

DELHI LEGISLATIVE ASSEMBLY

Bulletin Part-II

(General Information relating to Legislative & other matters)

Wednesday 25th August, 2004/ 3, Bhadrapad, 1926 (Saka)

No. 56

Subject: Reconsideration of the 'Delhi Ancient and Historical Monuments and Archaeological Sites and Remains Bill, 2000', which had been passed by the previous Assembly on the 29th March, 2000 and that had been reserved for the consideration of the Hon'ble President of India by the Hon'ble Lieutenant Governor, Delhi.

The Bill has now been returned by the Hon'ble President for the reconsideration of the Legislative Assembly of the National Capital Territory of Delhi under section 25 of the Government of National Capital Territory of Delhi Act, 1991. The Hon'ble Lieutenant Governor has sent the following message dated 5th August 2004 in this regard:

"The President of India has considered the 'Delhi Ancient and Historical Monuments and Archaeological Sites and Remains Bill, 2000' and directed that the Bill be returned to the Legislative Assembly of National Capital Territory of Delhi for amending its clauses as under:

1. **Clause 2**

At page 2, for lines 7 to 19, the following be substituted, namely: -

'(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 be required for fencing or covering in or otherwise preserving such ancient monument, and
- (iv) the means of access to, and convenient inspection of, an ancient monument;

2. **Clause 2**

At page 3 for lines 3 to 7, the following be substituted, namely: -

- (d) "Government" means the Lieutenant Governor of the National Capital Territory of Delhi appointed by the President under article 239 and designated as such under article 239 AA of the Constitution.

- (e) "local authority" means the Municipal Corporation of Delhi, the New Delhi Municipal Council, the Delhi Cantonment Board and the Delhi Development Authority and includes a Gaon Panchayat established under section 151 of the Delhi Land Reforms Act, 1954 (Delhi Act 8 of 1954);

3. **Clause 2**

At page 3, omit lines 13 to 22.

4. **Clause 19**

At page 12, for lines 1 to 26, the following be *substituted*, namely :-

Power to prevent destruction of monument "19. Notwithstanding anything contained in this Act, where the Director is of the opinion that a particular monument which has not been declared a protected monument under this Act is being destroyed either deliberately or otherwise and the same needs to be preserved in the public interest, he shall take such steps as may be necessary to prevent destruction of the monument".

5. **Clause 26**

At page 15, line 4, omit "under this Act".

6. **Clause 43**

At page 20, omit lines 21 to 25.

7. **Clause 43**

At page 21, omit lines 16 and 17.

The Bill is, therefore, returned for reconsideration of the Legislative Assembly of NCT of Delhi under the proviso to section 25 of the Government of National Capital Territory of Delhi Act, 1991 (no. 1 of 1992) read with rule 157 of the Rules of Procedure and Conduct of Business in the Legislative Assembly of National Capital Territory of Delhi, 1997.

S/d
(B.L. Joshi)
Lieutenant Governor, Delhi."

Siddharath Rao
Secretary

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