



POLICE COMMISSIONERATE
BHUBANESWAR-CUTTACK
BHUBANESWAR

COMMISSIONER'S ORDER NO.21/2009

Sub: Prevention of vandalism and encroachment of Archaeological Monuments/ Sites/ Remains etc.

78 (seventy eight) archaeological monuments/ sites/remains are located in Orissa. These monuments / sites come under the overall purview of Archaeological Survey of India, Bhubaneswar Circle. Of them, 30(thirty) monuments/ sites are located within the area of Police Commissionerate, Bhubaneswar- Cuttack. (List vide Annexure 'A').

In order to prevent vandalism / encroachment of archaeological monuments and heritage sites, Central Government have enacted the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (No. 24 of 1958) and Ancient Monuments and Archaeological Sites and Remains Rules, 1959, as amended in 1991.

In exercise of powers conferred under Rule 32 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, the Central Government vide SO No. 1447 dtd. 15.05.1991 have categorized the area around the protected monuments and defined those as follows:

Prohibited Area:- The area up to 100 meters from the protected limits of such monuments/ sites/ remains wherein all mining and construction activities are prohibited.

Regulated Area:- The area further beyond the prohibited area up to 200 Meters where in all mining and construction activities are regulated i.e. carried on only after getting due permission from the concerned department.

Section 19 (1) of Ancient Monuments and Archaeological Sites and Remains Act 1958 provides that 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 permission of the Central Government.

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.

The Ancient Monuments and Archaeological Sites and Remains Act, 1958 makes certain acts penal offences. These should be clearly understood and explained to all police personnel. These are as follows:

Section 30 Penalties-(1) Whoever

- (i) destroys, removes, injures, alters, defaces, imperils or misuses a protected monument, or
- (ii) being the owner or occupier of a protected monument contravenes an order made under section 9 (1) or section 10(1), or
- (iii) removes from a protected monument any sculpture, carving, image, bas-relief, inscription or other like object, or
- (iv) does any act in contravention of section 19 (1) 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 **section 25(1)** 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.

Section 32: An offence under clause (i) or clause (iii) of section 30(1) cited above, shall be deemed to be cognizable.

In the background of the above, the following guidelines are hereby issued for preventing vandalism, encroachment or any other illegal activity at or near the archaeological monuments/sites/remains etc:-

1. A register shall be maintained in each Police Station of such centrally protected monuments/sites falling under its respective jurisdiction.
2. Vivid and colour photographs of each monument shall be pasted in the register.
3. Details regarding the historical importance, threat perception, existing security arrangements etc shall be noted in this register.
4. Tourist/visitors shall be given adequate and effective protection from antisocial elements, touts etc.
5. A contingency plan for security of monuments/sites/remains shall be prepared and all documents like site plan, exit and entry gates shall be kept available in the PS.
6. Concerned ACP/IIC shall, with the help of Archaeological Survey of India and Revenue Dept. etc., demarcate the limitation/ boundaries of the protected monuments/sites and maintain details of the same in the register.

7. Patrolling shall be introduced by the IsIC around such monuments /sites and periodical checking shall be done so as to prevent any construction / excavation or mining activity within the prohibited area.
8. In case any construction, excavation or mining activity is noticed in the prohibited area or information is received to that effect, the PS staff shall stop the same and take action as per law.
9. On receipt of any complaint from ASI or any other agency or individual about any vandalism, encroachment or any other illegal activity, prompt legal action shall be initiated by the IIC under intimation to Commissionerate Headquarters and Deputy Commissioner of Police, Cuttack or Bhubaneswar UPD, as the case may be.

By Order

(B.K. Sharma)
Commissioner of Police,
Bhubaneswar-Cuttack,

**LIST OF CENTRALLY PROTECTED ARCHAEOLOGICAL
MONUMENTS/SITES UNDER POLICE COMMISSIONERATE,
BHUBANESWAR- CUTTACK**

Sl. No.	Name of Monument/Site	Location	Police Station
1.	Bhaskareswar Temple	Bhubaneswar	Badagada
2.	Brahmeswar Temple	Bhubaneswar	Badagada
3.	Nabakishore Temple	Bhubaneswar	Badagada
4.	Rameswar Temple	Bhubaneswar	Badagada
5.	Magheswar Temple	Bhubaneswar	Badagada
6.	Ananta Basudev Temple	Bhubaneswar	Lingaraj
7.	Bakreswar Temple	Bhubaneswar	Lingaraj
8.	Chitrakarini Temple	Bhubaneswar	Lingaraj
9.	Jambeswar Temple	Bhubaneswar	Lingaraj
10.	Lord Lingaraj Temple with all the minor temples in its premises	Bhubaneswar	Lingaraj
11.	Maitreswar Temple	Bhubaneswar	Lingaraj
12.	Makareswar Temple	Bhubaneswar	Lingaraj
13.	Mukteswar Temple with its minor shrines	Bhubaneswar	Lingaraj
14.	Markendeswar Temple	Bhubaneswar	Lingaraj
15.	Paramguru Temple	Bhubaneswar	Lingaraj
16.	Papanasini Tank	Bhubaneswar	Lingaraj
17.	Parsurameswar Temple	Bhubaneswar	Lingaraj
18.	Rajarani Temple	Bhubaneswar	Badagada
19.	Sahasralinga Tank	Bhubaneswar	Lingaraj
20.	Sari Deula	Bhubaneswar	Lingaraj
21.	Sidheswar Temple	Bhubaneswar	Lingaraj
22.	Sisiresvara Temple	Bhubaneswar	Lingaraj
23.	Vaital Temple	Bhubaneswar	Lingaraj
24.	Rock inscription of the edicts of Asoka and the sculpture of elephant	Bhubaneswar	Lingaraj
25.	Small rock cut cell with a niche and an inscription of Santikara	Dhauri	Lingaraj
26.	Chausathi Yogini Temple	Hirapur(Balakati)	Balianta
27.	All ancient caves, structures and other monuments or remains situated on the Udayagiri and	Bhubaneswar	Khandagiri

	Khandagiri hills except the temple of Parasnath on the top of the Khandagiri hill and also the temple in front of the Barabhuji and Trisula Caves.		
28.	Sisupalgarh (ancient remains inside and outside the rampart)	Susupalgarh, Bhubaneswar	Lingaraj
29.	Churangada fort	Dadhapatna	Chandaka
30.	Ancient monuments of Barabati fortress and the ruins and remains of all ancient edifices, gateways, etc. save the mosque.	Cuttack	Cantonment