

GOVERNMENT OF INDIA  
MINISTRY OF CULTURE  
**LOK SABHA**  
**UNSTARRED QUESTION NO.396**  
ANSWERED ON 02.02.2026

**PREVENTION OF ILLEGAL CONSTRUCTION IN PROTECTED ZONES UNDER ASI**

396. SHRI CAPTAIN VIRIATO FERNANDES:

Will the Minister of CULTURE be pleased to state:

- (a) whether the Government is aware that an illegal bungalow constructed in the Heritage Protected Zone in Ella Village in Old Goa despite order of the Archeological Survey of India (ASI) for demolition, if so, the action taken thereon;
- (b) the reason for delay in demolition of the illegal structure despite orders for demolition by the ASI;
- (c) the details of the measures initiated by the Government to prevent such illegal constructions in Heritage protected Zones/close to protected monuments and under the immediate watchdog of ASI where no construction is permitted, if so, the details thereof; and
- (d) whether the Government has issued any instructions to State Government of Goa to reflect all protected monuments on Regional Plan, if so, the details thereof?

**ANSWER**

THE MINISTER OF CULTURE AND TOURISM  
(SHRI GAJENDRA SINGH SHEKHAWAT)

- (a)& (b) On noticing the illegal structure at Chapel of St. Cajetan and Arch of Viceroy's, Old Goa, an order was issued for its removal on 16.08.2022. However, the said order was challenged before the Hon'ble High Court of Bombay at Goa through Writ Petition No. WP/2216/2022 (WP/48 of 2023). The Hon'ble Court, vide judgment dated 06.02.2023, decided the case in favour of the petitioner and quashed and set aside the order. However, now, the matter is under *subjudice* before the Hon'ble Supreme Court of India.
- (c) The illegal constructions at the protected monuments and protected areas are removed as per the provisions contained in the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and Rules framed there under. In order to contain the encroachments and remove them, the Superintending Archaeologist in charge of the Circles have been vested with the powers of an Estate Officer to issue eviction notices/orders to the encroachers under Public Premises (Eviction of Unauthorised Occupants) Act, 1971. They are also authorised to issue show cause notices followed by a direction to the District Collector/Magistrate to remove such illegal constructions under the provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958 and Rules 1959. Assistance in containing and removing illegal constructions is also sought from the respective State Government/police authorities from time to time. Further, in addition to the regular watch and ward staff, private security personnel and CISF have also been deployed for the safety and security of selected monuments/sites across the country.--
- (d) No such specific instructions have been issued to the State Government of Goa. However, Gazette Notification No. 27/15-3/943/TCP/2023/3254, dated 19.10.2023, published in the Official Gazette of Government of Goa dated 26.10.2023, has notified the site plan by

delineating the protected area, prohibited area and regulated area in respect of the ancient monuments and archaeological sites and remains situated within the limits of the Settlement Level plan of the village Panchayat of Ella, Old Goa.

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