OFFICE OF THE YAMUNA POLLUTION MONITORING COMMITTEE
APPOINTED BY HON’BLE NGT
ROOM NO. 58, INDIA INTERNATIONAL CENTRE
40, MAX MUELLER MARG, LODHI ESTATE
NEW DELHI – 110003

No. YPMC /2020/407

Date: 20/1/20

To: The Learned Registrar General,
Hon’ble National Green Tribunal,
Copernicus Marg,
New Delhi110001

Subject: Report of the Yamuna Monitoring Committee on the need for a “Yamuna River Front Management Authority for Delhi”

Dear Sir/Madam,

In compliance of Hon’ble National Green Tribunal’s order dated 11.9.19 in OA no. 06/2012-Manoj Mishra vs UOI and others, the report on the need for a “Yamuna River Front Management Authority for Delhi” is enclosed.

It requested that the report be kindly placed before the Hon’ble Bench of the Tribunal.


Yours faithfully

Shailesh Chandra,
Member,
Monitoring Committee for Yamuna

B.S. Sajwan,
Member,
Monitoring Committee for Yamuna

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Report by the
Yamuna Monitoring Committee

on the need for
A YAMUNA RIVER FRONT
MANAGEMENT AUTHORITY FOR DELHI

Submitted to the Hon’ble National Green Tribunal

Shailaja Chandra
B.S. Sajwan
Members, Yamuna Monitoring Committee

RIVER FRONT RESTORATION & MANAGEMENT AUTHORITY

Historical Milestones

Outcome of a Survey of the West Bank of River Yamuna

The Expert Committee appointed on the orders of NGT undertook a field survey of the river Zone in NCT of Delhi and its adjoining tracts in UP and Haryana. The expert members, namely, Prof. AK Gosain (IIT Delhi), Prof. CR Babu (Emeritus Professor Delhi University), Prof. Brij Gopal (IIT Roorkee), assisted by officers from the DDA, Government of NCT of Delhi, DJB and UP Irrigation department joined the survey. A copy of the Report is on the YMC’s website. The Committee made several recommendations which referred to structures and activities which were impacting adversely on the Yamuna flood plains in Delhi. Some of the features of the Report are of direct relevance for the establishment of a River Management Authority and are reproduced below. The problems highlighted by the Committee included:

1. The need to recognise and regulate heterogeneous activities like 32 bathing ghats the most famous being Nigam Bodh and the Qudsiaghats. Also the extension of the Red fort named Salimgarh fort and the Yamuna Bazar.

2. Existence of four power plants (Raj Ghat, Indraprastha, Pragati I and II) and the erstwhile fly ash dumps which had been located within the active flood plain on the west bank of the river. Presently Indraprastha Power plant has been closed down, while the Pragati Power plants have been converted to gas. Raj Ghat power plant has also been closed down. Much of the land lies fallow and plans for further use, detoxification and restoration to the river front are not known to the YMC.

3. A Tibetan refugee colony called as the Majnu Ka Tila and a Sikh Gurudwara came up decades ago on the west bank adjacent to the river’s active channel. The YMC in a visit conducted on 11.6.19, found that structures were spreading very fast and becoming very congested with concretisation, vertical and horizontal spread. YMC found no one in charge of regulating the activities.

4. Akshardham temple and the CWG village (and allied structures) behind the advance bunds were also flagged by the expert committee. The continuance of these
structures appears irreversible now but encroachment on more land and open spaces will continue to pose a challenge with increased footfalls.

5. DMRC depots, residential and commercial properties (Shastri Park and Yamuna Bank) were reported to have "gone deep into the active flood plain of the river".

6. Opposite the Millennium Park, a DTC bus depot which was raised on a fly ash dump for meeting the parking needs for buses during the Commonwealth games (2010) and residing in the CWG village was included in the list.

7. A CNG filling station and CRPF units were reported to be on the active flood plain.

8. The Sarai Kale Khan village was reported to have become a dump yard for debris and municipal waste. A filling station, a Delhi Transco complex, land for an STP, an electric crematorium and a number of batching plants to construct pre-fab concrete structures by DMRC and PWD were also included in the list.

9. South of the DND express way a number of unauthorised colonies (Joga bai and Batla House extension etc) have mushroomed. YMC has been trying to oversee demolition operations in Khirijabad but DDA's efforts lack continuity with excuses that Court stays are in operation and the police does not turn up after committing to presence during the demolition operations. YMC has found both to be factually correct but the push from DDA's side is weak and has been entrusted to the Horticulture Division of DDA which has weak ownership or ability to plan, coordinate and execute demolition activities.

10. The Committee reported about extensive flood plain farming by contract farmers hired by two farmer's co-operative societies namely Dilli Peasant Co-operative Society and Jhil Kharanja Milk Producers Society. There are also a number of private plant nurseries being run at different locations in this stretch.

11. Unorganized dairying was also reported near the Mayur Vihar stretch of the DND Flyover which is intended for floodwater spread and flow.

Specific Recommendations of the Babu/ Gosain/ Brij Gopal Expert Committee.

1. To set up a separate, independent body (like authority) to plan and execute the entire restoration programme for the River Zone in the NCR that involves three state governments.
2. To provide statutory protection to flood plain under either the Indian Forest Act (Protected forest) or the Environment Protection Act (Eco-sensitive Zone). Ministry of Environment & Forests, Govt of India and Govt of NCT of Delhi was expected to take action.

3. The Zone O (river zone) must become a place of attraction and active indulgence by the city dwellers without compromising the river’s ecological and social functions.

NGT Directions on the Report and Recommendations

The NGT in its order dated 13.1.15 which was amplified on 25.7.18 by the Tribunal had ordered as follows:

"We direct and prohibit carrying on of any construction activity in the demarcated flood plain henceforth. We further direct the Principal Committee to identify or cause to be identified, all existing structures as of today which fall on the so identified and demarcated flood plain. Upon identification, the Principal Committee shall make its recommendations as to which of the structures ought or ought not to be demolished, in the interest of environment and ecology, particularly, if such structures have been raised in an unauthorised and illegal manner.

The Principal Committee may keep in mind that certain structures need to be protected, amongst other reasons, for their historical, mythological and heritage importance and/or are protected structures. The Committee shall clearly spell out the regulatory regime that should be provided for dealing with such existing structure in the Yamuna River Front. The flood plain shall be restored, preserved and beautified, strictly in accordance with the report of the Expert Committee dated 19th April, 2014 as per its acceptance on 2nd August, 2014 by the MoEF as well as High Powered Committee. The respective Corporations and/or authorities would be responsible for execution of these directions directly under the supervision of the Principal Committee constituted herein.

We direct all concerned to make every possible effort to ensure that the storm water drains do not carry sewage. Sewage may be carried through those drains upon which the STP’s have already been installed, till the completion of the project. After the completion of the project, steps shall be taken so that only minimal quantity of treated water from the STPs reaches Yamuna.

We constitute the ‘Principal Committee’ which shall be responsible and under whose supervision the directions contained in this judgment and the project reports shall be completely, effectively and expeditiously.

All concerned Authorities, Corporations, DJB and any other department, responsible for carrying out directives of this judgment, shall report the matters and submit the respective reports and data to the Principal Committee, for onward transmission to this Tribunal. The Committee shall file quarterly report of compliance before the Tribunal. The Committee shall consist of Special Secretary, MoEF, Joint Secretary of Ministry of Water Resources, Chief Secretary, Delhi Administration, Vice Chairman, DDA, Commissioner of all
the Corporations, Commissioner, DJB, Secretary, Department of Irrigation, NCT of Delhi, concerned Secretaries of the States of Haryana, Uttar Pradesh, Himachal Pradesh and Uttarakhand.

The YMC is not aware of action taken on these directions but from present indications on the ground, the structures and activities are continuing.

Relevant Reports of YMC

The MC in comments of MC dated 13.8.19 had recommended that the entire area which consists of some forested area, DDA’s parks, Ghats like Qudsia as well as 32 privately operated smaller Ghats should not await a plan for such a vast area to be prepared by INTACH and smaller agencies. The area gets thousands of footfalls each day and these multiply on special occasions. In the name of showing reverence to the River Yamuna there is unrestricted ingress throughout the day and night and the river is used for dumping pooja samagri and oil etc. MC had suggested to DDA in a meeting dated 7.6.19 referred in the First Supplementary Report of the MC dated 28.6.19 that there was a need for:

- To consider establishing a dedicated set up like a Society to manage the area including existing encroachments and pollution caused by the allottees.
- Examine whether industrial houses could be permitted to display their logos etc and take over maintenance of parcels of land by taking the advice of Archaeological Survey of India so that user fees can be levied and ingress of unaccounted people regulated. It was underscored that MC was not suggesting any sort of leasing but there was a need for a River Front Society or Special Purpose Vehicle to see that the existing area has one agency responsible for upkeep – not restoration -which is a different approach. INTACH and DDA are not equipped to do enforcement work. They have no regulatory authority which can be used. DDA has repeatedly complained about getting no cooperation from the MCD and the Police but it does not seem to have been followed up at a sufficiently high level. DDA did not respond to any of the suggestions and also did not refer to the minutes of YMC recorded in the communication YPMC/2019/223 dated 13.6.19. This was reported to NGT when the MC sent its comments on the reports of all agencies in August 2019.
- To have proper coordination with MCD and Police to restrict ingress and hawking rights.
It was recommended that a River Front Authority or a Consortium of NGOs active in River pollution and rejuvenation activities along with the CSR arm of reputed Industrial Houses interested in preserving local history and culture and senior representatives of enforcement agencies was needed to give an overall direction to the management of the entire area which broadly falls under DDA’s ownership. YMC had tried to persuade every officer in DDA attending its meetings that the area has the potential to become a vibrant and attractive river front but was fast deteriorating because there is an absence of an integrated vision to develop what is already there and to prevent a proliferation of haphazard activities which make the area unsightly and inaccessible.

YMC is conscious of the fact that floodplain of the river separate the river stream from the river front. River front begins where the floodplain ends. Though the DDA has been directed to demarcate 1in 25 year floodplain, in most places like the Yamuna Bazaar, 32 Ghats and Kudesia bagh, the boundary between the floodplain and river front is not distinct. Also, where as in the floodplains the thrust has to be on conservation and protection of wetlands and biodiversity, on the river front, which receives high footfalls and supports many social and cultural activities, the management thrust has to be on regulating developmental activities that help bring people closer to the river but the activities need to be regulated within the overall carrying capacity of the area. The River front Authority should therefore have the mandate both for conservation centric activities on the floodplains portion and people centric activities on the river front portion of the ‘O’ zone.

DDA has repeatedly restricted its comments only to giving the progress on agreed projects under way which have to be completed by January 2021 or prior to that. The YMC’s recommendations on the progress of those 10 projects has been reviewed by the YMC on 14.1.20 but for the sake of brevity that status is not being repeated here as those are they are unrelated to the concept of a River Front Management Authority.

**Workshop Organized by DDA with River Front Allottees.**

On 28.7.19 the YMC had attended a workshop called by DDA relating to 10 smaller projects concerning this area. INTACH had serviced the workshop and called stakeholders from the Buddhist monastery, Majnu ka Tilla, Private Ghats Panda’s Association, Pakistani refugees etc.
DDA appeared to be relying overly on INTACH whose expertise lies only in the area of cultural heritage and its restoration and have absolutely no understanding or clout to prevail on the Municipal authorities or the Police who have to take care of the fall out of thousands of footfalls. The YMC had advised that without waiting for INTACH’s plans to fructify it was essential that the prevailing encroachments were identified and vigorously tackled by DDA. A major thrust was needed to identify and control the further spread of structures belonging to diverse religious and ethnic groups which were advancing towards the active flood plain. Their interest was in spreading their footprint based on the presence of their followers. In the Workshop the stakeholders from several cultural and religious organisations did not deny that they were undertaking more construction on the plea that their population had grown and arguing “where are we to go?”

Orders of the Cabinet Secretariat Setting up a High Powered Committee under the LG Delhi 2007.

In 2007 a Yamuna River Development Authority (YRDA) was set up under orders of the Government of India. It was called the High Powered Committee for the Yamuna River Development Authority (YRDA) and was created vide Cabinet Secretariat’s OM No. 731/2/1/2007-Cab-III dated 24 August 2007 with the following composition:

1) Lt Governor, Delhi – Chairperson
2) Chief Minister, Delhi – Vice Chairperson
3) Secretary, M/O of Urban Development – Member
4) Secretary, Ministry of Environment & forests – Member
5) Secretary, Ministry of Water Resources – Member
6) Chief Secretary, GNCT of Delhi – Member
7) Pr. Secretary, Urban Development, GNCT of Delhi – Member
8) CEO, Delhi Jal Board – Member
9) Vice Chairman, DDA – Member

The Terms Of Reference of the High Powered Committee were to:

a. Commission studies on different aspects of the development of the river, viz., hydrology, ecology, environmental pollution, sustainable use of the river front, etc to feed into the policy framework
b. Develop a policy framework and prepare an integrated plan addressing issues of both quantity in terms of river flow and quality in the Yamuna river

c. Develop an operational plan for the implementation of the river action program

d. Effect inter sectoral coordination for planning and implementation until such time as a statutory arrangement is in place

e. Suggest the design for the statutory framework.

YMC could not access the order but there are news reports of that period stating that this High Powered Committee led by the LG had approved the draft prepared by the Technical Advisory Group set up for the purpose of cleaning the river and develop its surroundings. The draft was perhaps sent to the Prime Minister's for approval. The High-Powered Committee was reported to have observed that the Yamuna river bed is a no-construction zone and emphasized on the need for riverfront development, cleaning up of the river and pinned its hopes on DJB's interceptor project as reported. The technical committee had suggested that the riverbed should be developed as a biodiversity with three zones, one would be a buffer zone, the other an inner core zone and the third would be the interactive zone where people will be allowed. Whether this Committee has met in the last 5 years is not known to YMC. Informally YMC has learnt that it is not functional. It is laudable that there was a far sighted vision for the protection and rejuvenation of the river but that vision has remained a pious hope. With due respect, YMC is of the view that based on the knowledge and experience gained over the last one year, such a body will not be able to grapple with the spread of activities on the Yamuna flood plains and river front which are going on every day in progress daily.

**DDA’s Present Vision and Directions of the Lieutenant Governor Delhi.**

On paper DDA has a comprehensive idea of what needs to be done and its own PPT which is in public domain recognises the problems and the need for coordination. This has not translated into a holistic approach which is backed with commensurate vigour. It is easy to give a rosy picture in slides but the outcomes at great variance with the plans envisaged.

http://spa.ac.in/writereaddata/Day3DDA.pdf

Newspaper reports dated 3.9.19 have reported that the L-G Delhi had directed DDA to finish the Yamuna revival work in two years. This probably refers to the 10 projects under
implementation which are being reported by YMC to NGT. This progress is regularly monitored by the Committee. While as individual projects the area will eventually receive an infusion of imaginative and biodiversity promoting inputs from the overall point of view of having an integrated Agency/ Authority with the mandate to develop and regulate the areas already developed and those which are under planning and execution, DDA's approach has been slow and lack lustre.

**Challenges in Setting up a River Management Authority/ SPV or having an MOU with CSR Foundations.**

It needs to be recognised that any move to set up a River Management Authority will run into problems as it will require approvals from the High Powered Committee set up by the Cabinet Secretariat in 2007 unless those orders are rescinded, modified or superseded with a fresh order. There is an urgent need to adopt strategies which goes beyond idealistic, utopian ideas which have achieved nothing in the last 13 years of pared to the haphazard ingress which has taken place. There are compelling reasons to show more pragmatic awareness and immediate concern for the ground realities that are obtaining on the river front. Giving a free reign to haphazard activity and permitting unregulated footfalls will only make the situation more and more irretrievable.

**How Archaeological Survey of India entered into a Partnership with a CSR Group.**

A copy of the MOU entered into by ASI (under M/o Culture ) with a DalMia CSR group for the Red Fort Annexed at *annexure-A* is an example of how a Government body has been able to partner a CSR group and successfully entrusted the maintenance, watch and ward and provision of basic and advanced amenities to the public and provided for the administrative, financial oversight arrangements by the ASI, in detail. DDA needs to find one or more private players who can in partnership with the Authority take care of all areas on the River front wherever there is human activity to control that aspect, regulate it and oversee the management of different projects which have been and are under development near the river front. The YMC has spent several hours persuading the DDA representatives as well as the Vice Chairman but it has not made headway. The victim of the non-action has been the River Yamuna.
If YMC were to advise on what should be done it is the considered view of the YMC that a River Front Management Authority may be set up in partnership with CSR wings of reputable companies having an oversight body comprising DDA in the lead position under its Vice Chairman, who may not delegate this function, to be assisted by the relevant Government representative and leading NGOs who can provide oversight and see that the public interest is preserved while citizens benefit from a river front which is vibrant but regulated.

Shailaja Chandra,  
Member, Monitoring Committee for Yamuna

B.S. Sajwan,  
Member, Monitoring Committee for Yamuna

Address: Room No. 58, India International Centre  
40, Max Mueller Marg, New Delhi – 110003  
Telephone No: 24619431 Extn: 258  
Email id: rymonitoringcommittee@gmail.com
Memorandum of Understanding

THIS QUADRIPARTITE MOU is executed on this 13th April 2018 at New Delhi among

MINISTRY OF TOURISM, Government of India, having its office at Transport Bhawan, 1, Parliament Street, New Delhi - 110001 acting through its Secretary, hereinafter called “MoT” which expression shall, unless repugnant to the context of meaning thereof, include its successors and permitted assigns of the FIRST PARTY

AND

MINISTRY OF CULTURE, Government of India, having its office at ‘C’ Wing, Shastri Bhawan New Delhi – 110015 acting through its Secretary, hereinafter called “MoC” which expression shall, unless repugnant to the context of meaning thereof, include its successors and permitted assigns of the SECOND PARTY

AND

ARCHAEOLOGICAL SURVEY OF INDIA (ASI), Department of Culture, Government of India, having its office at 24, Tilak Marg, New Delhi-110001 acting through its Director General (hereinafter called “ASI” which expression shall, unless repugnant to the context of meaning thereof, include its successors and permitted assigns) of the THIRD PARTY / OR

AND

Dalmia Bharat Limited, a Company/Trust incorporated under the companies Act, 1956/Trust Act, having its registered office at 11-12 Floor, Hansalya Building, 15 Barakhamba Road, New Delhi 110001 (hereinafter referred to as office) of the FOURTH PARTY to be called henceforth ‘Monument Mitras’.

WHEREAS:

(a) The Ministry of Tourism in collaboration with Ministry of Culture and ASI has announced a project “Adopt a Heritage” for adoption of heritage sites/monuments in collaboration with the Monument Mitras wide File No.-TT-202/7/2017, which enables adoption of heritage sites/monuments and other tourist sites to provide and maintain various basic and advanced amenities as decided by the ‘Oversight and Vision Committee’, such as public conveniences, drinking water, cleanliness of the monument, accessibility for all, signage, Wi-Fi, cloakroom, illumination and night
viewing, cafeteria, surveillance system, tourist facilitation cum interpretation centre, digital interactive kiosk, light and sound shows etc.,

(b) WHEREAS Monument Mitra through its Corporate Social Responsibility, intends to take up the Red Fort – Delhi monument/site under “Adopt a Heritage” project.

(c) WHEREAS destinations proposed in this project are under supervision of nodal department Archaeological Survey of India (ASI).

1.0 DEFINITIONS
1.1 “Nodal Department” means Archaeological Survey of India (ASI).
1.2 “Cost” means the cost of preparing a development plan, detailed project report as contained in the estimate.
1.3 “Development” means the construction, landscaping, illumination, operation and maintenance activities related to provision, development and maintenance of tourist amenities.
1.4 “Tourist amenities” means various essential and experiential tourist facilities meant to be provided for the tourist. The amenities can be bifurcated into below categories as per project guidelines.
1.5 “Semi Commercial Activity” mean any activity ancillary to operation of the site including Sound & Light Show, Souvenir Shop, Audio Guides, Cafeteria, Cultural Events etc. necessary to sustain Operations & Maintenance (O&M) and developmental activities at the adopted site under the MoU.

A. Basic amenities

Basic amenities are important aspect in tourism as it triggers the popularity of the place; it also facilitates repeated visits and mouth to mouth publicity as a promotional aspect. Basic amenities at any tourist place are first and foremost right of the tourist as every single visit to the monument gives impetus to the local economy. Basic amenities are important irrespective of their financial feasibility in project structuring.

The basic amenities within and surrounding areas are categorized as below:

- Public conveniences
- Ease of Access
- Aesthetics and cleanliness of site
- Illumination
- Backlit signages
- Point of Sale Terminal (PoS) machines at the Ticketing Counters to promote
cashless transactions

Representative list of inter alia basic amenities:

- Public conveniences of international standard
- Clean drinking water facilities
- Swachh Monument (Cleanliness of the monument, including complete polythene ban)
- Barrier Free Monuments/ Accessibility for All: differently-abled friendly toilets, ramps, wheelchair facility, braille signages, heritage site / monument models
- Informatory and Directional Signages
- Wi-Fi
- App based Multi-lingual Audio-Guide
- Cloak room, shoe-racks/covers, washing facility etc.
- Canteen (with souvenir shop promoting local art and craftsmanship)
- Illumination
- Wheelchair

B. Advanced amenities

Advanced amenities shall be planned as per the identified monument's tourist footfall and financial feasibility of proposed interventions.

List of inter alia advanced amenities:

- Cafeteria
- Facilitation of night visits to monuments under adaptive use within permissible guidelines of ASI
- Advanced surveillance system (Like PTZ based CCTV cameras)
- Tourist Facilitation cum Interpretation Centre (Tourist Multi-Purpose Centre) with facilities like museum, shopping/souvenir shop, cafeteria, cloakroom, toilet, drinking water, money exchange etc.
- Digital Interactive Kiosk, Digital (LED) screening
- Light and Sound Shows with regular cultural shows
- Battery-operated vehicles
- Advanced tourist flow management system linked with carrying capacity of the monuments
1.6 "Heritage sites" means works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view. The definition incorporates below categories:

1.6.1 "Monuments" means architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science. Monument here shall refer sites of national importance by the Central Government as per the Ancient Monument Archaeological Sites and Remains Act, 1958 and corresponding states' acts related to it.

1.7 "Heritage Sites / monuments" mean those that have been identified under the adoption programme vide File No.F.No.-TT-202/7/2017 other places added as, and when the 'Oversight and Vision Committee' desires.

NOW THIS MEMORANDUM OF UNDERSTANDING WITNESSETH AS follows:

1. MONUMENT MITRA is interested to take up the cause of adoption of monument as one of the Corporate Social Responsibility initiatives and accordingly has identified Red Fort – Delhi and intends to provide various tourism amenities in consultation with Nodal Department (hereinafter called the "Project").

2. The 'Oversight and Vision Committee' has consented to the developmental activities proposed by the MONUMENT MITRA at the monument and agrees to the same as per meeting dated 20th March 2018.

3. MONUMENT MITRA shall prepare a comprehensive plan for the project within thirty days of signing of this MoU. The detailed plan is required to be shared with the nodal agency prior to commencement of actual work at the destination. MONUMENT MITRA shall undertake the execution work directly or outsource the work through a competent agency under its overall supervision and that of Nodal Department.

4. Oversight and Vision Committee will acknowledge the contribution by the MONUMENT MITRA towards developmental activities by way of signage/plaques etc.

1http://whc.unesco.org/en/conventiontext/

Page 4 of 18
at appropriate place. The placement, contents and size of the signage/plaques etc. will be decided with mutual consent with the 'Oversight and Vision Committee' while ensuring that the same is in tune with the aesthetic value of the monuments and surroundings of destinations. Details of proposed visibility requirement is attached in Annexure III.

5. Details of the activities to be undertaken by the MONUMENT MITRA is as per Annexure-I.

6. Details of the work time schedule to be undertaken by the MONUMENT MITRA is as per Annexure-II.

7. FINANCING AND SCHEDULING

7.1 MONUMENT MITRA agrees to finance the activities, operate and maintain the facilities on their own as approved by the committee rather than transfer of funds to any Government body or department.

7.2 MONUMENT MITRA agrees to ensure that adequate funding is provided to improve and maintain the facilities for initial 5 years.

7.3 The adoption period is for initial 5 years subject to annual review of performance of staff, quality of work, operation & maintenance, tourist feedback, impact on tourism etc.

7.4 MONUMENT MITRA agrees during period of adoption that no revenue shall be generated from the public as collection fee, convenience fee etc. However, in case any fees are planned to be charged it will be subjected to specific clearance of the relevant Government parties to the MoU. Any revenue generated through the proposed activities is required to be put back to sustain development, operations and maintenance activities at the adopted monument.

8. SEMI COMMERCIAL ACTIVITIES-Reasonability of rates and standard of services

8.1 The primary responsibility of ensuring compliance to the required standard of the services would be on Monument Mitra.

8.2 The reasonability of the rates charged for the provision of services, if any, would be decided by the joint committee headed by ASI and comprising of representatives of Ministry of Culture and Monument Mitra. The committee will also monitor the standard of services provided by Monument Mitra.
8.3 A separate dedicated account will be opened and operated by Monument Mitra for the project. Any revenue generated through the semi commercial activities and from any other associated activity pertaining to the project as approved by the Oversight & Vision Committee shall be deposited in this dedicated account. Residual interest accrued if any will also be retained in this account. The funds shall be only deployed for sustaining operation and maintenance activities of the opted sites. Post operation & maintenance, surplus funds, if any, may be deployed for future development of tourism amenities only with prior approval of Oversight & Vision Committee. In case of termination or completion of MoU tenure or discontinuation of Monument Mitra post MoU tenure, balance / surplus revenue in the account (if any) is required to be transferred to Archaeological Survey of India (ASI) and shall be deployed for sustaining operation and maintenance activities and developmental activities of the opted sites.

8.4 The Monument Mitra would be required to get his dedicated account audited quarterly by CAG empanelled Chartered Accountant and shall produce a statement of accounts duly certified and signed by CA to the ASI. It shall be verified during audit that the amounts collected for specified semi commercial activities of a particular site have been utilized solely for purpose of operation and maintenance/development of the approved tourism amenities at the adopted site.

9. It is mutually agreed that this MOU shall not in any way alter the legal status of the monument/developmental activities that vests and shall always remain vested with the Archaeological Survey of India (ASI).

10. DURATION OF MOU

This MOU shall be valid initially for a period of 5 (five) years from the date of signing, extendable further for a period of 5 (five) years based on recommendation of Oversight & Vision Committee based on periodic review on the performance of staff, quality of work, operation & maintenance, tourist feedback, impact on tourism etc.

11. MANAGEMENT STRUCTURE

The management structure would consist of the following committees and stakeholders whose functioning would be as such:
A. Oversight and Vision Committee:

Committee Composition:

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<th>Chairperson</th>
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<td>1</td>
<td>Co-chaired by Secretary (Tourism) and Secretary (Culture)</td>
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<td>2</td>
<td>Director General (ASI)</td>
<td>Member</td>
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<td>3</td>
<td>Director General (Tourism)</td>
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<td>4</td>
<td>Joint Secretary (Culture)</td>
<td>Member</td>
</tr>
<tr>
<td>5</td>
<td>Additional Director General (Tourism)/Joint Secretary (Tourism)</td>
<td>Convener of the committee</td>
</tr>
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<td>6</td>
<td>Representatives from other Ministries/departments who can be co-opted as and when required for co-ordination</td>
<td>Member</td>
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Indicative Roles & Responsibilities:

- Enunciate the vision and chalk out the road map for the project and provide platform for exchange of ideas.
- Coordinate to oversee all operations, steer, and review and monitor overall performance of the project and provide guidance on specific issues relating to the project.
- Conduct the 'Vision Bidding' and select the 'Monument Mitra' from the bidders after evaluation.
- Oversee the planning, sanctioning and execution of the project sites and also the overall monitoring.

B. Implementation Committee:

Committee Composition:

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<th>Chairperson</th>
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<td>Joint Secretary (Culture)</td>
<td>Member</td>
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<tr>
<td>3</td>
<td>Additional Director General (ASI)</td>
<td>Member</td>
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<td>4</td>
<td>Director (Travel &amp; Trade)</td>
<td>Convener of the committee</td>
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<tr>
<td>5</td>
<td>PMC (Project Management Consultant)</td>
<td>To support implementation</td>
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Indicative Roles & Responsibilities:

- Guide the selected 'Monument Mitra' for getting the necessary clearances, approvals and NoCs.
- Assist the 'Monument Mitra' in the 'joint inspection' exercise in each of the heritage sites/monuments for the 'Need-Gap Analysis'.
- Recommend mid-course corrections in the implementation tools.
- Periodical oversight and review of proposed/ongoing projects.
- Ensure co-ordination between Ministry of Tourism, Ministry of Culture and ASI.

C. Monument Committee: (Composition & Functions)

Committee Composition:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Director (Travel &amp; Trade)</td>
<td>Chairperson</td>
</tr>
<tr>
<td>2</td>
<td>Deputy Director General (Adopt a Heritage)</td>
<td>Convener</td>
</tr>
<tr>
<td>3</td>
<td>Superintending Archaeologist(s) of the various circles involved</td>
<td>Member</td>
</tr>
<tr>
<td>4</td>
<td>Representative of the Monument Mitra</td>
<td>Member</td>
</tr>
<tr>
<td>5</td>
<td>PMC (Project Management Consultant)</td>
<td>To support Monument Committee</td>
</tr>
</tbody>
</table>

Indicative Roles & Responsibilities:

- Providing NoC for executing planned interventions at the selected heritage sites/monuments.
- Assisting the Executing/Implementing Agencies (of the selected 'Monument Mitra') in the implementation of works.
- Assisting the Executing/Implementing Agencies (of the selected 'Monument Mitra') in the Operations and Maintenance of the heritage sites/monuments.

D. Monument Mitra
Public / Private sector companies or individuals successfully selected through the process of 'Vision Bidding', on a competitive basis for the project shall be called as Monument Mitra. Various roles and responsibilities of the Monument Mitra shall be as mentioned below.

**Indicative Roles & Responsibilities:**

- Prepare detailed Vision Bidding document for all the heritage sites/monuments that they are plan to adopt (At least one monument from each category of the listed monuments forming a package).
- Carry out need gap analysis in each of the heritage sites/monuments that they are taking up for adoption.
- Get the necessary approvals, clearances, NoCs etc. soliciting the guidance of the Monument Committee.
- Do the entire end to end work of creation of assets and services of the required levels and standards as per approved vision, proposal and MoUs.
- Carry out Operations and Maintenance (O&M) of the assets and services created.
- Assist the Implementation Committee in the mid-course corrections and provide feedback in a periodic manner.

**E. Project Management Consultant**

Other than the Roles & Responsibilities of the PMC as part/member of Oversight and Vision Committee, Implementation Committee and Monument Committee, PMC has to adhere to following roles and responsibilities:

- Coordination with the Monument Mitra for vision presentations and final preparation of the Vision Bidding Document
- Assist the Oversight and Vision Committee in the evaluation of the Vision Bidding Documents from the Monument Mitra
- Assist Implementation Committee in project implementation, periodic reporting of implementation status and mid-course corrections if any
- After completion, compilation and analysis of survey data of tourist experiences and feedback and service level achievement details as provided by the Monument Mitra.

**12. FORCE MAJEURE**

12.1. For the purposes of this MOU, "Force Majeure" means an event which is beyond the reasonable control of a Party, and which makes a Party's performance of its
obligations hereunder impossible or so impractical as reasonably to be considered impossible in the circumstances, and includes, but is not limited to, war, riots, civil disorder, earthquake, fire, explosion, storm, flood or other adverse weather conditions, strikes, lockouts or other domestic action (except where such strikes, lockouts or other domestic action are within the power of the Party invoking Force Majeure to prevent), confiscation or any other action by government agencies.

Force Majeure shall not include:

a) Any event which is caused by the negligence or intentional action of a Party or such Party’s Subcontractors or agents or employees;

b) Any event which a diligent Party could reasonably have been expected to:
   i. Take into account at the time of the conclusion of this Agreement, and
   ii. Avoid or overcome in the carrying out of its obligations hereunder.

13. ENFORCEMENT OF GUIDELINES

The scheme guidelines shall remain enforced for the entire period of MoU.

14. TERMINATION

14.1 This MoU once operative shall continue to be in full force until terminated.

14.2 This MoU can be terminated by any party giving not less than six months’ notice in writing of intended termination to other parties hereto. The non-terminating parties shall be at liberty to re-negotiate fresh MoU amongst them, as the circumstances may permit, to the exclusion of the terminating party.

14.3 Under exceptional circumstances and/or in the public interest, the Government of India through Ministry of Tourism reserves the right to terminate the MoU with immediate effect.

15. DISPUTE RESOLUTION

15.1 All disputes arising out of MoU shall be settled by discussion and failing which the settlement, the decision of the 'Oversight and Vision Committee' shall be final and binding upon the parties.
16. GOVERNING OF LAW JURISDICTION

The MOU will be governed by and construed and enforced in accordance with, the laws of India/ rules and law promulgated by concerned State Government. Any action brought by either party against the other concerning the transactions contemplated by this MOU shall be brought only in the courts of Delhi or in the courts located in the respective State. All the parties and individuals signing this Agreement agree to submit to the jurisdiction of such courts.

17. INDEMNITY CLAUSES

18. Ministry Of Tourism, Ministry of Culture and Archaeological Survey of India will identify and hold harmless MONUMENT MITRA (company/Trust and its officers and employees), against any loss, costs and expenses of any Archaeological Survey Of India claims which the latter may suffer as the result of any claims or proceedings brought against them arising from work performed in accordance with the scope of work and performance of this understanding.

[Signatures]

Page 11 of 18
IN WITNESS THEREOF the parties set their respective hands on this MOU on the date, month and year first written above.

1. SIGNED AND DELIVERED for and on behalf of the above MINISTRY OF TOURISM

By

Name: Adil ORAN

Designation: ADDL. DIRECTOR GENERAL

WITNESS:
(i) 
(ii) 

2. SIGNED AND DELIVERED for and on behalf of the above MINISTRY OF CULTURE

By

Name: ANJANA

Designation: ADDL. DIRECTOR GENERAL (UNDER SECRETARY)

MINISTRY OF CULTURE

GOVT. OF INDIA

NEW DELHI

WITNESS:
(i) 
(ii) 

3. SIGNED AND DELIVERED for and on behalf of the above ARCHAEOLOGICAL SURVEY OF INDIA

By

Name: 

Designation: ADDL. DIRECTOR GENERAL (ADMINISTRATION)

ARCHAEOLOGICAL SURVEY OF INDIA

NEW DELHI

WITNESS:
(i) 
(ii) 

4. SIGNED AND DELIVERED for and on behalf of the above MONUMENT MITRA

Page 12 of 18
WITNESS:

(i) 

(ii) 

By
Name: HARMIN SINGH SETHI
Designation: HEAD CORPORATE AFFAIRS
Annexure I: Project Details for Red Fort - Delhi

Various interventions proposed to be carried as a part of project are as under:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Activity</th>
<th>Basic Amenities</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Signage (tactile map &amp; lettering, identification, descriptive and directional)</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Drinking Water Kiosk</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Upgradation of Toilets</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Street Furniture - Benches and dustbins</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Lighting (street lighting, pathway lighting, bollards)</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Paving (including tactile)</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Services - Plumbing, Drainage, electrical, etc.</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Housekeeping (Cleaning, Garbage disposal, etc.)</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Fencing with Sliding Doors</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Shop Signage</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Landscape Restoration</td>
<td></td>
</tr>
</tbody>
</table>

**Advanced Amenities**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.</td>
<td>Visitor Facility Centre (AC)- 1000 sqft area</td>
</tr>
<tr>
<td>13.</td>
<td>3-D Projection mapping (interior and exterior)</td>
</tr>
<tr>
<td>14.</td>
<td>Façade lighting and structure illumination</td>
</tr>
<tr>
<td>15.</td>
<td>Night trail (lighting, set ups, signage, equipment, etc.)</td>
</tr>
<tr>
<td>16.</td>
<td>App for Augmented Reality Interpretation</td>
</tr>
<tr>
<td>17.</td>
<td>VR based Monument Interpretation</td>
</tr>
<tr>
<td>18.</td>
<td>Battery Operated Vehicles &amp; charging station for E-Vehicles</td>
</tr>
<tr>
<td>19.</td>
<td>Thematic Cafeteria</td>
</tr>
<tr>
<td>20.</td>
<td>Art Installations for celebrations of 75th Independence Day (2022)</td>
</tr>
<tr>
<td>21.</td>
<td>Exhibition in Cells Under Asad Burj</td>
</tr>
<tr>
<td>22.</td>
<td>Temporary Exhibition Panels</td>
</tr>
</tbody>
</table>

(The MONUMENT MITRA agrees to carryout complete operations and maintenance of the adopted monument including payment of utility bills of the adopted monument for the period of MoU.)
Various Semi Commercial Activities in the proposed interventions are:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Exhibitions &amp; Workshops</td>
</tr>
<tr>
<td>2.</td>
<td>Souvenir &amp; Gift Shop</td>
</tr>
<tr>
<td>3.</td>
<td>Food &amp; Beverage Outlets</td>
</tr>
<tr>
<td>4.</td>
<td>Projection Mapping</td>
</tr>
<tr>
<td>5.</td>
<td>Cafeteria</td>
</tr>
<tr>
<td>6.</td>
<td>Special Guided Tours</td>
</tr>
</tbody>
</table>
### Annexure II: Time Schedule for Red Fort - Delhi

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Activity</th>
<th>Implementation Timeline for Installation &amp; Commissioning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Basic Amenities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Signage (tactile map &amp; lettering, identification, descriptive and directional)</td>
<td>0 - 12 months</td>
</tr>
<tr>
<td>2</td>
<td>Drinking Water Kiosk</td>
<td>0 - 6 months</td>
</tr>
<tr>
<td>3</td>
<td>Up gradation of Toilets</td>
<td>0 - 12 months</td>
</tr>
<tr>
<td>4</td>
<td>Street Furniture- Benches and dustbins</td>
<td>0 - 6 months</td>
</tr>
<tr>
<td>5</td>
<td>Lighting (street lighting, pathway lighting, bollards)</td>
<td>0 - 12 months</td>
</tr>
<tr>
<td>7</td>
<td>Paving (including tactile)</td>
<td>12 - 24 months</td>
</tr>
<tr>
<td>8</td>
<td>Services- Plumbing, Drainage, electrical, etc.</td>
<td>Continuous O&amp;M Activity</td>
</tr>
<tr>
<td>9</td>
<td>Housekeeping (Cleaning, Garbage disposal, etc.)</td>
<td>Continuous O&amp;M Activity</td>
</tr>
<tr>
<td>10</td>
<td>Fencing with Sliding Doors</td>
<td>12 - 24 months</td>
</tr>
<tr>
<td>11</td>
<td>Shop Signage</td>
<td>0 - 6 months</td>
</tr>
<tr>
<td>12</td>
<td>Restoration and Landscaping</td>
<td>0 - 12 months</td>
</tr>
<tr>
<td><strong>Advanced Amenities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Visitor Facility Centre (AC)- 1000 sqft area</td>
<td>0 - 12 months</td>
</tr>
<tr>
<td>2</td>
<td>3-D Projection mapping (interior and exterior)</td>
<td>0 - 12 months</td>
</tr>
<tr>
<td>3</td>
<td>Façade lighting and structure illumination</td>
<td>12 - 24 months (Front Lighting - by end July 2018)</td>
</tr>
<tr>
<td>4</td>
<td>Night trail (lighting, set ups, signage, equipment, etc.)</td>
<td>12 - 24 months</td>
</tr>
<tr>
<td></td>
<td>Night trail (lighting, set ups, signage, equipment, etc.)</td>
<td>12 - 24 months</td>
</tr>
<tr>
<td>---</td>
<td>----------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>5</td>
<td>App for Augmented Reality Interpretation</td>
<td>12 - 24 months</td>
</tr>
<tr>
<td>6</td>
<td>VR based Monument Interpretation</td>
<td>12 - 24 months</td>
</tr>
<tr>
<td>7</td>
<td>Battery Operated Vehicles &amp; charging station for E-Vehicles</td>
<td>0 - 12 months</td>
</tr>
<tr>
<td>8</td>
<td>Thematic Cafeteria</td>
<td>0 - 12 months</td>
</tr>
<tr>
<td>9</td>
<td>Art Installations for celebrations of 75th Independence Day (2022)</td>
<td>Every year</td>
</tr>
<tr>
<td>10</td>
<td>Exhibition in Cells Under Asad Burj</td>
<td>12 - 24 months</td>
</tr>
<tr>
<td>11</td>
<td>Temporary Exhibition Panel</td>
<td>12 - 24 months</td>
</tr>
</tbody>
</table>

*Note: Date of handover of site*
Annexure III: Proposed Visibility Requirement for Red Fort - Delhi

1. Signage will be deployed at the monument indicating that the monument has been adopted by Dalmia Bharat Limited under Adopt a Heritage Project, Government of India in a discreet manner and tastefully. Size and design of the standardized signage has to be approved by Archaeological Survey of India prior to the installation at site.

2. Brand Visibility on souvenirs
3. Brand Visibility on banners during cultural events
4. Brand Visibility on signage.

Size and design of the standardized signage has to be approved by Archeological Survey of India prior to the installation at site.