

ACTION LIST

S.No.	Scenario	Suggested Action
1.	The Application received is for construction in Regulated Area	Process the case and forward it with Form-II.
2.	The Application received is for construction/ reconstruction/ repair and renovation in Protected Area.	Case to be rejected after giving a reasoned order as NMA does not recommend permission in Protected Area.
3.	The Application received is for repair and renovation in Prohibited or Regulated Area.	Case to be disposed off at level of Competent Authority. Use Form-III/ Form-IV for granting permission or Form-V for denying permission.
4.	The Application received is for reconstruction in Regulated Area.	Case to be forwarded to NMA with Form-II, if all other aspects are in order. Site plan of the pre-existing building to also be enclosed with Form-II.
<i>*As per the legal definition of reconstruction given in para 2(k) of the AMASR Act, 2010, as amended, "Reconstruction" means any erection of a structure or building to its pre-existing structure, having the same horizontal and vertical limits. Demolishing of an existing structure and constructing a new building in its place does not imply reconstruction, unless the height and area of the proposed structure is same as that of the pre-existing structure.</i>		
5.	Form-I mentions reconstruction but the proposed building in Regulated Area is of different dimensions then the pre-existing and forward the case to NMA if all other aspects are correct.	Mention "Nature of work" as construction at Ser 8 of Form-II and forward the case to NMA if all other aspects are correct.
6.	Form-I mentions reconstruction, construction, repair and renovation in Prohibited Area for a building found beyond repair due to natural calamities, such as, earthquakes, flood, incessant rain, fire, landslide, cyclone and such other calamities and needs immediate restoration.	Such cases to be dealt as per Rule 16 of Competent Authority Rules, 2011 which state that the reconstruction, construction, repair, and renovation of any type of building or structure, collapsed or damaged and found beyond repair due to natural calamities, such as, earthquakes, flood, incessant rain, fire, landslide, cyclone and such other calamities, located in the prohibited or regulated area of the protected monument or protected area and need immediate restoration, shall be considered as a category by the Competent Authority which may not require the approval of the Authority for construction, reconstruction, repair and renovation of the building or structure to the extent damaged or destroyed.
7.	The Application received is for construction in Prohibited Area.	Case to be rejected after giving a reasoned order and Form V be issued. Case need not be send to NMA.
8.	The Application received is for construction in Prohibited Area, however, the Applicant(s) agree(s) to leave a setback and start construction in Regulated Area.	Obtain a separate Affidavit from all the Applicant(s) that the construction work shall be carried out in Regulated Area after leaving adequate setback. This Affidavit to be enclosed while forwarding the case to NMA.

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9.	The Application has been forward to NMA however the applicant is pressing for an update.	Advise the applicant to check NMA website for minutes of the Authority's meetings or write email to Public Grievance Officer only on the id legal-section@nma.gov.in
10. (a)	What is the validity of a permission?	Three years as per Rule 17(1) of Competent Authority Rules, 2011
(b)	The previous permission was granted nearly two and a half years back and now the applicant seeks more time for completion of the work.	Advise the applicant to apply on a plain paper application to Competent Authority who can revalidate the existing permission for a period of another two years as per Rule 17(2) of Competent Authority Rules, 2011. A permission cannot have a total validity exceeding five years.
(c)	An Applicant's previously granted permission has recently expired the maximum period of 5 years (3+2) however he seeks revalidation of the permission as he requires more time for completion of the work	Advise the applicant to file a fresh Application as an expired permission cannot be re-validated.
11. (a)	The Application has been rejected by NMA; however, the Applicant is pressing hard for a review.	As per Section 20D (5) of the AMASR Act, 2010, as amended, the recommendations of the Authority shall be final. Therefore. advise the applicant to file an appeal with Central Government (addressed to Ministry of Culture) as per Rule 14 of Competent Authority Rules, 2011 within a period of 30 days from the date of communication of such refusal.
(b)	The Application has been rejected by the Competent Authority; however, the Applicant is pressing hard for a review.	Applicant to file an appeal with Central Government (addressed to Ministry of Culture) as per Rule 14 of Competent Authority Rules, 2011 within a period of 30 days from the date of communication of such refusal. Under no circumstances is the application be sent to NMA for review.
12.	Is the permission transferable on sale/ conveyance of property?	No. The applicant be advised to file a fresh application quoting the previously granted permission.
13.	The Application has been sent back by NMA with observations	Inform the applicant immediately asking him/her to re-submit the application after ironing out all deficiencies/ resolving all observations. Once received, the same to be forwarded to NMA along with a revised Form-II.

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14.	The applicant has submitted Application where total built area is more than 5,000 square metres or it is a large-scale development project but no Heritage Impact Assessment (HIA) Report has been enclosed.	The applicant to be advised to obtain HIA Report as per Rule 17 of NMA Rules of NMA Rules, 2011, preferably done through NMA's Notified Expert Heritage Body (list hosted on NMA website).
15.	NMA has conveyed it's no objection for carrying out of Public Amenity/ Public Utility Work having regard to larger public interest under the exception clause to the definition of 'Construction' as given in Section 2(dc) of AMASR Act 1958, as amended.	No Form-III or Form- IV to be issued; rather, no objection to be conveyed by issuing an official letter.
16.	NMA recommended permission but with a condition of prior submission of Self Declaration.	Obtain Self Declaration from the Applicant before issuing Form -IV
17. (a)	The Applicant started construction but stopped work after Stop Notice was served; now, the applicant has submitted application.	Process the case and forward it with Form-II
(b)	The Applicant started construction but stopped work after show Cause Notice had been served; now, the applicant has submitted application.	After ascertaining that Show Cause Notice has been complied with, process the case and forward it with Form-II, else send back the case to the Applicant to comply with the Show Cause Notice.
(c)	The Applicant started construction but no notice was served and has submitted application.	If the work has stopped then process the case and forward it with Form-II. However, if the work has not stopped then the case to be rejected after giving a reasoned order.