

**Department of Culture**  
**(Directorate of State Archaeology)**  
Government of Uttar Pradesh

**“Adopt a Heritage”**  
*‘Apni Dharohar, Apni Pehchaan’*

**Project for Development of Ancient Monuments & Sites**

**JANUARY 2021**

**PROJECT GUIDELINES WITH MOU**

[www. upculture.up.nic.in](http://www.upculture.up.nic.in)

**DEPARTMENT OF CULTURE  
GOVERNMENT OF UTTAR PRADESH**

**ADOPT A HERITAGE: ‘Apni Dharohar, Apni Pehchaan’**

**Project for Development of Ancient Monuments & Sites**

**1 Rationale**

Uttar Pradesh has always been renowned for its rich cultural heritage. Uttar Pradesh’s glorious past and cultural diversity make a potent blend which attracts millions of tourists each year to its tourist destinations. Uttar Pradesh's rich heritage is abundantly reflected in the form of numerous temples, palaces, monuments, forts etc.

The heritage sites are facing common challenges primarily related to the creation and operations and maintenance of the various infrastructural as well as service assets. There is a need to develop a robust mechanism for the provision of basic amenities on an immediate basis and advanced amenities on a long term basis.

This project is envisioned to synergize with other Infrastructure development schemes in collaboration with Department of Tourism and other Departments, with the idea of positioning tourism as a driving force for targeting more Foreign Tourist Arrivals as well as Domestic Tourist Arrivals, building synergy in the development of amenities across the identified heritage sites, enhancing overall tourist experience and economic development of the region.

**2 Vision Statement**

Department of Culture (Directorate of State Archaeology) in close collaboration with Department of Tourism envisages developing the heritage sites, monuments and any other tourist sites by making them tourist-friendly to enhance the tourism potential and their cultural importance, in a planned and phased manner.

**3 Objectives**

Objectives of the project are to:

- Develop basic infrastructure in and around heritage monuments and any other heritage sites.
- Inclusive tourist experience for heritage site / monument.
- Promote cultural and heritage value of the country to generate livelihoods of local communities of respective heritage site / monument.
- Enhance the tourist attractiveness in a sustainable manner by developing excellent infrastructure at heritage site / monument.

- Create employment through active involvement of local communities.
- Potential for its multiplier effects in employment generation and economic development.
- Develop sustainable infrastructure and ensuring proper Operations and Maintenance therein.

#### **4 Approach**

Department of Culture (Directorate of U.P. State Archaeology) in close collaboration with Department of Tourism envisages providing world class tourist facilities at the various heritage site / monument or any other tourist site across the country. Besides providing an inclusive tourist experience it will help in giving due recognition and also in preserving the rich and diverse heritage across the country. U.P. State Archaeology Directorate (Department of Culture) as on date protects 143 ancient monuments and archaeological sites, giving a glimpse of the sheer richness, variety and diversity in Uttar Pradesh. These monuments form an integral part in promoting tourism by attracting domestic and international tourists in the country. To tap the true potential of these monuments, we need to provide basic and advanced amenities, illumination, night viewing facilities with safety and security to tourists, adaptive use of heritage site within permissible guidelines, and an overall enhanced tourist experience that will result in increase of domestic and foreign tourist footfall.

. The project entails to handover heritage sites and monuments for adoption to the private and public sector companies and individuals (who would be known as “Monument Mitras”) for providing basic amenities and complete operation and maintenance (O&M) initially for the 5 years subject to review at any time, regular monitoring and feedback mechanism from all the stakeholders including tourists.

The assessment of need gap and existing service levels would be carried out for heritage sites, monuments which would be a joint exercise of the ‘Proposed Monument Mitras’ with Department of Culture (Directorate of U.P. State Archeology) and Tourism. The ‘Proposed Monument Mitras’ would be the ones who put forth their interest through ‘Expression of Interest’ for selection of heritage site / monument.

In the indicative list of sites, the heritage sites/monuments are categorized as green and blue on the basis of tourist footfall and visibility. Requirement of basic amenities would be calculated based on the asset wise service level benchmarking. The Monument Mitras are supposed to present vision for development of all necessary/mandatory basic amenities and advanced amenities for each of the heritage site. Bids would be primarily evaluated on the basis of capacity of bidders, their success stories in delivering similar projects, value addition to the selected heritage sites. This concept of innovative bidding is defined as ‘Vision Bidding’.

## 5 Management Structure

The management structure would consist of the following committees and stakeholders whose functioning would be as such:

### A. Oversight and Vision Committee:

1	Secretary/Principal Secretary (Culture)	Chairperson
2	Director General (Tourism)	Member
3	Special Secretary Culture	Member
4	Director Culture Department	Member
5	Director, Directorate of U.P. State Archaeology	Convener of the committee
6	Representatives from other department :- PWD, Revenue, Law, Irrigation and RD. who can be co-opted as and when required for co-operation	Member

### Roles & Responsibilities:

- Enunciate the vision and chalk out the road map for the project and provide platform for exchange of ideas.
- Coordinate to oversee all operations, steer, and review and monitor overall performance of the project and provide guidance on specific issues relating to the project.
- Conduct the 'Vision Bidding' and select the 'Monument Mitras' from the bidders after evaluation
- Oversee the planning, sanctioning and execution of the project sites and also the overall monitoring.
- Power of termination of MoU of Monument Mitras in case of noncompliance of guidelines and EoI, or any other reason of non-performance.

### B. Implementation Committee:

1	Director (Culture) & Director (State Archaeology), U.P.	Chairperson
2	Director Museum Directorate.	Member
3	Joint Director (Culture)	Member
4	Joint Director (Tourism)	Member
5	Superintending Archaeologist, ASI, LKO, Circle	Member
6	Deputy Director, U.P. State Archaeology	Convener of the committee

**Roles & Responsibilities:**

- Guide the selected ‘Monument Mitras’ for getting the necessary clearances, approvals and NoCs.
- Periodical oversight and review of proposed/ongoing projects.
- Ensure co-ordination among the Department of Tourism, Department of Culture and Directorate of U.P.State Archeology.

**C. Monument Committee: (Composition & Functions)**

1	Director U.P. State Archaeology	Chairperson
2	Deputy Director (Culture)	Member
3	Deputy Director (Tourism)	Member
4	Deputy Director U.P. State Archaeology	Member
5	Excavation & Exploration officer U.P. State Archaeology.	Convener
6	Concerned Regional Archaeological officer, UP State Archaeology	Member
7	Representative of the Monument Mitra	Member
8	Concerned Regional Tourist officer of the Uttar Pradesh Tourism, Department.	Member

**Roles & Responsibilities:**

- Providing NoC for executing planned interventions at the selected heritage sites /monuments.
- Assisting the Executing/Implementing Agencies (of the selected ‘Monument Mitras’) in the implementation of works.
- Assisting the Executing/Implementing Agencies (of the selected ‘Monument Mitras’) in the Operations and Maintenance of the heritage site / monument.

**D. Monument Mitras**

Public / Private sector companies or individuals successfully selected through the process of ‘Vision Bidding’, on a competitive basis for the project shall be called as Monument Mitras. Various roles and responsibilities of the Monument Mitras shall be as mentioned below :

**Roles & Responsibilities:**

- Prepare detailed Vision Bidding document for all the heritage sites/monuments that they plan to adopt.
- Get the necessary approvals, clearances, NoCs etc. soliciting the guidance of the Monument Committee.

- Do the entire end to end work of creation of assets and services of the required levels and standards as per approved vision, proposal and MoU.
- Carry out Operations and Maintenance (O&M) of the assets and services created.
- Assist the Implementation Committee in the mid-course corrections and provide feedback in a periodic manner.

## 6 Vision Bidding

Approach gives brief idea about concept of Vision Bidding. Monument Mitras (private and public sector companies and individuals) shall have to prepare the resilient vision for each and every monument under the project. The visions from all the bidders would be then evaluated on the definite parameters. The bidders need to do detail existing situation analysis and vision development for each and every individual monument or heritage site.

### 6.1 Existing Situation Analysis

Monument Mitras shall carry out the basic amenities within and around the monument site. Following studies and inter alia shall be imperative part of the existing situational analysis:

- Existing and past trend of tourist footfall
- Projection of tourist footfall with short term, midterm and long term tourist infrastructure requirements analysis
- Finalization of proposed interventions footprint based on the trend analysis and projections
- Prioritization of amenities and preparation of architectural area program for the proposed interventions
- Analysis of available fund versus proposed amenities.

### 6.2 Vision development

Private and public sector companies and individuals usually have strategies for CSR expenditures. The 'Monument Mitras' need to finalize the Vision statement and its implementation strategy for each and every monument and site they are bidding for.

Some of the representative visions are;

- Target balanced growth with increase in domestic and foreign tourist footfall to the heritage site / monument.
- Provision of excellent tourist amenities at the heritage site / monument.
- Cleanliness- *Swachh aur Sundar Paryatan Sthal*

### 6.3 Operations and Maintenance Plan

Monument Mitras shall provide detailed operations and maintenance plan for each monument/ heritage site. The plan should include following parameters:

- Details of current operation and maintenance

- Whether Monument Mitras want to take the entire monument/ site for operation and maintenance or not
- Quantification of Monument Mitras contribution in operation and maintenance in terms of components and funds

#### 6.4 Visibility Requirement and Plan

Monument Mitras shall provide detailed visibility requirement plan. The plan should include below mentioned details:

- Requirement of visibility
- Analysis on whether the visibility is in sync with the U.P.State Archeology guidelines and not disturbing the aesthetics, architectural style and ambience of the heritage site / monument.
- Visuals of the visibility

#### 6.5 Evaluation of Vision Bidding

Vision bidding would be evaluated based on above-mentioned criteria in Vision Bidding

Due weightage will be given to the parameters given in the table below :

Sl. No.	Parameter for selection of Monument Mitras under Adopt a Heritage	Weightage (%)
1	Existing Situation / Need – Gap Analysis	10
2	Vision development	35
3	Adoption of sites having lesser visibility and footfall*	10
4	Operation and Maintenance Plan	25
5	Visibility Requirement and Plan	10
6	Credentials of Monument Mitras	10

\*Note: It would be mandatory for Monument Mitra, who is opting for a monument from green category to choose at least one site from blue category. However, the Monument Mitra will have full flexibility to choose any number of monuments from blue without opting in green category. The interested parties selecting more numbers of monuments from blue category shall be given higher weightage.

The PMC would prepare the detailed checklist and toolkit for submission and evaluation of Vision bidding and to make the process clear and transparent.

## 7 Identified Heritage Sites

The Project include heritage sites, monuments and any other Archaeology sites. Going forward to further phases the list of heritage site / monument site may get amended and expanded to other sites. As discussed in the approach the indicative list of monuments is categorized based on visibility and tourist

footfall. Indicative list of categorized heritage sites/ monuments can be accessed from Directorate of Culture website [www.upculture.up.nic.in](http://www.upculture.up.nic.in)

## **8 Service's Level Benchmarking for Assets**

At present many heritage site and monuments lack basic tourist amenities. The heritage sites and monuments shall be provided with basic and advanced amenities as per the tourists' requirements ensuring excellent facilities. The tourist amenities have been divided into two categories as per the project guidelines:

### **A. Basic amenities**

Basic amenities are important aspect as it triggers the popularity of the place; it also facilitates repeated visits and mouth to mouth publicity as a promotional aspect. Basic amenities at any Archaeological site are first and foremost right of the tourist as every single visit to the monument gives impetus to the local economy. Basic amenities are important irrespective of their financial feasibility in project structuring.

The basic amenities within and surrounding areas are categorized as below:

- Public conveniences
- Ease of Access
- Aesthetics and cleanliness of site
- Illumination
- Backlit signages

Representative list of inter alia basic amenities:

- Public conveniences of international standard
- Clean drinking water facilities
- Swachh Monument (Cleanliness of the monument, including complete polythene ban)
- Barrier Free Monuments/ Accessibility for All: differently-abled friendly toilets, ramps, wheelchair facility, braille signages, monument models
- Informatory and Directional Signages
- Wi-Fi
- App based Multi lingual Audio-Guide
- Cloak room, shoe-racks/covers, washing facility etc.
- Point of Sale Terminal (PoS) machines at the Ticketing Counters to promote cashless transactions where ever applicable



- Canteen (with souvenir shop promoting local art and craftsmanship)
- Illumination
- Advanced amenities

Advanced amenities shall be planned as per the identified monument's tourist footfall and financial feasibility of proposed interventions.

List of inter alia advanced amenities:

- Cafeteria
- Facilitation of night visits to monuments under adaptive use within permissible guidelines of Directorate of U.P. State Archaeology.
- Advanced surveillance system (Like PTZ based CCTV cameras)
- Tourist Facilitation cum Interpretation Centre (Tourist Multi-Purpose Centre) with facilities like museum, shopping/souvenir shop, cloakroom, toilet, drinking water, money exchange etc.
- Digital Interactive Kiosk, Digital (LED) screening
- Light and Sound Shows with regular cultural shows
- Battery-operated vehicles
- Advanced tourist flow management system linked with carrying capacity of the monuments

Monument Mitras interested in adopting monument shall be required to carry out the need gap analysis for all the selected monuments which is a joint exercise. The vision bidding should reflect the assessment of every individual monument. Further bidders also have to prepare vision plan for all the opted monuments in a package. The proposed amenities and facilities under the vision should be as per the service level guidelines.

## **9 Promotional guidelines for Monument Mitras - (Visibility to the initiatives)**

In addition to associated pride in adoption of the Uttar Pradesh's key heritage monument, Monument Mitras shall be provided with opportunities for their brand promotion in lieu of their CSR initiatives under the project subject to approval by the Oversight & Vision Committee.

At present all the monuments are being taken care by Directorate of State Archeology of Uttar Pradesh. U.P.State Archeology has statutory guidelines and heritage bye-laws for development within and around monument The proposed promotional material installation shall be strictly in adherence to these statutory guidelines. Visibility to the Monument Mitras would be within the framework of statutory guidelines.

Further visibility would be given to the Monument Mitras in lieu of the advanced amenities provided. They would also be given extra provision to work on cross subsidization model to augment their financial resources.

## **10 Monitoring**

The entire program would be 'service oriented'. Provision of basic and advanced amenities would be assured to the tourists visiting the heritage sites. Targets for service delivery would be pre-set and benchmarked before being accepted as yardsticks to measure. Monitoring activities would be carried out during project implementation and also throughout its O&M period.

- Oversight and Vision Committee would periodically monitor the project through designated officers.
- Both online & offline mode monitoring would be done.
- Monument Mitras shall submit the service delivery report with tourist feedbacks by 5th of every month.

## **11 Vision & Financial Structure**

The project focuses on active participation of Monument Mitras (Public and Private sector companies and individuals) to ensure a sustainable model formulation.

Major part of capital and recurring cost shall essentially be through private sector and public sector participation essentially through CSR. The participation of individuals is also desired. In the latter phases resources can be channelized from various funding routes and by having convergence of programmes/ schemes with other departments.

Monument Mitras can associate pride with their CSR Activities and shall also get limited visibility in vicinity of the heritage sites and Uttar Pradesh Culture web portal subject to approval by Oversight & Vision Committee.

## **12 Project Duration**

This project is initially proposed to be implemented for 5 years subject to the review of the performance at any time. In case of unsatisfactory performance and non-compliance of guidelines the MoU is liable to be terminated.

## **13 Management Plan**

The tentative operation and maintenance costs of the monument shall be worked out by Monument Mitras at the time of 'Vision Bidding' as mentioned in their 'Vision & Financial Structure' section and emphasis shall be given to working out options for sustainable operation and maintenance models through innovative revenue generation options. In maintenance of the assets created, the experience and expertise of delivering similar projects by the respective Monument Mitras shall be leveraged.

## 14 Expected Outcomes

The outcome of the proposed development of tourist amenities at various heritage sites shall be regularly evaluated and measured on the following parameters:

- Increase in tourist footfall.
- Improvement in overall tourism sector perception
- Increase in employment generation.
- Enhancement of awareness and development of skills & capacity to augment heritage tourism with value added services.
- Increase in private sector and public sector participation at the identified monument sites.

**ANNEXURE 1**  
**MEMORANDUM OF UNDERSTANDING**

THIS MOU is executed on this day of \_\_\_\_\_ 2021 at \_\_\_\_\_  
mong

DIRECTORATE OF U.P. STATE ARCHAEOLOGY.

Government of Uttar Pradesh having its office at Chattar Manzil Campus, Lucknow acting through its Director (hereinafter called Directorate of U.P. State Archaeology which expression shall, unless repugnant to the context of meaning thereof, include its successors and permitted assigns) of the FIRST PARTY

AND

\_\_\_\_\_  
*(choose one of the following out of three for becoming the Third Party)*

DEPARTMENT OF TOURISM, Government of Uttar Pradesh, having its office at C-13, Vipin Khand, Gomti Nagar, Lucknow through its Director General, hereinafter called Department of U.P. Tourism which expression shall, unless repugnant to the context of meaning thereof, include its successors and permitted assigns of the SECOND PARTY

AND

DISTRICT MAGISTRATE \_\_\_\_\_

\_\_\_\_\_ DISTRICT having its office at \_\_\_\_\_ acting through its ADM  
(hereinafter called DM \_\_\_\_\_ which expression shall, unless repugnant to the context of meaning thereof, include its successors and permitted assigns) of the THIRD PARTY (choose whichever is applicable)  
THIRD PARTY

AND

\_\_\_\_\_ a Company/Trust incorporated under the companies Act, 1956/Trust Act, having its registered office at \_\_\_\_\_ through its Authorized Representative \_\_\_\_\_ Vide Board Resolution dated : \_\_\_\_\_ ( hereinafter referred to as \_ ) of the FOURTH PARTY to be called henceforth 'Monument Mitras'.

## WHEREAS:

- (a) The Department of Culture in collaboration with Department of Tourism and State Archaeology has announced a project “Adopt a Heritage” for adoption of heritage sites/monuments in collaboration with the Monument Mitra, which enables adoption of heritage sites/monuments to provide and maintain various basic and advanced amenities as decided by the ‘Oversight and Vision Committee’, such as public conveniences, drinking water, cleanliness of the monument, accessibility for all, signage, Wi-Fi, cloakroom, illumination and night viewing, snack counter, surveillance system, tourist facilitation cum interpretation center, digital interactive kiosk, light and sound shows etc.
- (b) WHEREAS **Monument Mitra** through its Corporate Social Responsibility/other investment model, intends to take up the heritage site/monument under “Adopt a Heritage” project.
- (c) WHEREAS Monument/Site proposed in this project are under supervision of nodal department \_\_\_\_\_ (Third Party/Asset Owner).

## 1. DEFINITIONS

- 1.1. “Nodal Department” means Directorate of State Archaeology department of Uttar Pradesh.
- 1.2. “Cost” means the cost of preparing a development plan, detailed project report as contained in the estimate.
- 1.3. “Development” means the construction, landscaping, illumination, operation and maintenance activities related to provision, development and maintenance of amenities and tourist facilities.
- 1.4. “Tourist Visitors amenities” means various essential and experiential tourist facilities meant to be provided for the tourist. The amenities can be bifurcated into below categories as per project guidelines

### A. Basic amenities

Basic amenities are important aspect as it triggers the popularity of the place; it also facilitates repeated visits and mouth to mouth publicity as a promotional aspect. Basic amenities at any heritage site are first and foremost right of the tourist as every single visit to the monuments gives impetus to the local economy. Basic amenities are important irrespective of their financial feasibility in project structuring.

The basic amenities within and surrounding areas are categorized as below:

- Public conveniences

- Ease of Access
- Aesthetics and cleanliness of site
- Illumination
- Backlit signages
- Point of Sale Terminal (PoS) machines at the Ticketing Counters to promote cashless transactions

Representative list of inter alia basic amenities:

- Public conveniences.
- Clean drinking water facilities
- Swachh Monument (Cleanliness of the monument, including complete polythene ban)
- Barrier Free Monuments/Accessibility for All: differently-abled friendly toilets, ramps, wheelchair facility, braille signages, heritage site / monument models
- Informatory and Directional Signages
- Wi-Fi
- App based Multi lingual Audio-Guide
- Cloak room, shoe-racks/covers, washing facility etc.
- Basic souvenir shop promoting local art and craftsmanship
- Illumination

## **B. Advanced amenities**

Advanced amenities shall be planned as per the identified monument's tourist footfall and financial feasibility of proposed interventions.

List of inter alia advanced amenities:

- Snack Counter
- Facilitation of night visits to monuments under adaptive use within permissible guidelines of State Archaeology Directorate.
- Advanced surveillance system (Like PTZ based CCTV cameras)
- Tourist Facilitation cum Interpretation Centre (Tourist Multi-Purpose Centre) with facilities like museum, basic souvenir shop, snack counter, cloakroom, toilet, drinking water, money exchange etc.
- Light and Sound Shows with regular cultural shows
- Battery-operated vehicles

1.5. “Semi Commercial Activity” mean any activity ancillary to operation of the site including Sound & Light Show, Basic Souvenir Shop, Audio Guides, Snack Counter, Golf Carts, Cultural Events, Wi-Fi etc. necessary to sustain Operations & Maintenance (O&M) and developmental activities at the adopted site under the MoU.

1.6. “Heritage sites” means works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view. The definition incorporates below categories:

1.6.1. “Monuments” means architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science. Monument here shall refer sites of Archeological importance listed by the department of Culture (U.P. State Archaeology).

1.7. “Heritage Sites/monuments” mean those that have been identified under the Adopt a Heritage project by ‘Oversight & Vision Committee’, and other places added as & when the ‘Oversight and Vision Committee’ approves.

**2. NOW THIS MEMORANDUM OF UNDERSTANDING WITNESSETH AS FOLLOWS:**

2.1 **MONUMENT MITRA** is interested to take up the cause of adoption of Monument/Heritage Site under the Corporate Social Responsibility initiatives/other investment or financial model including internal and external accruals, at no cost to Government of Uttar Pradesh and accordingly has identified \_\_\_\_\_ (Name of Monument/Heritage Site) and intends to provide various facilities in consultation with **Nodal Department** (hereinafter called the “Project”).

2.2 The ‘Oversight and Vision Committee’ has consented to the developmental activities proposed by the **MONUMENT MITRA** at the heritage site/monument and agrees to the same.

2.3 For the purpose of this MoU, details of the amenities/facilities to be undertaken by the MonumentMitra are detailed below:

Basic Amenities

Advanced Amenities

(The MONUMENT MITRA agrees to carryout complete execution, operations and maintenance of the amenities taken up as a part of the project, including payment of utility bills for the period of this MoU.)

- 2.4 **MONUMENT MITRA** shall prepare a comprehensive plan within 30 days of signing of this MoU. The detailed plan is required to be shared with the nodal agency prior to commencement of actual work at the destination. **MONUMENT MITRA** shall undertake the execution work directly or outsource the work through a competent agency under its overall supervision and that of Nodal Department.
- 2.5 Oversight and Vision Committee will acknowledge the contribution by the **MONUMENT MITRA** towards developmental activities by way of signage/plaques etc. at appropriate place. The placement, contents and size of the signage/plaques etc. will be decided with mutual consent with the ‘Oversight and Vision Committee’ while ensuring that the same is in tune with the aesthetic value of the monuments and surroundings of Monuments/Site. Details of proposed visibility requirement is attached in Annexure-I.
- 2.6 Details of the work schedule to be undertaken by the **MONUMENT MITRA** is as per Annexure-I.
- 2.7 The work/execution of the activities shall not cause any hindrance to State Archaeology or its representative incarrying out other works in the monument or in free movement of the visitors.
- 2.8 Monument Mitra shall not violate the provisions of the U.P. Ancient and Historical Monument and Archaeological site and remains preservation Act. 1956.

**3. FINANCING AND SCHEDULING**

- 3.1 **MONUMENT MITRA** agrees to finance the activities, operate and maintain the facilities on their own as approved by the committee rather than transfer of funds to any Government body or department.
- 3.2 **MONUMENT MITRA** agrees to ensure that adequate funding is provided to improve and maintain the facilities for initial 5 years.
- 3.3 The adoption period is for initial 5 years subject to annual review of performance of staff, quality of work, operation & maintenance, tourist feedback, impact on tourism etc.
- 3.4 **MONUMENT MITRA** agrees during period of adoption that no revenue shall be generated from



the public as collection fee, convenience fee etc. However, in case any fees are planned to be charged it will be subjected to specific clearance of the relevant Government parties to the MoU. Any, revenue generated through the proposed activities is required to be put back to sustain development, operations and maintenance at the adopted monument/Site.

#### 4. SEMI COMMERCIAL ACTIVITIES – REASONABILITY OF RATES AND STANDARD OF SERVICES

- 4.1 The primary responsibility of ensuring compliance to the required standard of the services would be on **Monument Mitra**.
- 4.2 The reasonability of the rates charged for the provision of services, if any, would be decided by the joint committee headed by U.P.State Archaeology and comprising of representatives of Department of Culture and Monument Mitra. The committee will also monitor the standard of services provided by Monument Mitra.
- 4.3 A separate dedicated account will be opened and operated by **Monument Mitra** for the project. Any revenue generated through the semi commercial activities and from any other associated activity pertaining to the project as approved by the Oversight & Vision Committee shall be deposited in this dedicated account. Residual interest accrued if any will also be retained in this account. The funds shall be only deployed for sustaining operation and maintenance activities of the opted monuments/sites and will not be utilized to recover capital expenditures. Post operation & maintenance, surplus funds, if any, may be deployed for future development of tourism amenities only with prior approval of Oversight & Vision Committee. In case of termination or completion of MoU tenure or discontinuation of Monument Mitra post MoU tenure, balance / surplus revenue in the account (if any) is required to be transferred to **Nodal Department/Asset Owner** and shall be deployed for sustaining operation and maintenance activities and developmental activities of the opted sites.
- 4.4 The **Monument Mitra** would be required to get his dedicated account audited quarterly by A Gempaneled Chartered Accountant and shall produce a statement of accounts duly certified and signed by Chartered Accountant to the **Nodal Department**. It shall be verified during audit that the amounts collected for specified semi commercial activities of a particular site have been utilized solely for purpose of operation and maintenance/development of the approved tourism amenities at the adopted site.
- 4.5 It is mutually agreed that this MoU shall not in any way alter the legal status of the monument/developmental activities that vests and shall always remain vested with the **Nodal Department**.

#### 5. DURATION OF MOU

- 5.1 This MOU shall be valid for a period of 5 (five) years from the date of commencement of work, extendable further for a period of 5 (five) years based on recommendation of Oversight & Vision Committee based on periodic review on the performance of staff, quality of work, operation & maintenance, tourist feedback, impact on tourism etc.

5.2 In the event of a delay in the commencement of work by the Nodal Department, the term of the MoU shall be extendable by a period equivalent to such delay.

## 6. MANAGEMENT STRUCTURE

The management structure would consist of the following committees and stakeholders whose functioning would be as such:

### A. Oversight and Vision Committee:

#### Committee Composition:

1	Secretary/Principal Secretary (Culture)	Chairperson
2	Director General (Tourism)	Member
3	Special Secretary Culture	Member
4	Director Culture Department	Member
5	Director, Directorate of U.P. State Archaeology	Convener of the committee
6	Representatives from other department :- PWD, Revenue, Law, Irrigation and RD.	Member

### B. Roles & Responsibilities:

- Enunciate the vision and chalk out the road map for the project and provide platform for exchange of ideas.
- Coordinate to oversee all operations, steer, and review and monitor overall performance of the project and provide guidance on specific issues relating to the project.
- Conduct the 'Vision Bidding' and select the 'Monument Mitras' from the bidders after evaluation
- Oversee the planning, sanctioning and execution of the project sites and also the overall monitoring.

### B. Implementation Committee:

#### Committee Composition:

1	Director (Culture) & Director (State Archaeology), U.P.	Chairperson
2	Director Museum Directorate.	Member
3	Joint Director (Culture)	Member
4	Joint Director (Tourism)	Member
5	Superintending Archaeologist, ASI, LKO, Circle	Member
6	Deputy Director, U.P. State Archaeology	Convener of the committee

**Roles & Responsibilities:**

- Guide the selected ‘Monument Mitras’ for getting the necessary clearances, approvals and NOCs.
- Assist the ‘Monument Mitras’ in the ‘joint inspection’ exercise in each of the heritage sites/monuments.
- Periodical oversight and review of proposed/ongoing projects.
- Ensure co-ordination between Department of Culture, Department of Tourism and State Archaeology.

**C. Monument Committee: (Composition & Functions) :**

1	Director U.P. State Archaeology	Chairperson
2	Deputy Director (Culture)	Member
3	Deputy Director (Tourism)	Member
4	Deputy Director U.P. State Archaeology	Member
5	Excavation & Exploration officer U.P. State Archaeology.	Convener
6	Concerned Regional Archaeological officer, UP State Archaeology	Member
7	Representative of the Monument Mitra	Member
8	Concerned Regional Tourist officer of the Uttar Pradesh Tourism Department.	Member

**Roles & Responsibilities:**

- Providing NOC for executing planned interventions at the selected heritage sites/monuments.
- Assisting the Executing/Implementing Agencies (of the selected ‘Monument Mitras’) in the implementation of works.
- Assisting the Executing/Implementing Agencies (of the selected ‘Monument Mitras’) in the Operations and Maintenance of the heritage sites/monuments.

**D. Monument Mitras**

Public / Private sector companies or individuals successfully selected through the process of ‘Vision Bidding’, on a competitive basis for the project shall be called as Monument Mitras. Various roles and responsibilities of the Monument Mitras shall be as mentioned below.

**Roles & Responsibilities:**

- Prepare detailed Vision Bidding document for all the heritage sites/monuments that they are plan to adopt.
- Get the necessary approvals, clearances, NoCs etc. soliciting the guidance of the Monument Committee.

- Do the entire end to end work of creation of assets and services of the required levels and standards as per approved vision, proposal and MoUs.
- Carry out Operations and Maintenance (O&M) of the assets and services created.
- Assist the Implementation Committee in the mid-course corrections and provide feedback in a periodic manner.

## **7. FORCE MAJEURE**

7.1 For the purposes of this MoU, "Force Majeure" means an event which is beyond the reasonable control of a Party, and which makes a Party's performance of its obligations hereunder impossible or so impractical as reasonably to be considered impossible in the circumstances, and includes, but is not limited to, war, riots, civil disorder, earthquake, fire, explosion, storm, flood or other adverse weather conditions, strikes, lockouts or other domestic action (except where such strikes, lockouts or other domestic action are within the power of the Party invoking Force Majeure to prevent), confiscation or any other action by government agencies.

7.2 Force Majeure shall not include:

- a) Any event which is caused by the negligence or intentional action of a Party or such Party's Subcontractors or agents or employees;
- b) Any event which a diligent Party could reasonably have been expected to:
  - i. Take into account at the time of the conclusion of this Agreement, and
  - ii. Avoid or overcome in the carrying out of its obligations hereunder.

## **8. ENFORCEMENT OF GUIDELINES**

8.1 The scheme guidelines shall remain enforced for the entire period of contract.

## **9. TERMINATION**

9.1 This MoU once operative shall continue to be in full force until terminated.

9.2 This MoU can be terminated by any party giving not less than six months' notice in writing of intended termination to other parties hereto. The non-terminating parties shall be at liberty to re-negotiate fresh MoU amongst them, as the circumstances may permit, to the exclusion of the terminating party.

9.3 Under exceptional circumstances and/or in the public interest, the Government of Uttar Pradesh through Department of Culture reserves the right to terminate the MoU with immediate effect.

## **10. DISPUTE RESOLUTIONS**

10.1 All disputes arising out of MOU shall be settled by discussion and failing which the settlement, the decision of the 'Oversight and Vision Committee' shall be final and binding upon the parties.

## **11. GOVERNING OF LAW JURISDICTION**

11.1 The MOU will be governed by and construed and enforced in accordance with, the laws of Uttar Pradesh/rules and law promulgated by concerned State Government. Any action brought by either party against the other concerning the transactions contemplated by this MOU shall be brought only in the courts of Lucknow or in the courts located in the respective districts. All the parties and individuals signing this Agreement agree to submit to the jurisdiction of such courts.

## **12. INDEMNITY CLAUSE**

12.1 The Monument Mitra agrees to exercise adequate precautions in executing the Roles & Responsibilities defined herein. In the provision of the roles and responsibilities defined herein, the Monument Mitra will indemnify and hold harmless against any claim for damages, the Department of Culture, Department of Tourism, State Archaeology of Uttar Pradesh/Asset Owner as a result of any claims or proceedings brought against them by a third party, which arises from activities performed by the Monument Mitra pursuant to this MoU.

## **13. PUBLICITY & AWARENESS**

13.1 The Department of Culture, Department of Tourism and State Archaeology of Uttar Pradesh / Asset Owners shall have the right to review within a reasonable period of time, before issuance of any advertisement, press release, or any other public statements with respect to the activities contemplated herein; the Department of Culture, Department of Tourism and State Archaeology of Uttar Pradesh / Asset Owner prior to press release / publication shall be provided with a copy thereof and be given a minimum of seven days' time to comment, modify or restrict the publication of such advertisement, public statement or press release.

IN WITNESS THEREOF the parties set their respective hands on this MOU on the date, month and year first written above.

1. SIGNED AND DELIVERED for and on behalf of the above First Party

By  
Name:  
Designation:

WITNESS:

(i) \_\_\_\_\_  
(ii) \_\_\_\_\_

2. SIGNED AND DELIVERED for and on behalf of the above Second Party

By  
Name:  
Designation:

WITNESS:

(i) \_\_\_\_\_  
(ii) \_\_\_\_\_

3. SIGNED AND DELIVERED for and on behalf of the above Third Party

By  
Name:  
Designation:

WITNESS:

(i) \_\_\_\_\_  
(ii) \_\_\_\_\_

4. SIGNED AND DELIVERED for and on behalf of the above Fourth Party

By  
Name:  
Designation:

WITNESS:

(i) \_\_\_\_\_  
(ii) \_\_\_\_\_

**ANNEXURE I: Time Schedule for \_\_\_\_\_ (Name of Monument)**

<b>SN</b>	<b>Basic Amenities</b>	<b>Time</b>
1		
2		
3		
4		
	<b>Advanced Amenities</b>	
6		
7		

To – date of commencement of works

(The MONUMENT MITRA agrees to carryout complete execution, operations and maintenance of the amenities taken up as a part of the project, including payment of utility bills for the period of this MoU.

**ANNEXURE II: Proposed Visibility Requirement for \_\_\_\_\_ (Name of Monument)**

Limited visibility on Signage will be prescribed at the monument indicating that the monument has been adopted by \_\_\_\_\_ **(Name of Monument Mitra)** under Adopt a Heritage Project, Government of Uttar Pradesh in a discreet manner and tastefully. Size and design of the standardized signage has to be approved by State Archaeology of Uttar Pradesh prior to the installation at site.