

Strengthening the National Capacity for Conservation of National Heritage Monuments and Sites

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Abstracts

The national capacity in the heritage sector is not capable of handling the present day challenges. Having weak implementation capacity, only 42% of monuments that were damaged by the 2015 Gorkha Earthquake were renovated until the second trimester of FY 2019/2020 when it should have been at the concluding stage. With this, Nepal's national identity is at risk and national tourism income is impacted adversely. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has been considering to include Nepal's world heritage sites in the endangered list which if happens will tarnish Nepal's image in the international arena. This study intended to identify constraints and recommend a possible way out for the conservation of all cultural monuments and sites in Nepal. Present status of Nepal's heritage sites were collected from secondary sources. DoA's officials, freelance archeologists, former government officials, renowned conservationists and some historians were interviewed. Key heritage construction sites were observed and information was collected from the key informants. For effective handling of the heritage sector, the Government of Nepal (GoN) will need either to introduce the Ministry of Culture and Archeology or formulate one authority under the Prime Minister's Office. The Ancient Monuments Preservation Act and Rules should be amended in line to the present constitutional environment. The amended legal instruments should incorporate a research element, historical trails and effective maintenance regime. The organisational structure should enable DoA the analysis of structure, material and technology of heritage monuments. Heritage site planning is another area where DoA will need to demonstrate its competence. In addition, the government should support the private sector through capacity building provisions, propagate traditional architecture and construction materials for making traditional architecture attractive. These interventions will ensure sustainable conservation of heritage monuments and sites which will not only strengthen national identity but also foster economic development.

Key words: heritage, monument, archeology, conservation

1. Introduction

The United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2020) states that heritage Sites are symbols of history which serve as a laboratory and the past serves as a demarcation to understand the regional laws and social structures. This understanding helps in our progress towards an ideal society. It enhances our proximity to distant societies and communities as all societies' instinct for perfection and struggle for survival was similar. These sites connect us to our ancestors which reveal our existence and our evolutionary processes. On the other hand, the contribution of heritage sites to the national and global economy is not counted normally. In Nepal, the tourism sector

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contributes around 7-10% of national GDP which was NPR 3.221 Trillion in FY 2015/16. Tourism sector consists of trekking and expedition, wildlife and visit to heritage sites. Based on that, the heritage sector earns around 3% of the total GDP which is around NPR 1 Trillion.

However, this sector is largely overlooked by the national policies. Since its establishment in 1952, the Department of Archeology (DoA) was administered under seven different and totally unrelated Ministries (DoA, 2020): Ministry of Education; Ministry of Education and Culture; Ministry of Youth, Sports and Culture; Ministry of Culture, Tourism and Civil Aviation; Ministry of Culture and State Reconstructing; Ministry of Federal Affairs, Constituent Assembly and Parliamentary Affairs and Culture and Ministry of Culture, Tourism and Civil Aviation. It shows that it is always deprived of policy level institutional home. All the Ministries under which it was administered had another mainstream task. For example, the Ministry of Education has its own central tasks which draw attention all the time. The Ministry of Culture, Tourism and Civil Aviation has its main task of civil aviation and tourism. It means the DoA was not successful to draw policy level attention which was the central reason for it's under development. This is also manifested in the National Planning Commission's periodic plans (NPC, 2015) as no specific programme and project is envisaged.

The Ancient Monuments Preservation Act was formulated in 1956 and amended for the last time in 1995. Similarly the Ancient Monument Preservation Rules were formulated in 1989 and the latest amendment took place in 2002. Since then Nepal received a new constitution and a number of socio-political environments have changed which has to be reflected in both acts and rules. Nepal's constitution has vested authority of maintaining archeological sites, heritage monuments and museums to all three echelons of the government: Federal, Provincial and Local. At present, the earthquake damaged monuments have been maintained by DoA, Local Governments and other NGOs. DoA does not have de facto authority to define anastylosis procedure. To what extent modern materials can be used for providing earthquake safety has not been defined. Should earthquake prone countries like Nepal literally follow the conventions which are led by conservationists and architects which lead to destruction after some years or should it initiate debate in the national and international forums for some amendment have not been answered properly. DoA has reached the point that it has been experiencing difficulty to coordinate among local governments, international agencies, and other Non-Governmental Organisations. More importantly hundreds of heritage monuments are under the Guthi Sansthan which are not under the DoA's purview which is creating problems in the conservation of those edifices. Experience has shown that DoA requires structural engineers, geologists, procurement experts and various other scientists for carrying out planning and implementation of heritage monuments and sites. The present organisational structure does not have provision of such human resources.

The Earthquake Response Coordination Office (ERCO) was established for handling the legal issues, undertaking research, taking forward planning, preparing projects and managing data (NRA, 2016). However, ERCO did not become functional. As a consequence, DoA could not handle the debate of Ranipokhari – the issue was whether concrete structures should have been allowed in foundation. Whether concrete walls are allowed in the historical

ponds was never answered properly. DoA diffused mixed signals. After a massive social pressure, DoA withdrew its position by agreeing demolition of erected structures causing colossal damage in terms of image and property. Similarly UNESCO implemented Gopinath, Jagannath, and Aagamchhen temples could not be implemented efficiently. Even the Rato-Machhindranath temple which was started with Sri Lankan Government's support had to be terminated in the halfway of reconstruction. The historical monument, Bagdurbar could not be started even after the verdict of the Supreme Court.

The UNESCO defined Nepal's Hanumandhoka Durbar Square, Patan Durbar Square, Bhaktapur Durbar Square, Pashupati Temple, Changunarayan Temple, Boudha Stupa and Syambhu Stupa as the World Heritage Sites (Elitetreks, 2020) which have outstanding universal value to humanity. UNESCO also encourages protecting them and expects the government to establish management plans and set up reporting systems on the state of conservation of them. However, if the heritage sites are not maintained properly, these sites can be declared as endangered entities. Due to serious destruction of historical monuments by 2015 Earthquake, UNESCO proposed to include Kathmandu Valley World Heritage Properties in the endangered list particularly due to slow progress in the conservation of heritages. As it stands now there is only 42% progress after 4 years of earthquake and some of the major restoration tasks were handed over to the Central Level Project Implementation Unit (CLPIU- Building) and others were handled by the National Reconstruction Authority (NRA) directly.

There is a problem in organisational structure as well. Firstly, the structure has to consider the administrative divisions of the country. For example the Karnali Province is extremely rich in historical and cultural monuments, artifacts and other archeological objects. However, there is only one Museum in Surkhet which does not have mandate of excavation and maintenance. Secondly the roles and responsibilities between the local, provincial governments and DoA are not clearly demarcated. Thirdly the level of competence within the DoA does not justify the organisational principles. For example there is a huge need of structural and material engineers. However, these positions are absent in the organisational structure. Secondly, the survival of any organisation depends upon career progression of the staff. If personnel do not see career progression, their retention lowers down significantly. For example there are 12 positions of engineers (Building and Architecture Group). However, there is only one Senior Divisional Engineer which means the engineers who enter into their job have to be retired in the same position or they have to quit the job after some years. How long will the institution be able to retain the position of the Senior Divisional Engineer because there is no higher level position for them. These 12 engineers have to supervise all anastylostic and repair and maintenance works of 2838 monuments all over the country which seems an extremely herculean task.

There is a dearth of human resources who would like to work in the production of heritage products. Secondly there are a limited number of producers who have been producing traditional bricks and wooden carving.

Against this backdrop, the objective of this study is to identify constraints in the heritage sector and to recommend ways out for the conservation of all national level cultural monuments and sites in Nepal.

The tangible historical monuments and sites are directly interlinked with intangible cultural heritages. However, this study has not reviewed intangible heritages. It is assumed that reconstruction of the earthquake resistant physical infrastructure will revive the intangible culture. There are a huge number of historical monuments which are not within the DoA's purview. These are some of the limitations of this study.

2. Research Design

2.1. Scope of study and data collection

This study has covered only historical monuments and sites which are under the DoA's direct domain. This includes Patan, Bhaktapur, Hanumandhoka Durbar Squares, Pashupati Area, Changuarayan Area, Boudha Area and Swayambhu Area. All these seven sites are declared as the Kathmandu Valley World Heritage Zones. Table 1 shows the province wise description of heritage sites. Table 2 shows the monuments and heritage sites in the Kathmandu Valley.

Table 1: Description of Heritage Sites and Monuments by Province

Province	Area (sq. km)	Districts	Heritage Nos.	Rank
1	25,905	14	173	VII
2	9,661	8	230	IV
Bagmati	20,300	13	338	II
Gandaki	21,504	11	271	III
5	22,288	12	187	VI
Karnali	27,984	10	530	I
Farwestern	19,539	9	197	V
Total	147,181	77	1926	

Source: (DoA, 2020)

Table 1 and 2 show that there is a heavy concentration of the historical monuments and sites in the Kathmandu Valley. The total number of monuments in the Kathmandu Valley is much higher than 912 as this number is only the sum of monuments in the World Heritage Sites (WHS). In Table 1, all seven provinces are compared. However, the Bagmati province number does not include the Kathmandu Valley's monuments. Based on that comparison, Karnali Province has the highest number of heritage sites followed by Bagmati, Gandaki and Province No. 2, and the Far Western Region. If the heritage sites of the Kathmandu Valley are aggregated with Bagmati Province, the total number stands as 1240 which is more than 64% of total inventory of heritage sites. Based on anecdotal evidence, it is estimated that the nationwide total number of heritage monuments reaches 5000.

Table 2: Kathmandu Valley World Heritage Monuments

World Heritage Site	Proposed Area Approx. ha	Existing Area (Approx. ha)	Number of Monuments
Pashupati Area	83.55	78.38	323
Changunarayan Area	35.92	45.13	93
Swayambhu Area	32.63	32.13	106
Boudha Area	1.27	2.83	18
Bhaktapur Durbar Square	3.61	14.23	138
Hanumandhoka Durbar Square	5.09	14.72	118
Patan Durbar Square	5.23	12.73	116
Total	167.3	200.15	912

Source: (DoA, 2020)

Among the total number of 2828 monuments, the status of reconstruction of the monuments that were damaged by the 2015 Earthquake is presented in Table 3.

Table 3: Status of Reconstruction of Monuments damaged by 2015 earthquake

Description	Total Damaged Nos.	Completed	%	Ongoing in FY 2019/20	%	Remaining	%
World Heritage Site	170	101	59	52	31	17	10
Kathmandu Valley Districts	404	159	39	165	41	79	20
Outside of Kathmandu Valley	346	129	37	148	43	70	20
Total	920	389	42	365	40	166	18

Source: (NRA, 2020)

For collecting data, the judgmental sample was taken. NRA and DoA data were used as secondary sources of information. All background international heritage charters including UNESCO, ICOMOS were collected from their respective home pages. Two DoA officials were interviewed. Some sample heritage sites such as Ranipokhari, Machhindra Nath Temple, Dharahara, Gorkha Durbar, Nuwakot Durbar and Dolakha Heritage sites were visited. In each site, responsible engineers, masons, carpenters were interviewed.

2.2. Budget allocation to Department of Archeology

As shown in Table 4, DoA's budget was NPR 365 million until FY 2015/16 which increased by 50% in FY 2016/17. The increase reached to five times in FY 2017/18 when reconstruction was at its climax. The allocation has been decreasing gradually in the following years. Before 2015 Gorkha Earthquake, the allocation was mainly for the administrative purpose. Based on the situation of the heritage monuments, it can be inferred that GoN's allocation was not sufficient for regular maintenance. The periodic maintenance

and conservation activities did not receive adequate priority which was the reason for DoA's not being to implement sudden increase of the volume of works.

Table 4: shows the budget allocation from 2010/11 to 2019/20

No	FY	Pro. No.	Budget NPR	Growth based on FY 2015/16
6	2015/16	49	365,250,000	0
7	2016/17	133	544,662,000	49.12033
8	2017/18	314	2,112,181,000	478.2836
9	2018/19	205	1,099,044,000	200.9018
10	2019/20	150	96,79,00,000	164.9966

Source: (DoA, 2020)

2.3. Analytical framework

The supranational agencies such as UNESCO and ICOMOS documents were mainly reviewed. The ICOMOS Charters for conservation and restoration are the fundamental guidelines for reconstruction, repair and maintenance. Among them the Venice Charter 1964 played the role of cornerstone which defined conservation, restoration, historic sites, excavation and publication (ICOMOS, 1964). UNESCO's Budapest convention in 1972 further elaborated the international mechanism of heritage conservation. It not only defined cultural and natural heritage but also elaborated responsibilities of the national and international agencies. For example national governments are expected to develop policies and define territory of heritage sites. On the other hand, the international community agreed to establish the "World Heritage Fund" and set conditions for international assistance.

On the national front, the Constitution of Nepal (GoN, 2017b) divided responsibility for restoring heritage monuments and sites to Federal, Provincial and Local Governments. However, this constitutional provision is yet to be translated to the Acts and Rules. The Ancient Monuments Preservation Act 2013 (GoN, 2017a) and Ancient Monuments Preservation Rules 2046 (GoN, 1989) are basic legal instruments of the government for conservation and restoration of historical monuments and heritage sites.

For the reconstruction activities, NRA (NRA, 2016) defined the scope of work. However, the number of monuments that were mentioned in the document of Sector Plans and Financial Projections decreased after accurate field verification.

Historical trade used to take place between the Gangetic plain and Tibet through Nepal which flourished over the period of time. However, it stopped after the 1962 Indo-Chinese war. As road construction took a stride since the 1990s, most of the historical trails have been overlapped with either the National Highway or Rural Roads. In the meantime, DoA

remained a silent spectator of all developments, most probably they may not have even realized that these historical trails are the precious assets of civilization. It is also possible that these trails were not included in the Act which was the reason for not taking care of them.

Additional literature reviews were conducted to respond to the research objectives which were mainly developing national capacity for the conservation and restoration of heritage monuments. The motive of the analytical frameworks was to enable systematic analysis of capacity development based on real requirements.

3. Research findings and discussion

Research findings and discussion are concentrated around six thematic areas: DoA's image, DoA related acts and rules, state of WHS, DoA's institutional capacity, private sector's engagement in the heritage sector and status of heritage trail. After that a comprehensive discussion on policy options and way forward is presented.

3.1. Why DoA could not establish itself as an authority in the heritage sector?

DoA is mandated for the archaeological research and protection of the historical, cultural, religious and archaeological heritage of the country. Protection and maintenance of archaeological sites, ancient monuments, museum and archive management are the main responsibilities of DoA. It is also accountable to protect and preserve monuments, sites and even vernacular edifices located throughout the country either private or public having archaeological, historical, artistic and aesthetic values (DoA, 2020). Having such mandates, NRA trusted DoA to restore all earthquake damaged monuments. However, DoA achieved only 42% of progress until the end of March 2020 and NRA will terminate by Dec. 2020. Some controversies were triggered in some of the major projects and were necessary to be taken over by the NRA directly.

a. DoA's limited ability to dictate heritage principles

DoA's poor capacity was demonstrated in the restoration works of Ranipokhari. As DoA started restoration work on Ranipokhari after the 2015 earthquake in January 2016, it was fraught with controversy. The original plan used Reinforced Cement Concrete for the restoration, instead of the traditional brick and clay (The Kathmandu Post, 2018). The second controversy was on the architecture of the monument. It is said that the monument was constructed on Granthakuta (Shikhara) Style originally which was modified to Gumbaj (Dome) architecture by Late Jung Bahadur Rana, the first Rana Prime Minister of Nepal. The question erupted whether to construct on its original Shikhara Style or adopt the Gumbaj (Dome) style. The DoA's official position was that it had to be reconstructed on the basis which was damaged recently i.e. Gumbaj (Dome) style. But with social and political pressure, the monument was decided to be constructed in Granthakuta (Shikhara) style. On this issue DoA had to act like the ultimate authority which takes decision on certain rationale and prevails. Later on, the cabinet took a decision that the monument to be constructed by NRA which initiated construction by demolishing the DoA erected concrete structure and replacing it with traditional construction materials and adopted Granthakuta (Shikhara) Style.

Controversy also erupted in the reconstruction of Ranipokhari pond. The Kathmandu Metropolitan City (KMC) initiated reconstruction after securing DoA's approval on the design of the pond with fountains and new lakeside café. For this KMC demolished traditional walls and replaced them with Reinforced Cement Concrete structures. After a series of local protests, it was decided to restore the pond to the way it was in BS 1670 (Aryal, 2019). The concrete walls were taken back and replaced with the original structural shape and materials.

In a similar fashion, the DoA could not decide on the conservation plan of Bagdurbar, another neoclassical building. The debate was initiated between the reconstruction or retrofitting. Ultimately the case has gone to the Supreme Court and is awaited for its decision. Furthermore, conservation of the Lal Vaithak at Bhaktapur durbar square has not started due to the architectural debate until the end of April 2020.

All events show DoA's inferior capacity to take decisions on proper geological, architectural and historical logic.

b. Policy Maker's Perception on DoA

It seems that the national level policy makers have not accorded appropriate prominence to DoA. Since its establishment in 1952, DoA's stewardship was shifted to 8 different Ministries (DoA, 2020) which had their own primary objectives whereas the archeological responsibility was considered a subsidiary one. It is quite natural that the Minister represents mainly the mainstream activities in the Cabinet. The Archeological issue becomes trivial in comparison to tourism and civil aviation as there are a number of burning issues in those sectors. Having not received adequate attention, DoA could not secure required strength in its generic responsibility. For example it does not have accurate records of all tangible historical monuments in this country. There has to be detailed records and scientific study of each historical, cultural, religious and archaeological monument and sites including photographs of all structures. However, there is no functional research wing within DoA. None of the monuments are maintained properly. Almost all heritage monuments have leaking roofs with bushes on the roof. It happened because there was no authoritative instruction supported by human and financial resources. Because of this reason, DoA could not establish itself as a credible and reliable organization.

3.2. Why did the Ancient Monuments Preservation Act 1956 become outdated?

The Nepal's Constitution – 2015 has provision of shared responsibility among the Federal, Provincial and Local governments for the conservation, renovation and management of the cultural heritage and monumental sites (GoN, 2017b). As the Ancient Monument Preservation Act was prepared before the present constitution, it is natural that it could not incorporate constitutional provisions. The AMPA classified monuments as International, National and Local. However, all public monuments have to be conserved and maintained by DoA as mandated by AMPA. At present, the classification has to be reviewed in the light of the new constitution. The responsibility of conservation, maintenance and renovation for international and national heritage monuments lies with DoA directly. The responsibility of provincial level monuments can be handed over to the Provincial Governments and Local level monuments and sites to the local governments. However, DoA has to be engaged with

the provincial and local governments for research and techniques of conservation, maintenance and restoration. AMPA should spell out clearly on this issue.

There is a provision of an Ancient Monuments Conservation Co-operation Committee in the rules which has representation from all formal institutions. However, almost all heritage monuments have association with some local social group who take care of the monuments. Such groups are not represented in the committee which should have been included. It will be extremely difficult to implement a restoration plan without their involvement.

There are thousands of Gumbas (monasteries), Stupas (a mound-like or hemispherical structure containing relics that is used as a place of meditation), Chaitya (a prayer hall or temple containing a Stupa) and heritage sites dedicated to Lord Buddha. However, most of them are not documented properly. NRA conducted surveys in all the 2015 Earthquake impacted 32 districts for identifying damaged monasteries and found that 1320 Monasteries require maintenance. Altogether there could be around 4500 Buddhist monasteries all over the country which need to be recorded and brought under the national radar. At present, only Lumbini, Syambhu, Boudha and Namura (Namo-Buddha) are under DoA's purview. For this, AMPA needs to spell out conservation procedures of such Buddhist holy shrines.

Finding information on the new Archeological objects was entrusted to the Chief District Officer. However in the changed context, the authority of conservation of heritage monuments and sites is vested to the local governments. Under that circumstance, the Executive Officer of the Municipality would have been sensible. Alternatively, it can be the responsibility of the local government. In case of those Municipalities in which there are traditional heritage settlements or heritage sites and monuments, their institutional structure has to ensure that they have sufficient human and financial resources for the conservation related works.

AMPA has provision of heritage settlements which should comply with some probationary provisions. For example what rule one individual household should follow while laying water pipes or sewerage pipes or other facilities in the heritage settlements. However, this clause seems to have a distant relation with reality. In fact, one individual does not have much influence on these utility systems. Other utility providers organise such infrastructure. Actually, DoA has to prepare a plan for such a heritage area and provision has to be made for required utilities in collaboration with other utility providers. And local inhabitants will be required to enjoy the facilities that are provided there. DoA's role should not be imposing authority and should be rather enabler. The Act also should have provision on how DoA should collaborate with the local governments. What are the roles and responsibilities of the local government, DoA and other local communities have to be well elaborated.

In the DoA's Mission, there are a number of activities which it has to execute. However, conducting heritage research is implicit both in Act and Rules. Having extremely low profile research works could be attributed to its exclusion in the Act and Rules. Similarly, the Act intends to allow other external parties for exploration and excavation of the heritage site

rather than undertaking by DoA itself. It means there is no direct link between Act and the roles and responsibilities as practiced.

More importantly, there is no coherence between the Act, rules and actual practice. For an effective organisation, the Act has to be directly linked with the rules. There are a number of areas where the provisions of the Act have not been reflected in the rules. For example the rule had to clarify an elaborate process declaring heritage sites including required forms and formats.

The historical trails should have been included as one of the integral components of heritage properties. In a number of countries, historical trails have been playing a significant role for preserving history and promoting tourism (Viastoria, 2020). There is a number of evidences which show that an extensive North - South and East West trail network existed in Nepal which could have been preserved as national heritage. Kautilya (400BC) and Chanakya (c. 350-283 BC) have mentioned the trilateral trade in their historical writings. Kirkpatric (Kirkpatric, 1811) has elaborated trail routes connecting Indian Gangetic plain to Tibet. Tuchhi (Tuchhi, 1956) and Hagen (Hagen, 1961) described the extensive trail network throughout history particularly during the last 1000 years. The evidence of such a trail is further confirmed by Fürer-Haimendorf (Fürer-Haimendorf, 1975). He mentioned that there were two main routes serving the trade with Tibet and these two routes correspond to the two branches of the Karnali river system, the Mugu Karnali and Humla Karnali. The route through Humla Karnali was the most important so far as the volume of trade is concerned.

3.3. What was the reason for not being able to remove UNESCO's Sword of Damocles on World Heritage Sites?

After the 2015 Gorkha Earthquake's destruction of heritage monuments, UNESCO considered to include Nepal's World Heritage Sites in the endangered list. However, with DoA's commitment for reconstruction in a six year time period, UNESCO postponed its decision. UNESCO also later on appreciated the progress as laudable (DoA, 2019). However, they emphasized the implementation of UNESCO's recommendation of October 2015 and March 2017. UNESCO also encouraged DoA to invite the World Heritage Centre and the Advisory Missions to provide technical support to assist with developing structures to coordinate and guide the recovery of the property and its Outstanding Universal Value (OUV). They further continued that the threat to the OUV of the property are so considerable that the recovery process needs to be made more effective, and that the scale and scope of the disaster and the response required goes well beyond the DoA's capacity and resources, and also considers that much greater input, collaboration and coordination of support is needed from the international community. They also emphasized to use appropriate methods and materials in the recovery works. They further requested DoA to integrate the Recovery Master Plan (RMP) within an overall socio-economic revitalization programme for urban communities, and encouraged residents and local businesses to engage in the recovery process and ensure that it delivers wide-ranging social and economic benefits. They also called on the international communities for support on recovery work through financial,

technical or expert assistance, including support for local communities in terms of their housing and social needs. In response, DoA submitted a progress report to UNESCO.

Although, DoA has been very active to satisfy UNESCO's conditions and reasonable progress has also been made. However, for the long term it has to work on a number of issues. Such as the area of research has to be enhanced tremendously. In fact the DoA established the Cultural Heritage Information Management System (CHIMS) in collaboration with UNESCO. However, the CHIMS could not be functional. Having achieved only 42% progress during the period of four years, the Earthquake Response Coordination Office (ERCO) was not functional adequately. In some cases, the NRA had to take over implementation from DoA. For example, the implementation of Ranipokhari, Dharahara, Singhadrbar and Aagamchhen Temple could not be resolved by DoA.

3.4. What mitigation measures are required for strengthening DoA?

The major problems currently faced by the DoA is that there is a gulf between the skill set it requires and the provision in the present organisational structure. First of all its compatibility with the present government's administrative set up is essential which means DoA needs to represent in each province. Based on that the Head Office also responsible for Bagmati Province and other 6 Provincial Offices are required. Each provincial office should have at least one Archeological Officer, Civil Engineer, Architect and some draftspersons. Their responsibilities will include conservation and renovation of all historical, cultural and religious monuments which are under the DoA's preview. This unit also needs to support the Provincial office as well as local governments to conduct heritage research and support them for the conservation and renovation of heritage monuments.

At present, DoA seems like a regulating organisation for the exploration and excavation of archaeological sites. However, it should have a designated excavation team either of its own or it should have a contractual agreement with other institutions and universities which deal with such tasks. At the central level DoA's capacity has to be strengthened in research of various kinds. At present, there are no adequate studies conducted on the historic structures. The National Research Institute for Cultural Properties, Tokyo (NRICP, 2016) indicated that historical buildings in Nepal might have some provision for earthquake resistance which is not known now which needs to be researched. Still unresolved issue is whether to construct earthquake non-resilient structures the way they were before. ICOMOS (ICOMOS, 1964) states where traditional techniques prove inadequate, the consolidation of a monument can be achieved by the use of any modern technique for conservation, the efficacy of which has been shown by scientific data and proved by experience. Based on this provision, DoA has to develop the norms and specification of the restoration or repair and maintenance. A national and international debate may be required on this. After due approval, all heritage buildings have to be restored based on this document. The issue here is that DoA has to be capable of undertaking this historical responsibility. One new branch on the historical trail needs to be added. The mandate of such a trail section would be to conserve the historical trails and infrastructures around it for example ponds, paties (traditional shelters for travellers), Chautaries (stone paved resting place with Pipal (*Ficus religiosa*) and Banyan (*Ficus*

benghalensis) tree shade. In addition, the DoA is not conversant in terms of procurement activities. Procurement of goods and services has to be administered until the end of the project for ensuring value for money. This capacity is deficient with DoA.

3.5 How to attract and retain the private entrepreneurs and artisans in the heritage sector?

There is a dearth of entrepreneurs and artisans in the heritage sector. Traditional Nepal's wooden and stone carvings are considered to be outstanding globally. Some of them get decayed over a period of time and are broken due to natural disaster or simple weathering process over the centuries. Under such circumstances, these artifacts have to be replaced. However, there is a shortage of such artisans particularly post natural disasters like the 2015 Earthquake period. Demand for such artifacts by nature is erratic. In the normal circumstance, there is much lower level of demand. Under these circumstances, how to ensure livelihoods of those artisans who are required mainly after the natural disaster needs to be addressed. Secondly there are a limited number of entrepreneurs who produce traditional bricks. NRICP (NRICP, 2016) also questioned the quality of traditional bricks.

3.6. Policy options for resolving problems and way out

The analysis in the previous sections revealed that the national capacity for conservation of heritage monuments and historical sites has to be strengthened further. If the present situation persists, Nepal's heritage monuments and sites will face deterioration and degradation. UNESCO's message for declaring Nepal's World Heritage Sites as endangered is the international outcry which is not heard properly in the country. For developing capacity, it will require institutional restructuring, amending current relevant Acts and rules, revise DoA's organisational structure and private sector also should be brought to track.

a. Establishing a powerful heritage entity

The efforts of the capacitating heritage sector needs to start from the strategic level. There are two options: a) promulgate a new Ministry of Culture which also incorporates DoA; b) establish the National Archeological Authority under the Office of Prime Minister. With this respect, various different countries have been practicing in different ways. In China, the Ministry of Culture and Tourism (MoC&T) is responsible for cultural policy and activities, including managing national museums and monuments; promoting and protecting the arts; and managing the national archives and regional culture centers (MoC&T, 2020).

In 1997, UK Government established the Department of Digital, Culture, Media and Sport (DDCMS, 2020). The DCMS has policy responsibility for museums, galleries and libraries, the built heritage, the arts, sport, education, broadcasting and the media and tourism, the Millennium and the National Lottery. DCMS formulates broad policy for the protection and promotion of heritage, and most importantly it also bids for funding from the treasury for its own areas of interest and allocates a budget to bodies such as English Heritage with which to implement this policy. The Office of the Deputy Prime-Minister (OPDM) is mandated to prepare the planning policy and for providing legal protection through the process of scheduling ancient monuments (including archaeological sites) and listing historic buildings.

In Thailand, the Ministry of Culture (MOC), is responsible for the oversight of culture, religion, and art in Thailand. In addition to the Minister and Secretary of the Ministry, there are other departments such as: Provincial Cultural Office; Religion Affairs Department; Fine Arts Department; Department of Cultural Promotion; Film Censorship Board (FCB); Office of Contemporary Art and Culture and Bunditpatanasilpa Institute (MoC-Thailand, 2020).

In Italy, the Ministry of Cultural Heritage and Activities (MoCHA, 2020) is responsible for the conservation of heritage sites MoCHA is principally concerned with culture, the protection and preservation of artistic sites and property, landscape, and tourism. In 2009, the Ministry's organisational structure underwent significant changes (Decree 91/2009): the coordination of ministerial functions is still entrusted to a Secretary General, the General Directorates have been reduced from nine to eight, with new denominations and a partial reshaping of their responsibilities. The eight General Directorates continue to be technically supported by high level scientific bodies.

In India, the Archeological Survey of India is under the Ministry of Culture. The major responsibilities of this Ministry is: maintenance and conservation of heritage, historic sites and ancient monuments, administration of libraries; promotion of literary, visual and performing arts, observation of centenaries and anniversaries of important national personalities and events, promotion of institutions and organizations of Buddhist and Tibetan studies, promotion of institutional and individual non-official initiatives in the fields of art and culture, entering into cultural agreements with foreign countries (MoC, 2020).

In all five countries, the heritage conservation is under the Ministry of Culture with some country specific variations. This international practice shows that Nepal also should have one Ministry of Culture which governs the heritage monuments and sites. The advantage of this arrangement would be that the rather overlooked but vitally important sector will receive proper attention. The Ministry will have access to the cabinet, the supreme body for making policy decisions. It will also facilitate accessing financial resources. This arrangement will have only one constraint. There is a general perception that the size of the Federal Government should be smaller one preferably less than 25 Ministers. At present, there are 22 Ministries. Another possibility is to form one Authority under the Office of Prime Minister with a Special Charter Act. It will be rather focused on heritage only – culture can continue to be associated with Tourism. There are a number of benefits with this arrangement. The Authority will have focused areas of scope, as it will report directly to the Prime Minister, it will have strong leverage. However, the downside of this option would be that the Prime Minister will be occupied with a host of other activities which will not spare adequate time for the heritage authority.

b. Amendment of Heritage Act and Rules

Since the heritage Act and Rules are outdated, the issue is what should be guiding principles for amending these legal instruments. The nature of amendment will be contingent upon the macro level institutional landscape. If the government decides to form the Ministry of Culture then the Act has to be amended accordingly. If the government is inclined towards the

Authority, another type of Act has to be formulated. There is also a third possibility under which the government may wish to maintain the status quo. Even under that pessimistic scenario, the Act and Rules have to be amended. In the next amendment, AMPA needs to create a basis for classifying heritage monuments and sites. For this, it is already established that classification has to follow the administrative arrangement such as Federal, Provincial and Local. The respective level of government has to assume accountability for maintenance. However, the maintenance procedure has to be authenticated by the Federal institution which is DoA.

In case of the discovery of a new archeological object, it is the responsibility of the Chief District Officer to report to DoA. It is quite obvious that according to the present government structure, such responsibility should be given to the local government as they are familiar to all realities in their area.

The Act adopted a top down approach in the provision of infrastructure facilities in the heritage settlement. According to the Act's provision, the inhabitant needs to apply for constructing their house and receiving public infrastructure. However, this approach does not consider supply side interventions. The heritage area in fact has to be planned for all public facilities such as water supply, electricity, telephone facilities. For this each heritage site should have a Master Plan which should organise the historical monuments in such a way that they are portrayed attractively, maintained properly and ensured efficacy for movement.

There are a number of areas which require intensive research. Firstly detailed recording of monuments is essential for which photography, sketches, drawings and measurement are required. Once disaster strikes, any monument can collapse. Under those circumstances, proper recording facilitates the restoration. Secondly, the in depth structural analysis of the historical buildings has become urgent. Experts suspect now that the Lichhivi, Malla and Shah era technicians might have some form of understanding of earthquake and geology and they may have designed heritage structures to counteract such disasters. However, having no transgenerational handing over of know-how, the knowledge might have lost which needs to be researched now. Any clue in this regard will greatly support restoration efforts. Third area of research is on the construction materials. How do the traditional construction materials act on various types of natural forces? Are we being able to produce similar quality of construction materials as in Lichhivi, Malla or Shah era? What is the traditional method of strengthening? Can we recycle the original construction materials? What will be the impact on structural strength of recycled materials? Fifth and overall research is required on architecture and structure of the historical monuments and sites. Other research areas could be on chemistry, diagrams and coins. Such research requires competent and dedicated human resources. The organisational structure will need to address this. However, there could be two different strategies DoA can adopt on this. First option could be to have provision of all required human resources within the organisation. Alternatively, there could be a lean organisational structure and required experts and institutions are hired on need basis. Combination of both approaches could be the third strategy. Based on characteristics of

Nepal's administrative system, it may be sensible to have provision of minimum human resources within the organisation and hire on a need basis.

The analysis shows that there were extensive heritage trail networks in Nepal which would have precious archeological heritage treasure. However, most of the trails are replaced by the motorable roads. For example Kirkpatric (Kirkpatric, 1811) mentioned that there was a historical trail linking Kathmandu to Kuti as: Goheshwori—Sankhu—Chautara—Balephi—Listi—Dhunga—Khasa—Kuti. However, most of this route is replaced by the motorable roads. The Goheshwori – Sankhu – Chautara section of the Kathmandu – Kuti trail is already replaced by a motorable road. From Chautara to Khasa, the motorable road criss-crosses the historical trail. It has been the situation all across Nepal. If the present trend is unabated, all trails will be fully replaced. This action will also damage other roadside infrastructure.

Realising the importance of trails, the International Center for Integrated Mountain Development (ICIMOD) conducted a study on Kailash Sacred Area Region particularly in Humla district (Shrestha, C.B., Lama, Tshewang, Meyer, W.P., Schneider, G., 2010). Nepal Army recently reinstated the Unification Trail (The Nepalese Voice, 2019) which shows some renaissance of such historical trails. Except these minor and insignificant exogenous events, the historical trails are not of any importance to DoA and other local governments which requires an awareness drive. One feasibility study has to be conducted whether the trail could be used for tourism purposes or not. If yes, other roadside heritage infrastructures have to be restored.

5. Conclusions

The Department of Archeology's (DoA) inability to deliver its mandate of conserving monuments and assuring compliance to archeological norms increased the risk of losing Nepal's heritage sites and monuments. This study intended to identify conceptual and institutional constraints and to recommend a way out for the conservation of all national level cultural monuments and sites in Nepal. The major conclusion of this study is that the DoA's present institutional set up as a subsidiary department piggy backed on the Ministry with another mainstream responsibility is the central problem for not being able to draw policy level attention. Other problems such as the outdated Ancient Monument Preservation Act which fails to address the current challenges are equally responsible for such a pathetic situation. Against this backdrop, it is indispensable either to introduce the Ministry of Culture where heritage conservation has to be the integral component or promulgate an Authority under the Office of Prime Minister responsible for the conservation of heritage monuments, sites and trails. Irrespective of the introduction of Ministry of Culture or an Authority, the Ancient Monuments Preservation Act 2013 must be amended for internalizing Nepal's present mode of governance. In addition the amendment of the Act 2013 should incorporate the issue of heritage research, historical trails, and basic strategy for strengthening the private sector. All these measures will prevent Nepal from falling UNESCO's endangered list and pave the way for the sustainability of heritage monuments and sites which ultimately will lead towards preservation of national identity and increase possibility for earning foreign currency through the tourism sector.

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