

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).483/2003

RAJEEV SETHI &amp; ORS.

Petitioner(s)

VERSUS

ARCHAEOLOGICAL SURVEY OF INDIA &amp; ORS.

Respondent(s)

Date : 25-03-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGHFor Petitioner(s) :Ms. Bina Madhavan, Adv.  
Ms. Usha Bhaskar, Adv.  
M/s. Lawyer S Knit & Co, AOR

For Respondent(s) :Mr. Annam D.N. Rao, Amicus Curie

UPON hearing the counsel the Court made the following  
O R D E R

1. The instant writ petition was filed in the year 2003 in public interest seeking a direction to the Archaeological Survey of India and other Authorities to ensure conservation of protected monuments, especially the Red Fort in Delhi. The petitioners sought intervention of this Court for ensuring that the historical and aesthetic integrity of the Red Fort is conserved/restored and any interference with the structure, if made, be in strict conformity with the internationally accepted standards of restoration.

2. On 27.10.2003, this Court issued notice to the respondents, and then on 21.11.2003, an *amicus curiae* was appointed. Thereafter, on 06.08.2004, the matter was heard at length and the following order was passed:

"At the suggestion of the appearing parties, an Expert Committee is constituted which shall be

headed by the Director General of the Archaeological Survey of India and of which the following shall be the members;

(1) Shri J.P. Joshi, Former Director General, Archaeological Survey of India,

(2) Prof. Nalini Thakur, Head, Department of Architectural Conservation, School of Planning and Architecture.

(3) Mrs. Anuradha Chaturvedi, Assistant Professor of Architectural Conservation, Department of Architectural Conservation, School of Planning and Architecture.

(4) Dr. W.H. Siddiqui, Director (Retd.) Archaeological Survey of India, Presently OSD, Rampur Raza Library, Rampur.

(5) Dr. O.P. Aggarwal, Director General, Indian Council of Conservation Institute and Architecture Heritage, INTACH Lucknow.

(6) Mohd. Shaheer, Vice-President of Indian Society and Landscape, Architects, School of Planning and Architecture.

(7) Director General, Archaeological Survey of India,

(8) Jt. Director General, Archaeological Survey of India and

(9) Prof. Smt. Narayani Gupta

The Expert Committee will be entitled to formulate its own procedure as to the method in which it will operate. However, it shall;

(a) Ensure that a comprehensive Conservation Management Plan, in accordance with internationally accepted principles, is drawn up. The Committee may also define the parameters and framework within which such a Conservation Management Plan for the Red Fort Site is to be formulated.

(b) Lay down the criteria for selection of the professional teams required at each stage of conservation and the specific skills required for each task.

(c) Make available in a public archive the Conservation Management plan and the documentation

before, during and after any restoration/intervention.

(d) Decide upon whether any steps are required to be taken immediately, pending finalization of the Plan, for safeguarding the monument from any imminent danger of damage or decay, or to undo any of the actions for conservation things that had been done in the past.

No further steps for conservation shall be taken or work done in the name of conservation of the Red Fort without the express written permission of the Committee.

The matter is adjourned sine die with liberty to mention."

3. It may be seen that this Court not only constituted an Expert Committee headed by a former Director General of Archaeological Survey of India and comprising eminent domain experts, but it also issued comprehensive directions for the preparation of Conservation Management Plan as per internationally accepted principles, entrusting the Expert Committee to define the parameters and framework within which such Plan was to be formulated. The other directions, i.e, those contained in clauses (b) to (d) of the order, in a way, redress the principal grievance of the petitioners raised in the writ petition.

4. More than 20 years have passed, and we have no reason to doubt that the needful must have been done under the strict supervision, guidance, and monitoring of the Expert Committee. We, therefore, see no purpose to continue with these proceedings except to observe that if anything has been left out, the petitioners can firstly raise such an issue before the Archaeological Survey of India. If the issues are not effectively resolved, they shall be at liberty

to approach the appropriate forum.

5. With the liberty aforementioned, the writ petition is disposed of.

6. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
ASSISTANT REGISTRAR