Follow-up on the Performance Audit of Preservation and Conservation of Monuments and Antiquities

Chapter 1: Overview

India is one of the oldest civilisation in the world. Our cultural and archaeological heritage includes customs and traditions, ancient buildings, monuments, heritage gardens, antiquities, etc. Our heritage is priceless, a source of our identity, and subject of interest for the entire humanity. The total quantum of India's built heritage and archaeological remains is estimated as four lakh plus heritage structures across the country including Centrally Protected Monuments (CPM), State protected monuments, heritage buildings under various religious trusts, historic cities and archaeological sites.
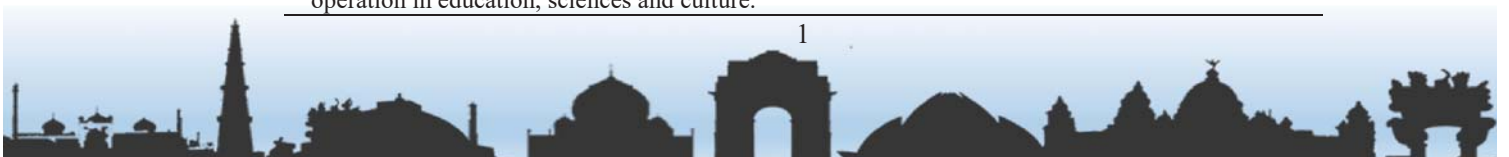
According to UNESCO[1], cultural resources of a community can also be converted into economic wealth by promoting the unique identity, traditions and cultural products. Conservation of cultural assets and traditional knowledge developed over the period are very effective in strengthening the social capital of communities. Thus, heritage conservation can be seen as a cross-cutting factor in economic and social development. The importance of protecting archaeological heritage *viz.* monuments, sites and antiquities, became a global concern after adoption of a convention in this regard by UNESCO in 1972.

Over a period of time, as a result of insensitive modernisation, urbanisation and theft, the legacy of our cultural heritage was being steadily eroded. Also many of our heritage structures are still being used in the same manner in which they continue to be kept, representing the 'living' heritage of India. In view of our specific cultural heritage, traditional knowledge and customs, conservation of monuments through a dedicated infrastructure and legislative framework is of immense importance in the country.

1.1   Legislative Framework and Infrastructure

During the British Rule, the Bengal Regulations and the Madras Regulations, of 1810 and 1817 respectively, were introduced which vested the then governments with the power to intervene whenever public buildings were under threat of misuse. The Archaeological Survey of India (ASI) was established in 1861 to initiate legal provisions to protect the historical structures all over India. Important Acts were also passed in 1863 and in 1904 which gave authority to the government for preservation

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[1]   The United Nations Educational, Scientific and Cultural Organisation (UNESCO) created in 1945 is a specialised agency aimed at promoting world peace and security through international co-operation in education, sciences and culture.

of monuments. ASI draws its formal inspiration for conservation from the Indian Archaeological Policy (IAP), 1915, which mandates the conservation and protection of the monuments.

Article 51A (f) of the Constitution of India stipulates that '*it shall be the duty of every citizen of India to value and preserve the rich heritage of our composite culture*'. The Constitution has also divided the jurisdiction over these monuments, cultural heritage, and archaeological sites as below:

Union:	Ancient and historical monuments and archaeological sites and remains, declared by the Parliament by law, to be of national importance.
State:	Ancient and historical monuments, other than those declared by the Parliament to be of national importance.
Concurrent:	Besides the above, both the Union and States have concurrent jurisdiction over archaeological sites and remains, other than those declared by law and the Parliament to be of national importance.

The Ministry of Culture (Ministry) is responsible for preservation, conservation, promotion and dissemination of all forms of art and culture in the country. It ensures collection, preservation and display of antiquities through various national level museums. The Ministry, through ASI, is engaged in conservation, preservation and maintenance of the Centrally Protected Monuments (CPM) declared as being of national importance and excavations of ancient sites[2].

In addition to ASI, National Culture Fund, National Monument Authority have also been established by the Government to support the process of conservation and protection of monuments. The organisational structure available for the preservation and conservation of monuments and antiquities under the Ministry/ASI, is depicted through **Chart 1.1**:

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[2] Other monuments are protected by respective State Archaeological Department, Religious Trust, etc.
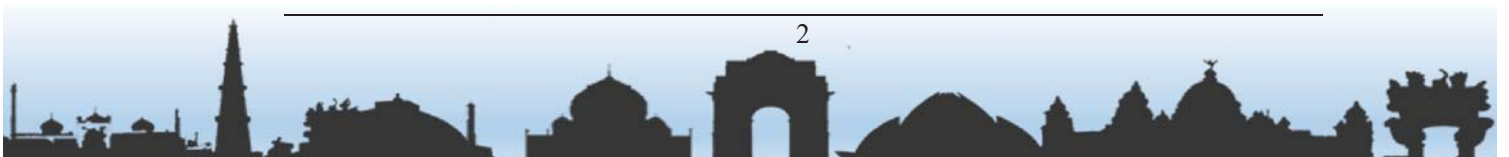
Chart 1.1: Organisational structure for heritage protection

Ministry of Culture		
Archaeological Survey of India	Attached office of the Ministry working with the objectives of exploration, excavation, survey, preservation and conservation of monuments, archaeological sites and remains, antiquities.	ASI perform its mandated role through lower level offices *i.e.* Circles, Horticulture Branch, Science Branch, Excavation Branch, Epigraphy Branch, Temple, Building and Village Survey Projects, site-museums, etc.
	Pt. Deendayal Upadhyay Institute of Archaeology	An institute under ASI for providing higher education in the field of Archaeology and related subjects.
	National Mission on Monuments and Antiquities	Constituted with the objective to prepare database (documentation and digitisation) of all monuments and antiquities in the country.
Museums	National Museum, Delhi	National level museums under the Ministry (working as autonomous bodies/ Sub-ordinate offices of the Ministry). These museums are having large collection of antiquities, manuscripts, artefacts, coins, etc. The artefacts are preserved, stored, accessioned and displayed by these museums.
	Indian Museum, Kolkata	
	Salarjung Museum, Hyderabad	
	Allahabad Museum, Prayagraj	
	Victoria Memorial Hall, Kolkata	
	Asiatic Society, Kolkata	
	Asiatic Society, Mumbai	
Other offices	National Monument Authority	Statutory Body with the mandate to regulate construction related activities in the protected/regulated areas of the notified monuments.
	National Culture Fund	Set up with a view to enable the participation and involvement of Corporate and Public Sectors in promoting, protecting and preserving the heritage.
	National Museum Institute	The institute provide courses of study, training and research facilities in different field of History, Art, Conservation and Museology.

In order to efficiently perform the assigned roles, these agencies have been provided with following important enactments and manuals:

The Indian Treasure Trove Act, 1878 - Enacted to protect and preserve treasure found accidentally but having archaeological and historical value.

The Ancient Monuments Preservation (AMP) Act, 1904 - Enacted to provide effective preservation and authority to the ASI over the monument, particularly those which were under the custody of individual or under private ownership.

Conservation Manual by John Marshall, 1923 - Contained instructions for officials to be used during conservation works of monuments.

The Ancient and Historical Monuments and Archaeological Sites and Remains (AHMASR) (Declaration of National Importance) Act, 1951 - Brought out in fulfilment of the provision of the Constitution by which all the monuments previously

protected under the AMP Act, 1904 were re-declared to be of national importance.

The Ancient Monuments and Archaeological Sites and Remains (AMASR) Act, 1958 - Enacted 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. The Act was followed by AMSR Rules, 1959.

The Antiquities and Art Treasures (AAT) Act, 1972 - Enacted in September 1972 for effective control over the cultural property, consisting of antiquities and art treasures. The Act was followed by AAT Rules, 1973.
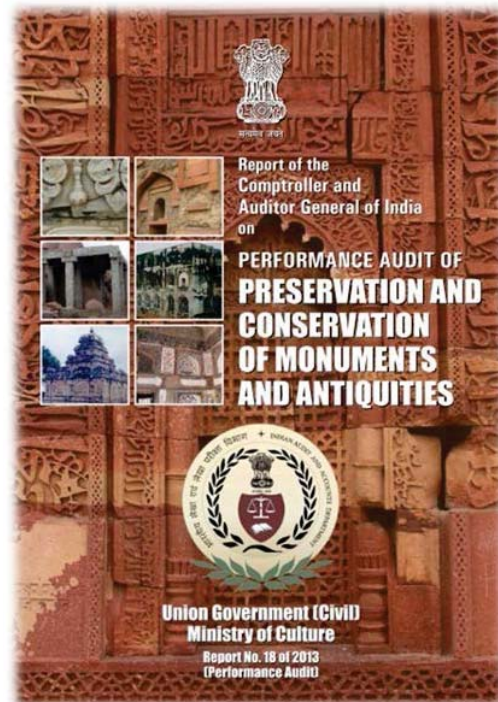
The AMASR (Amendment and Validation) Act, 2010 - The amendment made in AMASR Act prescribed the limits of regulated and prohibited area around a monument. It also provided for creation of National Monument Authority (NMA). This was followed by AMASR Rules 2011, and NMA Rules, 2011.

National Policy for Conservation of the Ancient Monuments, Archaeological Sites and Remains (NPC-AMASR), 2014 - The Policy focuses on aspects of preservation, conservation, planning, tourism, etc. in respect of monuments of national importance.

The applicable provisions of these Act/Rules have been discussed appropriately in the Report.

1.2   Report of the Comptroller and Auditor General

The Office of the Comptroller and Auditor General of India (CAG) had undertaken (2012-13) a Performance Audit of Preservation and Conservation of Monuments and Antiquities and the results of the audit was included in the Report No. 18 of 2013, tabled in the Parliament in August 2013. The audit was aimed at contributing to the process of preservation and conservation of monuments and antiquities by providing an assessment of the work being carried out by the Ministry/ASI and making suitable recommendations for improvement. The major findings of the Report are summarised in **Box 1.1**:

Box 1.1: Major findings in CAG Report

Chapter	Brief
2	ASI did not have a reliable database of exact number of monuments under its jurisdiction. No comprehensive survey or review to identify monuments of national importance or to modify the existing list was conducted by it. Result of joint physical inspection revealed that 92 monuments declared as centrally protected were not traceable.
3	World Heritage Sites did not receive appropriate care and many cases of encroachment, unauthorised construction around these sites including absence of public amenities were reported.
4	ASI did not have a conservation policy to address the conservation and preservation requirements of monuments. For carrying out conservation works, monuments were selected arbitrarily while many monuments were never considered for any kind of structural conservation.
5	ASI did not have any policy for exploration and excavation. ASI spending on this activity was less than one *per cent* of its total expenditure. There was poor documentation of the excavation works carried out and many excavation proposals were not undertaken.
6	ASI did not have a comprehensive policy or database of the antiquities owned by it. Valuable antiquities were found stored in poor condition at national level museums. These museums were also having poor system for accession, valuation, display and conservation of antiquities.
8, 11	There was acute shortage of staff in all key positions in ASI and other organisations *viz.* museums, NMA, etc. In the functioning of ASI and museums, Ministry had failed to take action on various aspects *viz.* policy and legislation, financial management, human resources, etc.

The Audit Report of CAG (*hereafter termed as **previous Report***) was discussed by the Public Accounts Committee (PAC), which brought out its observations and recommendations in PAC Reports No. 39 (April 2016) and 118 (December 2018)[3].

The first report of the PAC contained recommendations on 25 specific issues, of which 20 were accepted by the Ministry. Out of five remaining recommendations, PAC, in its second report, made further recommendations on four issues and decided not to pursue the remaining one. Observations and recommendations of the PAC, response of the Ministry and action taken have been suitably included in this report and also summarised vide **Annexe 11.1**.

1.3 Initiatives undertaken by ASI since previous Report

Apart from routine preservation, conservation, exploration related mandated activities, since the publication of previous Report, various new initiatives connected with heritage conservation were undertaken. Some of these post-audit initiatives (since 2013) include:

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[3] Report was discussed by PAC of 2013-14, 2014-15, 2015-16 and 2018-19 (sixteenth Lok Sabha)

a) Engaging Google India for displaying 360^0 photography of the CPM on the web including remote sensing of archaeological sites;

b) Introduction of *JATAN* software for digitising collections in various museums;

c) Environmental Impact assessment on the structure and building materials of CPM through Air Quality Monitoring;

d) Selection of monuments as *Adarsh Smarak* to provide necessary amenities at selected monuments;

e) Launching of e-ticketing facility for providing online booking facility for visitors;

f) Portal on Must See sites of the country; and

g) Launching of Adopt-a-Heritage scheme (by Ministry of Tourism) where Monument *Mitras* were allowed to develop/maintain tourist amenities in the non-core areas of the monument.

(*Source: Annual Reports of the Ministry*)

In the Budget for the financial year 2020-21, the Government had announced establishment of an Indian Institute of Heritage and Conservation with the status of a Deemed University. A working Group under the chairmanship of CEO, NITI Aayog, with the objective to examine the management of heritage structures and sites in the country and provide a future roadmap for institutional changes and to improve management had also prepared and submitted (May 2020) its report. During the current audit process some of these initiatives were also examined to make a fair assessment of the working of the Ministry in heritage conservation.