

Business Standard

What ails our heritage sites: It's time to review the Ancient Monuments Act

India's blanket heritage rules under AMASR Act risk harming conservation, tourism, and urban growth; experts call for graded, flexible protection

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India's heritage protection framework is broad, blunt, and counterproductive. It is failing to preserve the past it aims to protect, while also hindering the country's future.

At the centre of this tension lies the Ancient Monuments and Archaeological Sites and Remains Act, 1958, which oversees about 3,700 centrally protected monuments. It imposes a uniform 100-metre prohibited zone around each monument where no construction is allowed, along with a 200-metre regulated zone where development is strictly controlled.

What appears to be a strong framework for protection is, in reality, toothless. It regulates too many monuments too uniformly and offers limited benefits for conservation or tourism gains while imposing significant economic and social costs.

India's list of protected sites is extraordinarily diverse, yet the regulatory approach makes no distinction between sites. Monuments range from globally significant landmarks to minor relics. Some are graves and cemeteries carried forward wholesale from colonial-era lists, or

the more than one hundred Kos Minars that once served as medieval distance markers. Some protected “sites” are actually movable relics, while others exist only on paper. Yet each of them triggers the same sweeping 300-metre restriction.

This approach would still be defensible if it actually improved conservation. However, in practice it often does the opposite. Blanket prohibitions do not eliminate activities around monuments — they push them underground.

Visualise the ad hoc construction you have likely already seen around many monuments, with structures creeping right up to their walls.

Under-maintained monuments

This is what illegal encroachment looks like, far more damaging to the monument fabric than any regulated development. At the same time, the ban on formal development prevents any meaningful economic activity in the vicinity. This cuts off the very sources of revenue that typically sustain heritage sites, such as cafes, small retail, cultural events and partnerships with nearby businesses.

As a result monuments remain under-maintained and deteriorate over time. A system intended to protect heritage ends up weakening it. The impact on tourism is equally damaging. Heritage tourism does not thrive in isolation with monuments locked away behind blanket bans. It depends on a functioning urban environment with basic infrastructure and visitor amenities.

Across much of India, this ecosystem is missing. Simple facilities such as access roads, parking, sanitation, lighting and public spaces are difficult to build within restricted zones. As a result, many sites remain hard to access and unattractive to visitors.

By contrast, global landmarks such as the Colosseum, the Eiffel Tower, and historic sites across London are integrated into dense urban environments through design controls, coexisting with infrastructure, commercial activity, and public spaces rather than being isolated by blanket bans. It should come as no surprise, then, that the Eiffel Tower alone attracts around four times more foreign visitors annually than all centrally protected monuments in India combined.

Locked in limbo

The regulation affects the quality and basic dignity of everyday life. In cities, entire neighbourhoods have been locked into regulatory limbo. Even basic approvals for repairs can take over two to five years. Residents living around sites such as Shaniwar Wada in Pune have been protesting persistently to lift a reconstruction ban near the heritage site, saying it

has trapped them in crumbling homes that endanger their lives. People have no choice but to live in deteriorating, unsafe homes, as permissions remain elusive.

Critical infrastructure is routinely caught in the same web. Metro corridors, hospital expansions, and urban development projects are delayed for years due to approval requirements, even where the impact on heritage is negligible. In Agra, sections of Smart City works were stalled for lack of clearance, delaying basic improvements such as drainage, street lighting, and public amenities. A critical care facility at Madikeri District Hospital was held up because it fell within the restricted zone of the Madikeri fort. Metro projects in Delhi and Kolkata have faced similar constraints. These delays translate into higher costs, deferred public services, and lost economic opportunities.

Perhaps the most striking consequence is the scale of land that lies effectively locked up under this regime. Estimates suggest that land worth over ₹20 trillion falls within these restricted zones in Indian cities. In Delhi alone, with 174 protected monuments and some of the country's highest land values, nearly ₹8.7 trillion worth of land remains locked. Spanning around 16,000 acres, this is more land than all of Manhattan, constrained under a single regulation. In a country where urban land is scarce and expensive, this artificially constrains supply, pushes up prices, and ultimately limits economic growth.

The power of heritage

Our current approach to heritage protection is therefore distorting and overly simplistic. It rests on the assumption that distance alone ensures protection, and that all monuments require the same degree of insulation. In practice, this fails on both counts. A uniform buffer applied to a deeply uneven list ends up over-protecting the trivial while doing little to improve conservation for genuinely significant sites.

What is needed is a shift to a more targeted and proportionate framework. The list itself must be rationalised, with missing or relatively low-significance sites moved out of the central regime and managed at the state or local level. Protection should then be graded, with the most significant monuments, such as UNESCO World Heritage sites, subject to tighter controls, while others are governed by flexible, context-specific rules. Finally, instead of a blanket ban on all construction, regulation should have case-specific controls restricting only genuinely harmful activities.

Done right, heritage, rather than acting as a constraint on growth, can be a powerful economic asset that drives tourism, supports local businesses, and generates revenue. Heritage can be something citizens value and take pride in, rather than a restriction they must work around.

The writer helped conceive the Incredible India campaign and has served as Joint Secretary for Tourism

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