

Court case holding up demolition of illegal structure near Old Goa monuments, Centre tells Lok Sabha

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The Centre on Monday told the Lok Sabha that the demolition of an allegedly illegal bungalow constructed within the Heritage Protected Zone at Ella village in Old Goa has been delayed as the matter is currently sub judice before the Supreme Court.

Replying on behalf of the government, Union Minister for Culture and Tourism Shri Gajendra Singh Shekhawat said that while the Archaeological Survey of India (ASI) had ordered the removal of the structure in August 2022 after detecting the illegal construction near the Chapel of St. Cajetan and the Arch of the Viceroy, subsequent court proceedings have stalled the process.

The issue was raised by South Goa Member of Parliament Captain Viriato Fernandes through an unstarred question, in which he sought an explanation for the continued existence of the structure despite ASI's demolition orders. He also asked what steps the Centre had taken to prevent illegal constructions around protected monuments and whether the Goa government had been directed to incorporate all protected monuments into the Regional Plan.

Providing details, the Minister informed the House that the ASI's demolition order dated August 16, 2022, was challenged by the concerned party before the Bombay High Court at Goa. The High Court, in its judgment on February 6, 2023, ruled in favour of the petitioner and quashed the ASI's order. The matter has since been taken to the Supreme Court, and the pending proceedings have led to the delay in removal of the structure, he said.

On measures to curb illegal construction near protected sites, Shri Shekhawat said such violations are dealt with under the Ancient Monuments and Archaeological Sites and Remains Act, 1958. He said that ASI officials are empowered to issue eviction and show-cause notices, seek assistance from district collectors and magistrates, and take support from State authorities and police. He also informed the House that CISF and private security personnel have been deployed at selected monuments across the country to ensure their protection.

Addressing the question on regional planning, the Minister clarified that the Centre has not issued specific instructions to the Goa government to reflect all protected monuments in the Regional Plan. However, he pointed out that the State government issued a Gazette Notification in October 2023 delineating protected, prohibited and regulated zones around ancient monuments in Ella village under the settlement-level plan.

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