



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

In RE: Global Identity of the Pink City

JUSTICE PRAMIL KUMAR MATHUR

Order

26/09/2026

REPORTABLE

BY THE COURT

1. This matter pertains to safeguarding the '**UNESCO World Heritage Site**' status of the Jaipur City.

2. This Court takes serious note of the news report published in leading newspaper Rajasthan Patrika on 24.09.2026 (**Annexure-1**) concerning the issues relating to the preservation and protection of the global identity of the Pink City. The Court has also considered the Decision 47 COM 7B.71 of the World Heritage Committee in the year 2025 (**Annexure-2**) & draft decisions adopted by the Committee in year 2025 (**Annexure-3**) highlighting the grave necessity to take steps towards protecting the UNESCO Heritage Site tag.

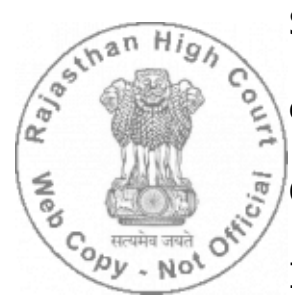
3. Seven years ago, the pink city as it is known today, added another gem to its grandeur when it was declared as the UNESCO World Heritage City, but let us shift to reality, this Court is deeply concerned with the alarming degradation of the historic Walled City of Jaipur, bestowed with the prestigious status of UNESCO World Heritage Site in 2019 in recognition of its exemplary inheritance urban planning, architectural coherence, and cultural



vibrancy. This matter raises issues that transcend local governance and strike at the very core of India's constitutional and international obligations to preserve its cultural heritage.

4. The Walled City of Jaipur, founded in 1727 by Maharaja Sawai Jai Singh II, stands as a rare and remarkable example of early modern urban planning in the Indian sub-continent. Conceived on a grid iron pattern inspired by traditional ancient Indian Architectural Principles, the city represents a harmonious blend of scientific planning, aesthetic uniformity, and cultural continuity. Its iconic pink façades, historic gateways, bustling bazaars, temples, and palaces collectively form a living heritage that continues to sustain the social and economic fabric of its inhabitants.

5. Before delving into the crux of the matter, it is pertinent to understand what qualifies as a UNESCO World Heritage Site. For inclusion in the World Heritage List, a site must possess "Outstanding Universal Value" and satisfy at least one of the ten selection criteria set out in the "Operational Guidelines for the Implementation of the World Heritage Convention." These criteria evaluate attributes such as exceptional creative genius, historical significance, cultural traditions, ecological and biological processes, biodiversity conservation, and natural beauty. Outstanding Universal Value has been defined under the "Operational Guidelines for the Implementation of the World Heritage Convention, 2025" (**Annexure – 4**) as follows:





"Outstanding Universal Value means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. As such, the permanent protection of this heritage is of the highest importance to the international community as a whole. The Committee defines the criteria for the inscription of properties on the World Heritage List."



6. One may then ponder upon what follows from such an inscription as a World Heritage Site. In answer thereto, it would not be incorrect to state that such recognition brings with it increased tourism revenue, renewed commitments towards preservation of the irreplaceable heritage, which, in the case of Jaipur, found expression in the "Jaipur (Walled City) Heritage Conservation and Protection Regulations-2020" (hereinafter referred to as "2020 Regulations"). However, it appears that the implementation thereof went off track, leading to the present situation. Most importantly, such recognition also attracts public as well as private funding, including financial assistance from the World Heritage Committee.

7. However, it is with grave concern this Court finds that it is presently under severe and imminent threat. Reports mentioned herein above indicate rampant illegal constructions, unauthorized alterations, and widespread encroachments within the core and buffer zones of the Walled City-Jaipur. Structures of historical significance are being altered or demolished without adherence to conservation norms, thereby, eroding the architectural integrity



that formed the basis of its recognition as a World Heritage Site. Traditional palaces are steadily disappearing, replaced by incongruous modern constructions that disrupt the visual and cultural coherence of the city. Such unchecked development not only violates statutory regulations, but also fundamentally undermines the very essence of the heritage that is sought to be preserved and protected. At this stage, this Court finds it apposite to observe that although the "2020 Regulations" have been framed, the present state of affairs, despite the existence of such rules and regulations, is indeed disquieting and deeply regrettable.

8. Needless to say, the situation stands further aggravated by the apparent failure of the concerned State authorities to effectively enforce the existing laws and policies. Despite the existence of heritage bye-laws, i.e. the "2020 Regulations", conservation plans, and regulatory frameworks, their implementation has remained grossly inadequate and deficient. Developmental activities are reportedly being undertaken without proper heritage impact assessments, while the enforcement mechanisms appear either weak or virtually non-existent. The delay in implementing comprehensive heritage management plans, coupled with the lack of coordination amongst the concerned authorities, reflects a systemic apathy and negligence that has permitted the present crisis to escalate.

9. These concerns are not merely speculative, but have also attracted international scrutiny. The United Nations Educational, Scientific and Cultural Organization (UNESCO), through its World Heritage Committee (WHC), has expressed serious reservations



regarding the current state of conservation in the Jaipur Walled City. In its **Decision 47 COM 7B.71 (Annexure-2)**, the World Heritage Committee, placing reliance on the **report at Point no. 71 of the WHC/25/47.COM/7B i.e. the Convention Concerning the Protection of the World Cultural and Natural Heritage, Forty-seventh session, UNESCO Paris, 06-16 July 2025 (Annexure-5)**, while acknowledging the efforts of the State Party in advancing the Special Area Heritage Plan ('SAHP'), the Committee expressed serious concerns which are reproduced as under:

"Decision 47 COM 7B.71'

Jaipur City, Rajasthan (India)

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6. Notes with concern reports of the demolition of historic houses within the World Heritage property, indicating a lack of enforcement of heritage protection measures, and also requests the State Party to provide a detailed report on the extent of these demolitions, the legal framework for their prevention, and the measures taken to mitigate further losses;

7. Expresses concern over the operational capacity of the Heritage Cell and further requests the State Party to provide updated details on the composition, staffing, and engagement process of the Heritage Cell, along with the status of the proposal for permanent posts submitted to the State Government, and clarify interim measures to ensure the Cell's functionality until permanent appointments are made;

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In the said report, the World Heritage Committee has also urged the State party to submit details of all proposed conservation, renovation, refurbishment, redevelopment, and





infrastructure projects that could affect the property and its Outstanding Universal Value, for review by the Centre and Advisory Bodies before any decision is made that would be difficult to reverse, underscoring the need for immediate action.



10. This Court deems it fit, as a precautionary measure, to ensure strict compliance with and rectification of the deficiencies highlighted in the said report, failing which the site may face adverse consideration by the concerned authorities. At the same time, this Court also takes note of the newspaper report indicating the possibility of the Walled City of Jaipur losing its UNESCO World Heritage Site status. Such an eventuality would be unprecedented and would cause irreparable harm not only to the identity and heritage of Jaipur, but also to India's standing in the global heritage community.

11. It is pertinent to note that this is not the first occasion on which such concerns have been raised. UNESCO had initially flagged these issues in the year 2023 and reiterated the same in 2025; yet, the situation appears to have remained substantially unaddressed. If adequate and effective remedial measures are not undertaken before December, 2026, the Walled City of Jaipur runs the serious risk of forfeiting its recognition as a UNESCO World Heritage Site.

12. The consequences of such a loss would be far-reaching. The World Heritage designation is not merely honorary; it carries with it's international recognition, tourism potential, and a sense of



collective pride. Its withdrawal would adversely impact the local economy, diminish Jaipur's global stature, and represent a failure to safeguard a legacy entrusted to the present generation. More importantly, it would signify an irreversible loss of cultural and historical wealth that cannot be recreated once destroyed.

13. So far, four sites including Arabian Oryx Sanctuary¹ (**Annexure-6**), Dresden Elbe Valley² (**Annexure-7**), Georgia's Historical Monuments of Mtskheta³ (**Annexure-8**) and Liverpool⁴ (**Annexure-9**) have been delisted by the UNESCO citing uncontrolled urban sprawl and irreversible loss of attributes due to new constructions. The time is not far when Jaipur too may make it to this list of deleted UNESCO World Heritage Sites, if prompt and effective measures/ actions are not taken.

14. Now, before delving into the legal aspects of the matter, it is apposite to observe that the heritage of Jaipur is not merely a remnant of history, but forms an intrinsic and inseparable part of the identity of every person in Rajasthan. Such heritage is not confined within the geographical limits of the city alone; rather, the entire State takes immense pride in its capital city, Jaipur, which stands as a symbol of Rajasthan's rich cultural, architectural, and historical legacy.

15. The protection of cultural heritage is not merely a policy objective, but a constitutional mandate. Article 49 of the Constitution of India casts a duty upon the State to protect

1 [Twenty-two new sites inscribed on UNESCO's World Heritage List, and one deleted during Committee meeting in Christchurch - UNESCO World Heritage Centre](#) .

2 [Dresden is deleted from UNESCO's World Heritage List - UNESCO World Heritage Centre](#).

3 [Historical Monuments of Mtskheta, Georgia, removed from List of World Heritage in Danger - UNESCO World Heritage Centre](#).

4 [World Heritage Committee deletes Liverpool - Maritime Mercantile City from UNESCO's World Heritage List - UNESCO World Heritage Centre](#)





monuments and places of artistic or historic interest, while Article 51A(f) imposes a fundamental duty upon every citizen to value and preserve the rich heritage of the country's composite culture. The doctrine of public trust further obligates the State to act as a custodian of such resources for the benefit of present and future generations. The continued inaction and failure of the authorities, therefore, amounts to a violation of these constitutional principles. Furthermore, the right to cultural heritage is increasingly recognised as part of the broader ambit of Article 21 of the Constitution of India.

16. The Court places particular emphasis on the fact that heritage, once lost, cannot be recreated. The existing administrative measures and efforts have, thus far, proven inadequate to address the magnitude and seriousness of the problem. Unless stringent, time-bound, and enforceable directions are issued and effectively implemented, the damage being caused may soon become irreversible. The matter, therefore, demands not merely regulatory compliance, but a renewed and sincere commitment towards the preservation and protection of a heritage that defines the cultural identity of Jaipur and, by extension, the nation itself.

17. Hence, this Court is of the opinion that for preserving the Jaipur heritage significance and protecting the title of '**UNESCO World Heritage Site**' given by UNESCO, it is the duty of the State Government to take care of the issues highlighted in the newspaper report. Therefore, this Court deems it fit to treat this newspaper item as a suo moto writ petition titled as In RE: **Global**



Identity of the Pink City in accordance with the powers conferred under Rule 385-P of the Rules of the High Court of Judicature for Rajasthan, 1952 and to issue notices to the following authorities:



- (1) The State of Rajasthan through the Chief Secretary, Government of Rajasthan, Jaipur.
- (2) Principal Secretary, Urban Development and Housing Department, Jaipur.
- (3) Director, Local Self Department, Jaipur
- (4) Director, Department of Archaeology and Museum, Jaipur
- (5) Commissioner, Jaipur Development Authority, Jaipur.
- (6) Commissioner, Municipal Council, Greater, Jaipur
- (7) Commissioner, Municipal Council, Heritage, Jaipur.
- (8) Heritage Cell, Nagar Nigam Jaipur, Lalkothi, Tonk Road, Jaipur, Rajasthan.
- (9) Additional Chief Secretary, Art & Culture and Tourism Department, Jaipur.
- (10) Secretary, Devasthan Department, Government of Rajasthan, Jaipur.

18. The JDA and Municipal Corporations, Jaipur through authorities of the State Government are directed to undertake a survey of the unauthorised and unregulated constructions which causing damage to the walled city of Jaipur and submit a report within two weeks.

19. They may file a comprehensive affidavit within four weeks from today, explaining:.



- i. the statutory framework, policy guidelines, and regulatory mechanisms presently in force for the protection and preservation of heritage structures/sites within the concerned area, and indicate the manner in which such safeguards are being implemented and monitored;
- ii. whether any heritage impact assessment, conservation study, or expert evaluation was undertaken prior to the grant of permissions/licences/sanctions for construction activities in the vicinity of the identified heritage precincts, and if so, place the relevant records on affidavit;
- iii. the procedure adopted for granting approvals to ongoing and completed construction projects within or around notified/non-notified heritage zones, including the authorities involved, the criteria applied, and the safeguards incorporated to prevent degradation of heritage value;
- iv. whether any survey or mapping exercise has been conducted to identify such heritage structures, cultural precincts, traditional settlements, or architecturally significant sites which are **likely to be affected by unregulated construction**, and furnish the status thereof;
- v. the extent to which unauthorized or unregulated construction activities have taken place in the concerned area during the last five years, and indicate the action





taken against violators, including demolition, sealing, prosecution, or imposition of penalties;

- vi. whether any coordination mechanism exists among municipal authorities, development authorities, archaeological bodies, heritage committees, and environmental regulators for ensuring that developmental activities do not result in irreversible depletion of heritage assets;
- vii. whether any buffer zones, height restrictions, zoning regulations, or architectural control norms have been prescribed around heritage sites/precincts, and if prescribed, the extent of compliance therewith;
- viii. the measures proposed or undertaken to balance developmental requirements with the preservation of cultural and historical heritage, particularly in areas witnessing rapid urbanization and construction activity;
- ix. whether public objections, stakeholder consultations, or expert representations concerning the impact of ongoing construction on heritage conservation were received, considered, or acted upon by the competent authorities, if any, the details thereof;
- x. the reasons for the apparent failure, if any, in enforcing existing planning and conservation regulations, resulting in deterioration, alteration, or depletion of heritage character in the concerned locality;





- xi. whether any accountability has been fixed upon officials or authorities responsible for permitting or failing to prevent construction activities detrimental to heritage preservation, and if so, the action taken in that regard.

20. The respondents shall place on record a comprehensive status report addressing all the issues mentioned herein above and shall also provide the immediate and long-term remedial measures/phase-wise Action Plan (before the date of placing the Final Report to UNESCO), proposed to arrest further degradation of heritage structures/sites and to restore, preserve, and maintain the historical and cultural character of the area in question. Furthermore, the respondents shall show cause as to why appropriate punitive action should not be initiated against the erring/ lethargic individuals/officials etc.

21. This Court also finds that in State like Madhya Pradesh, the statute itself, i.e. the Madhya Pradesh Municipal Corporation Act, 1956 as amended in 2003, provides for the concept of "**Social Audit**" which is a legislative attempt to recognise the fact that the residents of the city are one of the important stakeholders in Urban Planning, Development and even conservation of heritage. The relevant provisions of the above act are reproduced hereinunder:

"5. Definitions.

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(54-a) **Social Audit**— means the review of the impact of policies, programmes, schemes and procedures adopted or





implements by any municipal authority, by a group or groups of persons residing within the municipal area;

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*130-A. **Social Audit.**- Notwithstanding anything contained in this Act, the Council shall arrange for Social Audit in such manner as may be prescribed by the State Government."*

22.1 Taking into consideration the underlying object and purpose of the social audit, as well as the objective sought to be achieved thereby, it is an important mechanism for facilitating the participation of the citizens and residents of the city at large in the formulation and the implementation of the policies, programmes, schemes, and procedures within the municipal area of the city.

22.2 At the same time, this Court is conscious of the constitutional limits of its jurisdiction and therefore would not venture into the legislative domain. It is however, for the State Government to examine the necessity and desirability of putting in place an appropriate statutory framework or suitably amending the existing statutory provisions so as to effectively address the present concerns.

23. The Registry is directed to treat it as Public Interest Litigation. Mr. Sandeep Pathak, Mr. Yuvraj Samant, Mr. Madhushudhan Singh Rajpurohit and Mr. Anirudh Mathur, Advocates are hereby directed to assist the Court on the issues involved in this petition. Names of the respective counsel and their associates be reflected in the cause list.

24. A copy of this order along with Annexures be supplied in the office of Advocate General for necessary compliance.





25. The Registry is directed to list the matter before the appropriate Bench having the roster within ten days from today.
26. Counsel other than the State shall be paid remuneration by the Rajasthan Legal Services Authority as per rules.

27. Let this order be published in the media, both digital and print, to enable members of the public and heritage conservation experts to submit their inputs, if any, to the Registry of this Court.

(PRAMIL KUMAR MATHUR), J.

