out strategies for the comprehensive development of tourism while establishing synchronization and harmony with all the stakeholders of the tourism industry as well as to make regular analysis about the state of tourism and issue necessary directives thereafter. The Bihar State Tourism Development Corporation shall work as an executing agency to this council.
3) The State Government will continue its efforts for infrastructure development in the tourism sector.

Important components for infrastructural development are-- Arranging accommodation for increased number of tourists, building of highways on tourist circuits, international level airports with total aviation back up facilities, local transport, rail routes linking tourist spots with full amenities and facilities, the vital telecommunication link, continuous quality electricity supply, water supply and other essential amenities like Banking and Medical facilities.

4) The state will create conditions for attracting private sector investment in the tourism sector. For this, it will provide fiscal incentives, assist in providing suitable sites by creating „land bank' and remove bottlenecks especially those concerned with infrastructure development by according speedy clearances through Single Window Clearance System.

5) The state government will set up or assist in setting up training institutions for ensuring quality services in the tourism sector. Guidelines for selection and training of Guides at two levels, State and Local, shall be drawn up. The Department of Tourism shall provide license to the guides selected and trained in accordance with these guidelines.

6) Create special Tourism Security Force for deployment at major tourist destinations. This will provide travelers security through a spirit of courtesy and hospitality.

7) Standardizing quality of tourism product and services by drawing up guidelines for hotels and travel agents/tour operators.

8) Tourism entails multi-sectoral activities with participation of several stakeholders. An administrative mechanism will be evolved to coordinate the agencies participating in the tourism development endeavor.

9) The state government shall endeavour to create awareness about the positive role of tourism in economic growth and generation of employment by organizing seminars, quiz competitions, drawing competitions, exhibitions and display of films on tourism. Efforts would be made to include „tourism' in school curricula. Educational tourism at school and college levels would be promoted by developing special tour packages for the students.

10) The state government along with Bihar State Tourism Development Corporation shall take the lead in marketing and promoting the tourist destinations and tourism products in Bihar with the help of a Marketing Plan.

## ROLE OF BIHAR STATE TOURISM DEVELOPMENT CORPORATION:

Bihar State Tourism Development Corporation (BSTDC), monitored by its parent Tourism Department, would act as the nodal executing agency of the state government. Its primary objective shall be to set up infrastructural facilities like hotels in untapped areas of tourist interest. Once these areas are developed, the BSTDC would seek to privatize the facilities and move to provide similar facilities in other underdeveloped areas of tourist interest.

The BSTDC shall make rapport with the Tourism Promotion and Development Council and shall work as an executing agency for the overall growth of tourism in the state.

The BSTDC shall also redefine its role to be the administrative agency in addition to the State Tourism Department for facilitating private sector investment and formation of Joint Venture Companies for setting up world class infrastructure.

The BSTDC would continue to play an important role in providing transportation facilities to tourists, especially in sectors where private services are either non existent or insufficient. The BSTDC would also expand the facility of „pre-paid taxis' to all important airports and stations of the state. For this the Corporation would adopt the twin strategy of increasing its fleet and entering into partnerships with private operators.

The BSTDC shall continue its efforts to operate tour packages covering prominent centres of tourist interest in the state. The BSTDC would seek to promote regional tourism by developing packages in partnership with Tourism Corporations/Boards of neighbouring states. The facility of online bookings for package tours and travels shall be augmented to allow bookings through use of credit cards.

SPECIAL INCENTIVES

Tourism as Industry:

"Tourism Industry" encompasses entire activities pertaining to the tourism industry viz. tourism attraction/ convention centers promoting tourism, art gallery, amusement park, aerial ropeway, establishment of tourist village, light and sound, sports facilities to attract tourism, recreational clubs, swimming pool, residences, hotels of all categories, motels, way-side facitlities, resorts, yoga centers, transportation facilities (air, land and water transportation), establishment, construction, development and operation of all basic infrastructures of hotel-catering-tourism and travel management institutes.

The following incentives will be available for private entrepreneurs as well as the BSTDC:

- Full (100%) exemption in Stamp Duty and Registration Fee in lease / sale / transfer of land for setting up a tourism project. This facility will be granted only once.
- New Projects shall be exempt from Luxury Tax for seven years from the commencement of commercial operations.
- Full (100%) exemption in Electricity Duty for seven years.
- Full (100%) exemption in Conversion Charge.
- Reimbursement of the cost incurred in the project report preparation by the tourism units at the rate of 50% subject to a maximum of Rs. 75,000/- provided the project report is prepared by any of the firms recognized by the Industry Department. The reimbursement will be made to the unit after coming into operation.
- The Tourism Units located in Bihar Industrial Area Development Authority / Export Promotion Industrial Park / Food Park / Agri Export Zone would be eligible for the following incentive / subsidy on land/shed. These facilities / concession to the tourism units will be made available only after coming into operation:

| S. N. | Tourism Unit | Grant |
|---|---|---|
| 1. | Small / Tiny units Financial Limit. | 50% of 7.50 lakh (maximum) |
| 2. | All large / medium / mega units Financial Unit | 25% of 15.00 lakh (maximum) |

- If an entrepreneur obtains Technical Know-how from any recognized National Research Centre / laboratory or institution to establish or to expand his industry, he will be reimbursed 30% (maximum Rs. 15.00 lakh) of the fee paid to the institution / organization for the technical know-how. This facility will be provided to the unit after coming into operation.
- 50% (Fifty percent) of the amount spent on plant and machinery in the establishment of Captive Power Generation/Diesel Generating Set will be granted to the unit. No upper limit for this amount has been fixed. This facility will be made available after the unit comes into operation.
- New tourism units will be granted relief from payment of electricity duty under the Bihar Electricity Duty Act, 1948 for the generation and for own consumption of electricity from D.G. Set and Captive Power Units.
- The new Units will avail 80% reimbursement against the admitted VAT amount deposited in the account of the Government, for a period of ten years. The maximum Subsidy amount is payable 300% of the capital invested.

- Zero VAT means the production of items, which do not attract VAT. Such units which produce items attracting zero Vat and Pay income tax would be eligible for incentive upto a maximum utilization of 70% of the installed capacity (maximum limit).
- SC/ST/Women/Handicapped entrepreneurs will avail 5% additional grant /exemption / subsidy over the limit fixed under the policy.
- Up to a turnover limit of Rs. 30 lakh per annum, S.C. / S.T. / Women/ Handicapped category entrepreneurs who run small and tiny industries will avail 100% subsidy of the deposited amount in the account of Government in the form of VAT for a period of ten years.
- Working units at present and new units will avail exemption from AMG / MMG from the date of declaration of the New Industrial Policy. This facility will be granted for five years.
- Only 1% CST will be payable on the items produced by the registered small and medium units in Bihar.
- Existing units which are undergoing Expansion / Diversification / Modernization will be eligible for incentives, on their incremental facilities.
- 75% of cost incurred in obtaining certificate of I.S.O. standard (or equivalent) from reputed national/international level organizations, would be reimbursed by the State Government.

Land:

- Constitution of Land Bank for private investment.
- Government land will be offered with the approval of State Investment Promotion Bureau (SIPB) as equity participation on behalf of the government at current market value for setting up Joint Ventures.

Entertainment Tax:

- Entertainment Centres will be exempt from Entertainment Tax for seven years from the commencement of commerecial operations.

**Order:-** It is ordered that a copy of the resolution should be sent for publication in the special edition of the Bihar Gazette, Reputed Journals and Newspapers and be circulated among all the Departments / Departmental heads and Subordinates officials of the Government.

By the order of the Governor of Bihar

Sd/-
(Vivek Kumar Singh)
Secretary to Government,
Department of Tourism, Bihar, Patna

Memo no. 1482 Patna, Dated: 24.07.2009

Copy with enclosure forwarded to the Superintendent, Government Press, Gulzarbagh, Patna for its publication in the special edition of Bihar Gazette. You are requested to make available 500 copies of the published gazette to the Department.

By the order of the Governor of Bihar

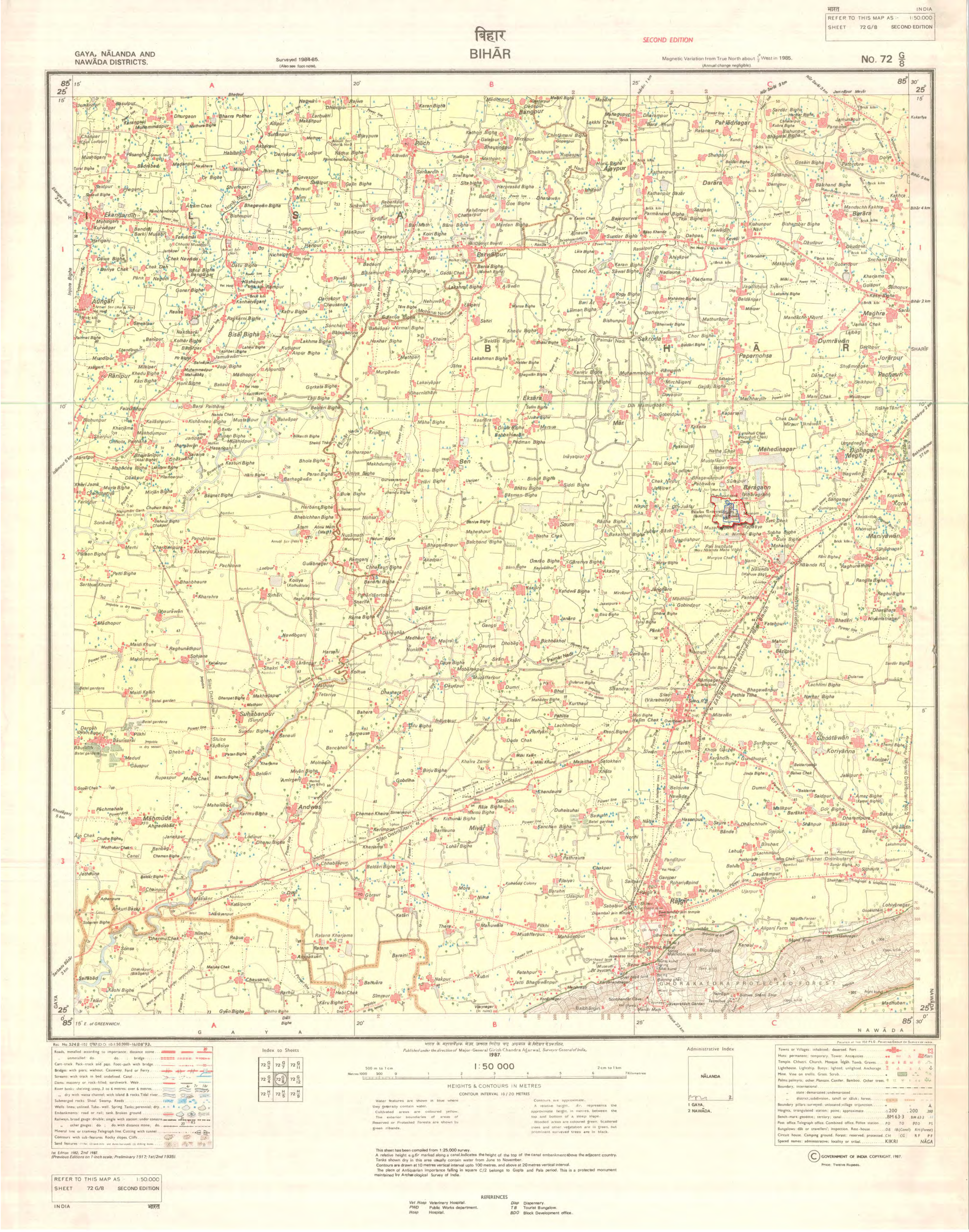
Sd/-
(Vivek Kumar Singh)
Secretary to Government,
Department of Tourism, Bihar, Patna

Memo no. 1482 Patna, Dated: 24.07.2009

Copy with enclosure forwarded to the Chief Secretary, Bihar / Development Commissioner, Bihar/ Industrial Development Commissioner, Bihar, Patna/ Principal Secretary, Finance Department, Bihar, Patna/ Principal Secretary, Cabinet Secretariat Department, Bihar, Patna/ All Departments / Departmental Heads / Commissioner, Commercial Taxes, Department of Commercial Taxes / Managing Director, Bihar State Tourism Development Corporation, Patna/ Bihar Industrial Development Authority / Chairman, Bihar State Electricity Board, Patna / All Divisional Commissioners / All District Magistrates / All Deputy Development Commissioners / Director, Technical Development / Director, Industry / Resident Commissioner, Bihar Bhawan, New Delhi / Secretary, Ministry of Tourism, Government of India, Transport Bhawan, 1- Parliament Street, New Delhi / Officer In-charge, all tourist information centers, Govt. of Bihar for information and needful action.

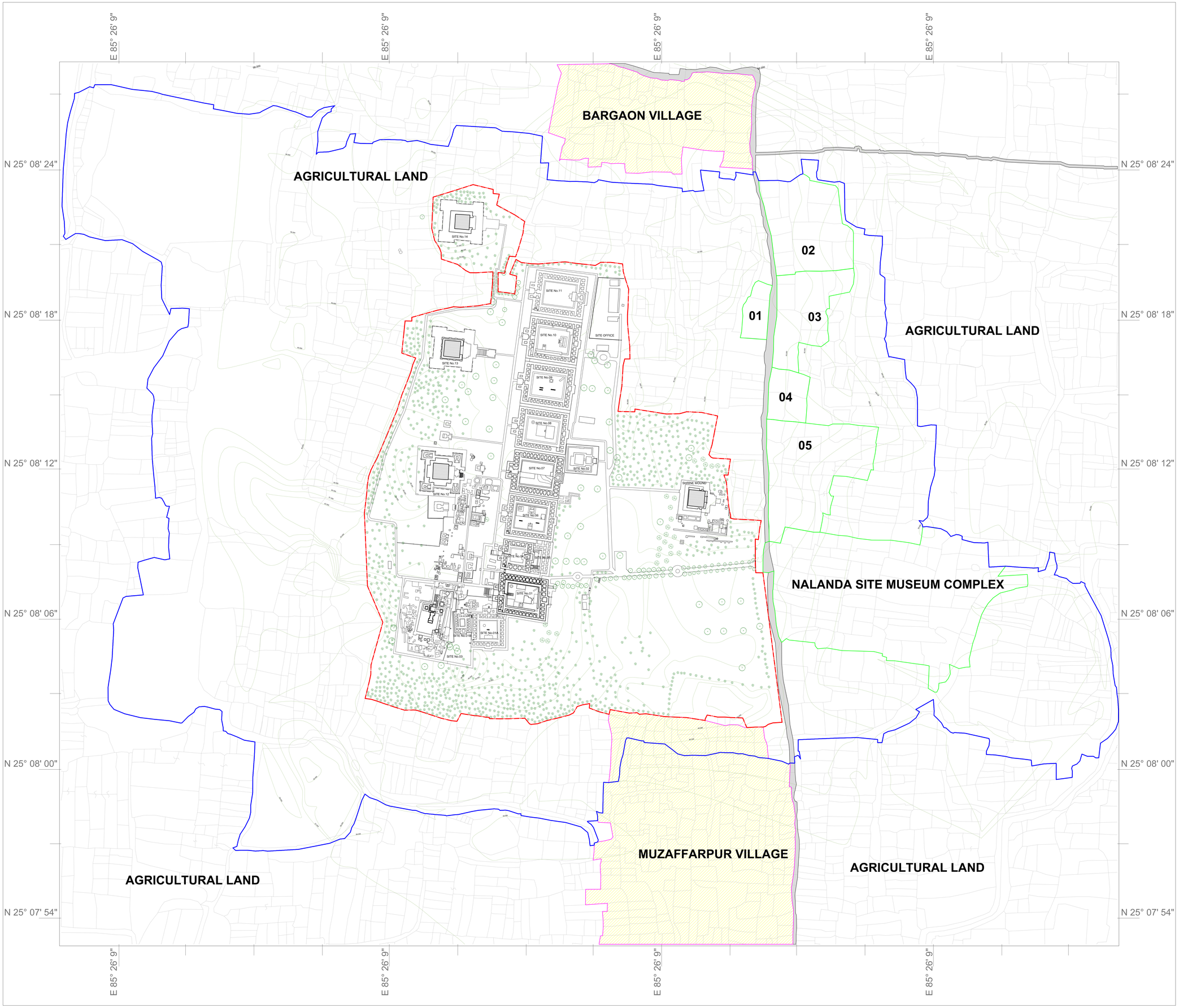
By the order of the Governor of Bihar

Sd/-
(Vivek Kumar Singh)
Secretary to Government,
Department of Tourism, Bihar, Patna




**Survey of India map showing location of property *'Excavated Remains of Nalanda Mahavihara'***

# Site Plan




## Legend

- Buffer Zone
- *Nominated* Property
- Area under Institutional Landuse
- Extent of settlement
- Inhabited area
- Contours
- Revenue (Plot) Boundary

| | |
|---|---|
| 01 | Health care centre |
| 02 | Interpretation Centre |
| 03 | Bus Stand |
| 04 | Primary School |
| 05 | Secondery School |

## Note

- Nomenclature 'Site no. 01/2/3' indicates the chronology of excavation.
- Sites 03, 02, 12, 13, 14 and Shrine Mound have 'temple-like' chaityas, votive stupas and shrines Sites 01, 1A, 1B, 04, 05, 06, 07, 08, 09, 10 and 11 are vihara (residential-cum-educational structures)

# Excavated Remains of *Nalanda Mahavihara*

## Scale:

All dimensions in millimeter

Scale: *1:1500*

0 100 200 Mts.

0 200 500 Feet

N

## Submitted by:

**State Party** - *India*

## Archaeological Survey of India

प्रत्नकीर्तिमपावृणु


**Drawn by:**

***Sh. Avinash Kumar***
Surveyor (GR 1)
Patna Circle

***Sh. Dhananjay Kumar***
Surveyor (GR 1)
Ex Br. III Patna

Reviewed by:

***Sh. K. C. Srivastava***
Dy. Superintending Archaeologist
Patna Circle

Issued by:

***Sh. H.A. Naik***
Superintending Archaeologist
Patna Circle

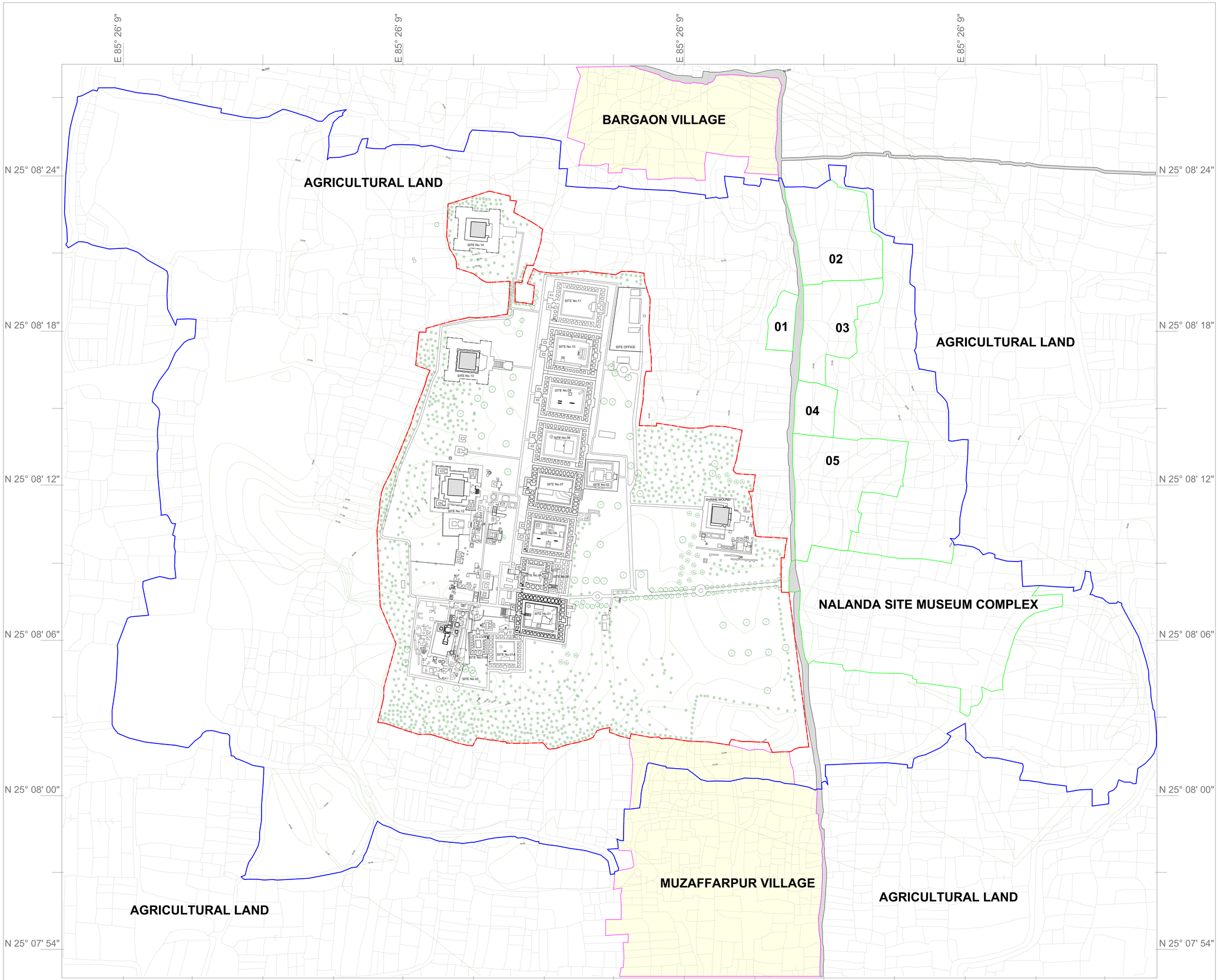

**Issued on:**

*15th Jan'15*

**Sheet no**

**01**

# Map showing location of property '*Excavated Remains of Nalanda Mahavihara*'

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Patna Circle

**Issued on:**

*15th Jan'15*

**Sheet no**

**01**

ICOMOS

INTERNATIONAL COUNCIL ON MONUMENTS AND SITES
CONSEIL INTERNATIONAL DES MONUMENTS ET DES SITES
CONSEJO INTERNACIONAL DE MONUMENTOS Y SITIOS
МЕЖДУНАРОДНЫЙ СОВЕТ ПО ВОПРОСАМ ПАМЯТНИКОВ И ДОСТОПРИМЕЧАТЕЛЬНЫХ МЕСТ

H. E. Mrs Ruchira Kamboj
Ambassador, Permanent Delegate
Permanent Delegation of India to UNESCO
Maison de l'UNESCO
1, rue Miollis
75732 Paris Cedex 15

Our Ref. GB/AS 1502

Charenton-le-Pont, 01 October 2015

World Heritage List 2016
**Excavated Remains of Nalanda Mahavihara (India)- Additional information**

Dear Madam,

ICOMOS is currently assessing the nomination of "Excavated Remains of Nalanda Mahavihara" as a World Heritage Site, and an ICOMOS evaluation mission has visited the property to consider matters related to protection, management and conservation, as well as issues related to integrity and authenticity.

In order to help with the evaluation process under the cultural criteria, ICOMOS would be grateful to receive further information to augment what has already been submitted in the nomination dossier.

Therefore ICOMOS would be pleased if the State Party could consider the following points and kindly provide additional information:

**Justification of Outstanding Universal Value**
Could the State Party further elaborate in what way the archaeological remains testify to the "maturing of ancient Indian pedagogy and the related philosophical discourses"? This question seeks to create better understanding of how the remaining archaeological structures uniquely reflect the knowledge production and concepts of learning which were implemented at Nalanda Mahavihara.

**Comparative Analysis/ History and development**
The State Party opts to conduct the Comparative Analysis with universities on a global (and regional) level focusing on their foundation date, their period of operation as well as their contributions to institution-building, art and architecture. What seems critical here is the definition of Nalanda Mahavihara as a university from its early beginnings. Other parts of the world may have comparable educational institutions, which are referred to as schools or simple monastic complexes of learning without utilizing the formal title "university". Despite the fact that Nalanda Mahavihara seems to have been initially established as such type of complex, the comparison is focused exclusively on universities. Could the

State Party kindly clarify what the term university implies in the context of Nalanda Mahavihara and from what time it (or a comparable concept) was used in historic documentation?

We look forward to your responses to these points, which will be of great help in our evaluation process.

We would be grateful if you could provide ICOMOS and the World Heritage Centre with the above information by **Monday 02 November 2015 at the latest**.

We thank you in advance for your kind cooperation.

Yours faithfully

Gwenaëlle Bourdin
Director
ICOMOS Evaluation Unit

Copy to Patna Circle Graham's House
Office of the Conservation Assistant, Nalanda Sub-Circle Office and Site Museum
UNESCO World Heritage Centre

**01. Justification of Outstanding Universal Values**

*Could the state Party further elaborate in what way the archaeological remain testify to the 'maturing of ancient Indian Pedagogy and the related philosophical discourses'? This question seeks to create better understanding of how the remaining archaeological structure uniquely reflect the knowledge production and concepts of learning which were implemented at Nalanda Mahavihara.*

The archaeological remains of Nalanda Mahavihara were a seat of individualistic and group learning through which concepts and techniques of Indian pedagogy and its related discourses developed. The table below specifies the elements of Property and Buffer Zone that were directly or indirectly involved in knowledge production and concepts of learning. (*Also refer to Appendix 02, Appendix 03 and Chapter 02 of the Nomination Dossier*)

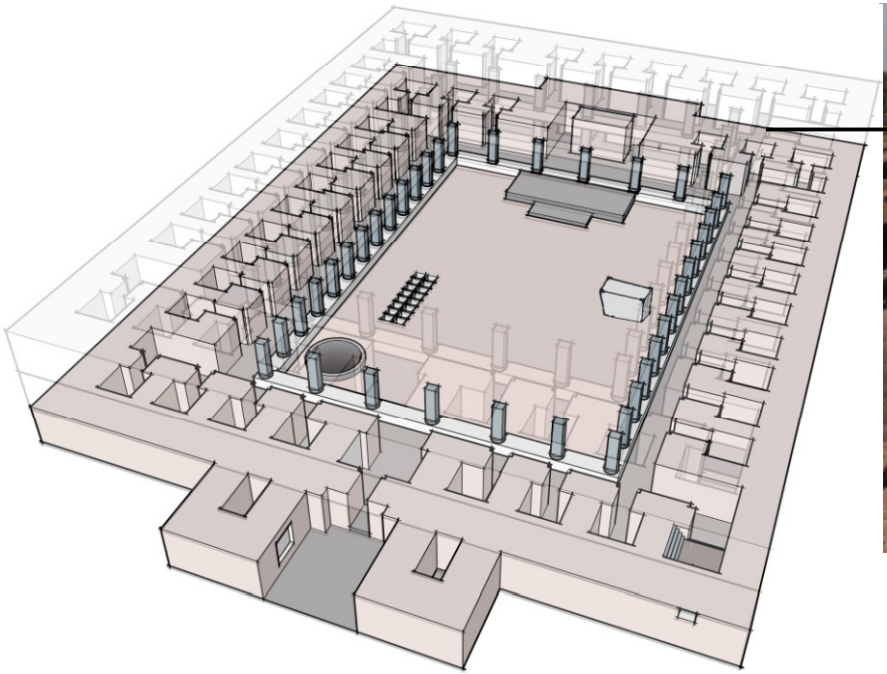
| | Elements of Property & Buffer Zone | Structure or component supporting knowledge production and concepts of learning | Role in or Support to knowledge production and concepts of learning |
|---|---|---|---|
| 1 | **Landscape abutting Mahavihara**[1] (macro-level, elements exist in the Buffer Zone) *(Also refer to Figure no. 01 and Appendix 02)* | Wooded area and a number of water bodies constituted the landscape and was the seat of daily activities of students.<br>On a daily basis students interacted with natural resources. | • Interaction with natural resources simulates senses and creates the necessary psychological condition for learning (Augustin, Frankel, & Coleman, 2015).<br>• Such condition was integral to Vedic and Post Vedic education, later adapted and furthered by those following the teachings of Buddha at Nalanda Mahaviahara (Mookerji R. K., 1974) (IGNCA & Behl, 2013) (Scharfe, 2002). |
| 2 | **Site Layout** (meso i.e. designed site-level and at micro-levels i.e. individual structures) *(Also refer to Figure no. 01 and Appendix 02)* | Archaeological remains show layout based on pre-determined order (Scharfe, 2002) (Altekar, 1956).<br>Site had geometric design (Rubinowicz, 2000) manifested by:<br>• distinct zones dedicated to different functions/activities<br>• standardized relation between different functional spaces<br>• standardized architectural form, scale and details of enclosure<br>• distinct identity and functionality of enclosure<br>Geometric order in spatial layout evoked sense of harmony, seriousness and a sense of purpose among scholars. (Rubinowicz, 2000) (Augustin, Frankel, & Coleman, 2015) | Organized layout complemented the disciplined daily routine followed in the Mahavihara and helped scholars maintain focus on education (Damdul, 2014) (Mookerji R. K., 1974) (IGNCA & Behl, 2013).<br>Concentration is important to cultivate memory, internalize information and was integral to education of Vedic and post Vedic times.<br>As a tool for critical thinking, it was advocated in Buddhist form of education and applied by Nalanda Scholars to:<br>• develop rules for learning through debate<br>• establish discipline of (Indian) Logic<br>(Damdul, 2014) (Mookerji R. K., 1974) (IGNCA & Behl, 2013). |
| | **Enclosure for residential-cum-educational functions** | | |
| 2i | **Vihara** (micro-levels i.e. individual | Quadrangular brick structure measuring 100 feet in length and 175 feet in breadth. | Seat of individualistic and group learning<br>Scholastic activities here enabled<br>• Composition of original compilations |

[1] In this case, the natural landscape which is the seat of multiple stimuli can be considered a macro-level for the Mahavihara which is a meso-level entity having two forms of micro-level entities – the viharas and the chaityas.

| | Elements of Property & Buffer Zone | Structure or component supporting knowledge production and concepts of learning | Role in or Support to knowledge production and concepts of learning |
|---|---|---|---|
| | structures) *(Also refer to Figure no. 02 and Appendix 02)* | Introvert enclosure, with central courtyard with rooms overlooking onto it and separated by a verandah. Staircase accessing upper-level(s) located on south-western corner. | (*Refer to Table no. 05, Chapter 02*)<br>• Compositions shaped and further defined the Philosophies and practices related to Madhyamika which was foundation for Yogachara Philosophies here<br>• Establishment of (Indian) Logic and Philosophy into distinct disciplines |
| a. | ***Rooms*** *(Also refer to Figure no. 02i and Appendix 02)* | Rooms measured of 9'3" by 9' and a clear height of 11'.<br>Most were for single scholar, were provided with wooden doors and pad locks and were devoid of any other openings.<br>It had niches to house belongings of scholars and at time provided with additional berth and storage space.<br>The ceiling of the room were supported by wooden beams and sealed to prevent ingress of snakes or other elements common in the region. | • Rooms were spaces primarily for individualistic learning<br>• It respected privacy, kept rooms free from distraction and helped to focus on purpose.<br>• Its regular form, scale and anthropomorphic proportion supported focused activity. Here scholars contemplated, meditated, conducted self-study, internalized information, composed compilations, translated texts and made copies of manuscripts. (Mookerji, 1974) (Loizzo) (Dutt, Buddhist Monks and Monasteries of India , 1962) (Ed- Mani, 2008) (Phuoc, Buddhist Architecture , 2010) (Augustin, Frankel, & Coleman, 2015).<br>• At times, these were spaces for discussion among smaller group. |
| b. | ***Courtyard*** *(Also refer to Figure no. 02ii and Appendix 02)* | Courtyards were centrally located and rectangular space was enclosed by a raised parapet wall upon which rested columns that supported the floor of an upper storey[2]<br>It had community-level facility like raised platform on the eastern side, wells on the north-western side, brick-lined hearth-like depression and drains to divert water from the space.<br>Shrines were added here during the Pala period (7th -8th cent CE onwards) | The form of the courtyard accentuated learning processes and function. Its rectangular shape is a traditional classroom form embedded with quality of authority and order.<br>The designed focus is the seat of the authority i.e. the raised platform to seat the Acharya located centrally along the eastern side of the courtyard,<br>From this platform the Acharya presided over two forms of group learning<br>• **Tutor-led-learning** where content of compilations were internalized with the help of Acharyas<br>• **Debates** essential for critical thinking in higher-learning. Nalanda scholars were famous for their ability for structured debate. This and contact with other contemporary Schools of Thought enabled establishing (Indian) Logic and Philosophy as distinct disciplines<br>Shrines in courtyard helped develop exoteric (explicit knowledge) based on the esoteric (implicit knowledge) forms of knowledge of Philosophical contents like Madhyamika, Yogachara et al. These exoteric practices led to:<br>• Developing practices characteristic of Mahayana. This led to the maturation of |

[2] This reference is important to help visualize the courtyard spatially as it would have existed when Nalanda Mahavihara was functional. It was a well defined enclosure, perhaps open to sky (as per descriptions of its scholars) and was the hub of all activities. It is where formal education of the 'colleges' operating in Nalanda was conducted.

**Figure 02ii: Role of rooms in learning and knowledge production systems**

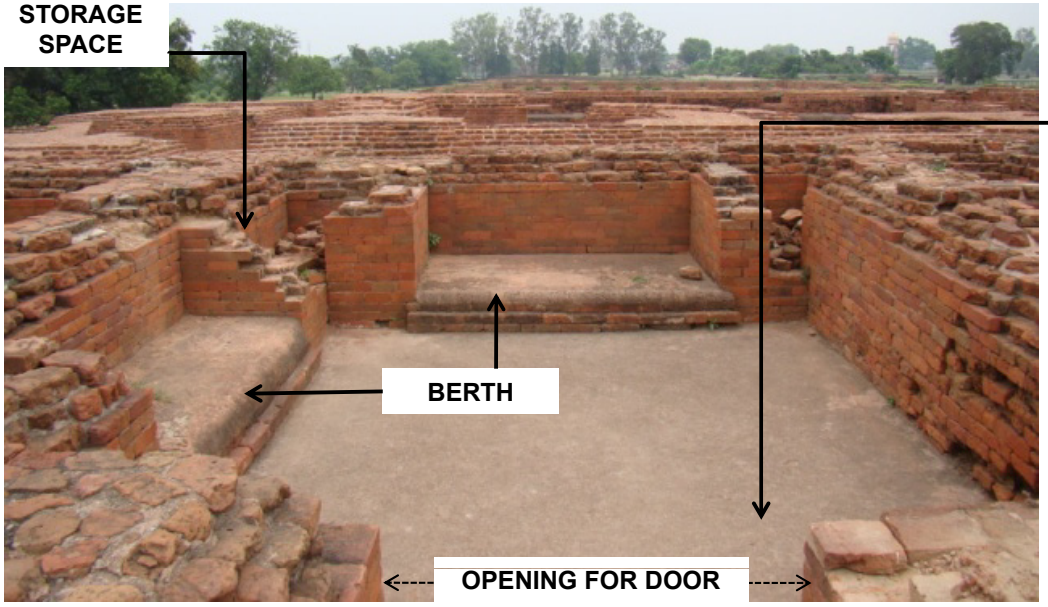


**CELLS / ROOMS / PARIVENA ENCLOSING THE COURTYARD**

**THESE ROOMS WERE PROVIDED EITHER TO ONE OR TWO SCHOLARS AT A TIME**

**THESE WERE PROVIDED WITH BERTHS FOR SEATING, NICHES AND ADDITIONAL STORAGE SPACE**

**HERE SCHOLARS CONTEMPLATED, CONDUCTED SELF-STUDY, DISCUSSED WITH OTHER SCHOLARS AND TRANSLATED AND COMPILED MANUSCIPTS**




**PARTS OF A TYPICAL ROOM WITH TWIN BERTH**

**Figure 03: Parts of a typical Panchayatan Chaitya augmenting learning and knowledge production systems**

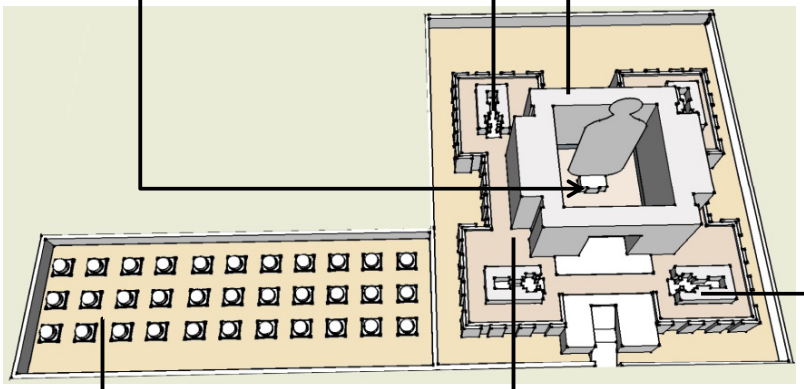
PEDESTAL IN PRINCIPLE SHRINE WITH STATUE OF THE BUDDHA

FORE-GROUND WITH VOTIVE STUPAS

SUBSIDARY SHRINE

PRINCIPLE SHRINE OF BUDDHA

PANCHAYATAN-CHAITYA WITH STATUE



SUBSIDARY SHRINE AFRONTED BY A PORCH AND COLUMNS WITH KIRTIMUKHA

PRADAKSHINA PATHA

Archaeological Survey of India
Ministry of Culture, Government of India

## 2. Comparative Analysis/ History and Development

*The State Party opts to conduct the comparative analysis with universities on a global (and regional) level focusing on their foundation date, their period of operation as well as their contributions to institution-building, art and architecture. What seems critical here is the definition of Nalanda Mahavihara as a university from its early beginnings. Other parts of the world may have comparable educational institution, which are referred to as schools or simple monastic complexes of learning without utilizing the formal title 'university'. Despite the fact that Nalanda Mahavihara seems to have been initially established as such type of complex, the comparison focused exclusively on universities. Could the State Party kindly clarify the term university implies in the context of Nalanda Mahavihara and from what time it (or a comparable concept) was used in historic documentation? What seems critical here is the definition of Nalanda Mahavihara as a university from its early beginnings.*

The State Party wishes to clarify that Nalanda Mahavihara, University of Bologna and Paris show parity[1] in attributes of organizational structure and results of scholarship apart from influence on art and architecture. It also reiterates the fact that Nalanda has always existed as a Mahavihara literally meaning a *monumental vihara* having a distinct physical identity, an expansive scale and studentship from different corners of South, East and South-East Asia (*Refer to Chapter 02, part 2b.iii.b. sub-part A – Inception and Development of a Mahavihara from Sangharam*a (Mani, 2010) (Bapat, 1956)). State Party also emphasizes on the fact that Nalanda emerged at a point in time when the primary focus of the *sangha* was cultivating/ mastering knowledge[2]. This focus and absence of a centralized authority (unlike Christian monastic order) imparted Nalanda with the quality of intellectual autonomy[3] and to specialize in disciplines important in shaping contemporary society. The only direct reference to *Nalanda Mahavihara* being a 'planned university' (*of the Indian subcontinent in Criteria iv*) is to signify that the establishment had a highly organized and autonomous system for internal management and elaborate physical infrastructure characteristic of centres dedicated to higher learning (Scharfe H. , 2002) Appendix 2, Chapter 02, (Phuoc, Buddhist Architecture , 2010).

To understand why the State Party chooses the term *university*, it is important to note the change in the scope of application (since its origin) of the word. The word originally meant *aggregate of people* or a community irrespective of their occupation. It was applicable equally to a group of students or merchants. Its use to indicate an educational establishment became more prominent with the rise of such institutions in the medieval times. The University of Bologna and Paris were instrumental in defining the term '*university*' with attributes which were adopted by contemporary and later establishments. The same definition in principle was inherited in later models like the Humboldtian Model followed by many modern universities (Anderson, 2010) (Dmitrishin, 2013) (Rashdall, 1895). The comparison is based on the meaning of the term *university* after it was shaped by University of Bologna and Paris. The Table no 11 & 12 enlists the attributes of Nalanda Mahavihara which justifies the selection of the University of Bologna and Paris for comparison among others.

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[1] It may please be noted that other establishments which shows parity in attributes have been included in the comparative. These include Gandhara Valley, (including clusters of Taxila, Pakistan (Ref 139; 1980) and Buddhist Ruins of Takht-i-Bahi and Neighbouring City Remains at Sahr-i-Bahlol, Pakistan (Ref 140; 1980)) Ruins of the Buddhist Vihara at Paharpur, Bangladesh (Ref 322; 1985), Jagaddala Vihara , Bangladesh (TL Ref 1212; 1999), The Seruwila Mangala Raja Maha Vihara[1], Sri Lanka (TL Ref 5083; 2006), Bagan Archaeological Area and Monuments, Myanmar (Ref 819; 1996) and The White Deer Cave Academy ( as a part of Lushan National Park China (Ref 778; 1996)) (*831 CE – till date*).

[2] The growth and survival of a *sangha* depended upon proselytization. This was only possible though a display of intellectual dominance where opposing schools of thought debated. To win a debate one had to not only master one`s own position (of knowledge) but also that of the other. As an acknowledgement of intellectual superiority, the winner received gifts that helped maintain the sangha. Furthermore, it was incumbent upon the person who lost the debate to accept superiority of the winner and 'follow' the latter. This increased the sangha in strength and prominence. Those following teachings of the Buddha were known to excel in such debates and distinguished themselves from other contemporary sect. It is important to note that the person representing the sect was considered the embodiment of knowledge. Therefore, the defeat of the individual was equated to that of knowledge he embodied and thus loss of position. (Phuoc, 2010) (Bapat, 1956) (Mookerji, 1974).

[3] Freedom in cultivating knowledge is the right of any seat of higher learning or university. However, all establishments perform in a context and the content and approach of education cater to the contemporary socio-economic-political framework. All universities and Nalanda Mahavihara, operated within their respective contemporary framework (Dmitrishin, 2013).

| Comparable organizational system | Comparable result of scholarship (social mobility and continued influence) |
|---|---|
| Attributes of the aforementioned organization can be summarized as follows:<br>• Autonomy in administrative and economic decision-making<br>• Distinct legal autonomy and status<br>• Curriculum and a system of awarding degrees<br>• Academic specialization in disciplines relevant to its time<br>• Freedom to engage in all existing forms of knowledge[4]<br>• Strict criteria for admittance[5]<br>• Emphasis on intellectual capacity and cultivation of knowledge through critical thinking[6]<br>• Association with the establishment imparted mobility and acceptance in the highest levels of society<br>• Borne out of interaction between 3 groups - scholars who followed the teaching of the Buddha, scholars of other schools of thought and scholars with the context<br><br>Also refer to (*Chapter 02, Section 2av, Parts A and B*) | Scholars upon graduating from Nalanda Mahavihara, University of Bologna and Paris were considered prized human resources of their time. They were socially mobile, invited over a large geo-political area to hold the highest posts as administrators, spiritual leaders and educators. The multi-faceted role played by scholars of Nalanda, Bologna and Paris shaped contemporary society and stimulated the culture of establishing pedagogical infrastructure in subsequent years. The success of the Nalanda Mahavihara, University of Bologna and Paris is further reinforced by the fact that their contemporary and those established later either borrowed from it or aspired to reach it or out-shine it. The extent of continued influence of Nalanda Mahavihara and University of Bologna and Paris is another commonality between the three. Comparable social mobility of the graduates and continued influence of these establishments justify the selection for Comparative Analysis.<br><br>Also refer to (*Chapter 02, Part 2av, Section A, Sub-section iii. Studentship and their contributions, Table no. 05*) |

***Available records on Nalanda`s organizational system***

It also must be noted that Nalanda Mahaviharas existed at a point in time (6th century BCE to 13th century CE) when consistent records for historical documentation were sparse and the site was ravaged, then set ablaze multiple times[7]. It is possible that original records which could give consistent historical narrative of the Mahavihara are lost to time. What is known about the Mahavihara, is based on correlating and rationalizing information from literary sources mainly records of Chinese and Tibetan scholars, archaeological evidences and objects. Of the records, those of Hui Li, Xuanxang Yijing and Dharmapala are most informative and the process of correlation has been explained in *Chapter 02, Part 2ai. Nalanda Mahavihara from literary accounts and Part 2.a.v. Education and Internal Management at Nalanda, part B - Internal Administrative System*. The functioning of Nalanda is also known from information accrued from seals, copper plates and inscriptions. These pieced together indicate the various systems of administration and management of educational, economic and social facets of the Mahavihara much like a corporate structure (Misra, Nalanda (felicitation Volume-III), 2008) (Mehta, 2013).

[4] The inclusion of all contemporary types of knowledge sets Nalanda apart from other similar establishments (borne out of a specific School of Thought). The emphasis was knowledge and the inclusion and acknowledgement of existing forms of knowledge was important to participate in tarka or debates. Tarka of debate is a dialogue based learning system where each party must internalize both perspectives completely. Scholars of Nalanda were known to excel in such debates and developed it as a tool for critical thinking (*Refer to Chapter 02, part 2av.c. sub-part I. Mode of teaching*).

[5] It is important to note that mastering of all existing forms of knowledge was a prerequisite to gain admittance at Nalanda Mahavihara. Therefore, education here always started after completing the *ashrama* or an equivalent phase of education where the youth would be taught by a number of subject specialists. The latter is similar to the systems and scope of education at cathedral-schools or monastic complexes as here the students would be taught by fathers and nuns subjects approved by institution.

[6] Debate as a tool for critical thinking was excelled and developed further in Nalanda. This is further explained in Chapter 02 Section 2av., Part A, sub-part 3i.

[7] A substantial amount of ash was noted during excavation at Nalanda (Archaeological Survey of India, 1916-2001). According to its scholars, at Nalanda Mahavihara were the Ratnasagara, Ratnaranjak and Ratnadodhi, its library. These were replete with innumerable manuscripts that were set ablaze. It is possible that much of the records that could further substantiate our understanding did not survive the ravages of time and man.

***Whether Nalanda emanated from a church-school-like or a simple monastic establishment***

The assumption that Nalanda Mahavihara was preceded by a church-school-like or a simple monastic establishment is refutable and finds no support from any form of evidence (literary or archaeological or material culture or otherwise). While, a combination of records supports Nalanda to have been a centre of higher learning since its earliest mention (in the realm of academia), none mention it to have been a site for *nissaya* phase of education. The latter would have been the phase equivalent to a monastic education where the vinaya would be mastered[8]. It is only after successful completion of this phase that one was ordained and aged atleast 22 would join the *sangha* to lead the life of a monk (Scharfe H. , 2002). The admittance to Nalanda was post the *nissaya* or its equivalent like *acharyakula* or cathedral school (where students would be taught by Fathers or Nuns) as records show that an applicant had to demonstrate their mastery over existing forms of knowledge.

Although mentioned in contemporary records, no tangible remains of period between 6th to 3rd century BCE exist at the Site. To demonstrate the complete spectrum of values of Nalanda Mahavihara, the State Party chooses to include the earliest extant remains that are dateable from 3rd cent BCE in the proposed nomination. The State Party takes the opportunity to also clarify that the archaeological remains that are dateable from 3rd cent BCE to 12th cent CE span Nalanda`s period of active operation and demonstrate the formation of philosophy, pedagogy, art and architecture associated with the Boudhya School of thought.

The earliest remains of Nalanda is in the form of a brick stupa (oldest layer of Site no. 03) built by Mauryan Emperor Ashoka along with a number of viharas[9]. Though literary records of the period is sporadic, the continuity of construction and system of internal management is comparable to a much known phase i.e. 5th cent CE onwards. This is testified by four successive layers of construction of the Ashokan stupa through which it enlarged in scale and transformed later into a panchayatan chaitya. The expansion of infrastructure is also demonstrated in the addition of viharas (older layers of Site no 1A, 1B and smaller structure to the north of 1A) near Site no. 03[10] to house increased studentship (*Also refer to Appendix 02: Documentation of planning and architecture evident in archaeological remains of Nalanda Mahavihara*). That the Mahavihara was a home to advanced learning is demonstrated in the nature of compositions that were written from 3rd cent BCE to 1st cent CE. These gave the necessary momentum for Nalanda to grow as a center for higher learning and initiated changes in contemporary practices of those following the teachings of the Buddha. From defining and maturing philosophy and practices of Mahayana, Nalanda`s scholars shaped the philosophy and practices of Vajrayana. The latter became the founding material on which later Mahaviharas developed their curricula and together with Mahayana, a major religion followed in large parts of Asia. This apart, sustained scholarship of the earliest period also became a beacon that drew famous scholars from distant corners of South, East and Southeast Asia and influenced contemporary society. The importance held by Nalanda in contemporary society is testified by the scale of growth (evident in the built infrastructure[11]) this Mahavihara had since its earliest years till its destruction.

Considering the aforementioned facts, the State Party would like to reinforce its position as elaborated in the Nomination Dossier.

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[8] This phase would be in the age bracket of approximately 15 to 22. Where not adhered, a parental consensus was required to induct and underage (Scharfe, 2002).

[9] Records dateable to 3rd century BCE mention the site to have had 500 acharyas and as many as eight *viharas* (Ed- Mani, 2008). It is highly improbable that structures of the earliest phase i.e. 6th – pre Ashokan and Ashokan phase would survive as these were built of perishable material as construction with permanent material for a sangha was not permitted. It was only a temporary shelter that was later permitted to house a sangha for duration of vassavasa and to be dismantled thereafter. The extension of the period of vassavassa as a result of increasing importance of scholarship in the life of arihants transformed the temporary rain shelters into permanent viharas. The earliest layers of viharas numbered 01 A, B and that to the north of 1B would have belonged to this phase as suggested by their alignment, scale and positioning in the Mahavihara. According to tradition, structures were re-built over time for want of maintenance and elaboration. It may be so, that the aforementioned were built in permanent material when the tradition of using temporary materials of construction phased out.
Also refer to Chapter 02 Part B, Sub-part 2biiib, Section b: Formation of a Vihara in the Indian Subcontinent, (Phuoc, 2010) (Mookerji, 1974).

[10] The clustered formation shows an earlier paradigm in site-planning. *Also refer to Appendix 02: Documentation of planning and architecture evident in archaeological remains of Nalanda Mahavihara* (Phuoc, 2010)

[11] According to Dharmaswamin, the last surviving Acharya of Nalanda, the Mahavihara had atleast 14 chaityas and 84 viharas. Today, while only 11 viharas and 5 chaityas survive, its overall monumental scale and impressive form is clearly discernable.