

## Roles of Existing Policies on The Conservation and Management of Cultural Heritage in Kathmandu Valley, Nepal

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### Abstract

In 1956, the Ancient Monuments Preservation Act (AMPA) was first introduced, ushering in a more contemporary approach to cultural preservation in Nepal. The focus of this legislation is primarily on the material (physical) aspects of cultural heritage. The Guthi Corporation, formed by the Government of Nepal under the Guthi Corporation statute of 1976, focuses on the intangible legacy of the Kathmandu valley in a manner similar to that described above. The Department of Archaeology (DOA), a federal government body backed by the AMPA and in charge of safeguarding the country's cultural heritage. International organizations like the United Nations Educational, Scientific and Cultural Organization (UNESCO) criticized the difficulties in managing the Kathmandu valley's world heritage sites, which led to their inclusion on the endangered list in 2003, which has since been removed. The purpose of this research paper is to examine the effects that different government organizations' (stakeholders') policies have throughout time on the management and preservation of the cultural heritage of the Kathmandu valley. In order to maintain cultural assets using historical as well as case study methodologies, the research of this article recommends a review of current policies on dispersed policies and organizational responsibilities. Study reveals that now the time to development of unified policies and organisation to minimise the overlapping roles for good management and conservation in the Kathmandu valley, which will primarily be based on local cultural context as well as UNESCO criteria.

**Key Words:** *Cultural heritage, conservation and management, role of policies, Kathmandu valley*

### 1. Introduction

#### 1.1 Overview

Heritage was established by our ancestors for a variety of reasons, which led to its current form. For the correct preservation and administration of cultural legacy, distinct Nepali forms of public and social/religious/culture institutions were developed at that time. These institutions were known as *guthi* (patrilineal affiliation, or territorial characteristics and a kind of community/caste/family based co-operative institution dedicated to religious and secular community activities for which land is allocated to generate revenue) (Nepali, 1965). This merely takes into account the archaic legal code and cultural norms. However, at the time there were no established guidelines for the appropriate preservation of history (Amatya, 1988; Bajracharya, 1978; Tandon, 1995). The meaning of the word '*guthi*' is derived from the *Sanskrit* word '*gosthi*' meaning an 'association' or an 'assembly only focus on the religious, and sociocultural values (Regmi, 1978; Toffin, 2005).

*Guthi* is a non-profit organization and is created to perform charitable and religious services using land endowments made available when a temple, satta, or other edifice is built or renovation or reconstruction for the proper conservation and management. The proceeds from *guthi* would be used to cover on-going financial support. The practice is common throughout South Asia and dates back to the dawn of civilisation (Regmi, 1968).

Conservation refers to any actions taken to maintain a location's cultural relevance (KC et al., 2018; M. C. Truscott, 2014). Living heritage, also known as intangible cultural heritage, is something we inherit from our ancestors and impart to our progeny. A town, a country, or the whole human species may have tangible legacy, which generally refers to all the physical remnants like artifacts, historical places, and monuments. Despite the fact that there are still numerous persons and organizations with a wide range of duties in many sectors, the present government legislation specified the tasks for various government institutions in many different ways. It was found that two unique responsibilities are developed in terms of heritage protection and management since the Kasthamandap is intimately tied to the Kathmandu valley World Heritage Property (KVVHP) zone. Both the obligations set by law (the national or international legal system) and the obligations created by sociocultural tradition of communities are in use (Joshi et al., 2021; Shrestha, 2016).

The emergence of social and material prosperity was a result of the *guthi* communal land ownership. It supported the maintenance of several culturally significant structures and objects, as well the local population's involvement in rituals and festivals (Shaha, 1992; Tandon, 1995). Currently, there are various organizations involved in heritage conservation with multiple laws, so the study is focused on exploring the issues and problems in the existing conservation and management of cultural heritage laws. It may be useful to academicians, research institutions like universities, and government organisation as well interested candidates. The goal of this article is to investigate the current issues and problems for the proper conservation and management of cultural resources along with recommend the appropriate suggestion for the gap in current policies. This study is mainly limited to the roles of existing conservation and management of the cultural heritage in Kathmandu valley.

## 1.2 Objective of the study

The main objective of this research is to roles in the existing policies on the conservation and management of cultural heritage in Kathmandu valley. The specific objectives are as follows:

- To study the existing policies on the conservation and management of cultural heritage in Kathmandu valley,
- To explore the existing issues and problem in conservation and management of the cultural heritage,
- To suggest the appropriate policy for effective conservation and management of the cultural heritage,

## 2. Methodology

Methodology is an articulated, theoretically informed approach to the production of data (Rehman & Alharthi, 2016). Multi-method qualitative research relies on an interpretive, naturalistic approach to its subject (Denzin, 2009). According to Richards & Munsters, triangulation is an interdisciplinary strategy that incorporates a variety of techniques and data sources (Richards & Munsters, 2010). This research is qualitative, with an emphasis on a historical research. The current study provides insight into how cultural resources in the Kathmandu valley should be handled and protected. The research used the methods that followed to get the required documents.

### 2.1 Methods

#### 2.1.1 Review of articles

Several papers were taken from the Scopus database for a systematic review. As can be seen in Table 1, relevant publications were located using keywords from the journal title and abstract. The resources are gathered by a general or specialized library for use in extensive research initiatives (Togia & Malliari, 2017). Several pieces of published and unpublished literature on a range of subjects related

to the protection and management of cultural resources were carefully examined during this part of the research. The wide range of perspectives, and analytical methods were represented in the qualitative analysis descriptions, which showed a significant amount of diversity.

**Table 1.** Keyword used in literatures research

<i>Research area</i>	<i>Keywords</i>
<i>tratiional guthi</i>	Cultural, religious, social, participatory of people, sustainability
conservation and management	traditional/indeginious technology, conservation & management system, Kathmandu valley
current roles in policies	national and international

The conservation and management of cultural heritage identified 68 papers suitable for a systematic review related to the topic.

### 2.1.2 Survey and primary data collection

The majority of the data for this study came from a field survey that included oral interviews, open-ended and semi-structured questionnaires, and conversations with a variety of people and groups. In addition to the DOA, Guthi Corporation, heritage preservation organizations, architects, academic institutions, locals, and *guthi* communities, the sample size of the 20 informants included pilgrims, priests, senior citizens, local organizations, politicians, historians, and culturists. While on a field trip, heritage professionals observed traditional rites, recorded oral histories about the monument, provided public lectures on history, traditional structures, and iconography, did research, and created case studies (White, 2011).

### 3. Review of literature

Conservation management aims to regulate human movements to reduce direct and indirect negative impacts on valued sites and/or valued species and sustain the existence of specific species or biodiversity in general. Our heritage is an integral element of who we are. Heritage conservation is seen as a topic of critical relevance for national identity and the preservation of knowledge of past and arts worldwide.

According to UNESCO, culture and development are closely related to access to a meaningful intellectual, moral, and spiritual life as well as economic advancement. Development is the ability of individuals, groups, and entire countries to make holistic and thorough plans for the future. Heritage preservation may therefore be considered as having an impact on how the economy, society, and environment are developing (Sale, 2002).

Tangible heritage encompasses cultural heritage such as works of man like craft, mountains, buildings and sites, and natural heritage, which is works of nature such as physical, biological, geographical, and physiographical formations, and natural sites. Intangible heritage encompasses practices, representations, expressions, knowledge and skills of communities, groups, or in some cases, individuals (Fernandez, 2014).

“*Ancient monument*” means temple, monument, house, abbey, cupola, monastery, *Stupa*, *Bihar* etc. which have their importance above one hundred years, from the point of view of history, arts, science, the architectonics of art of masonry, and this word shall also mean the site of the monument as well as the human settlement or place, and the remnant of ancient human settlement, relies of an ancient monument, cave etc. having a specific value from the national or international point of view irrespective of the fact that such settlements or places are adjoining with each other or are separate in

the same area (Nepal, n.d.) Currently, the major organizations involved in the tangible heritage conservation are DOA which is responsible for the public ancient monuments.

In the context of Nepal, the royal family or influential ministers would provide financial support for restoration. In Malla times, there was also an institution called “*Chhen Bhadel Adda*” which carried out repairs to ancient and public edifices. There were also other organizations called Construction Committee (*Nirman Samiti*) and the Public Works Department that were also involved in the conservation and management of monuments. After the establishment of DOA in 1952 DOA mostly focus on the renovation and construction of physical artifacts. *Guthis* came into the picture in 1977 from Guthi Cooperation act charged with the responsibility to preserve the intangible cultural heritage and management of the *guthi* land.

#### **4. National Policies/Legislations for the heritage conservation management**

##### **4.1 Constitutions of Nepal (2015)**

Everyone has the right to freedom of religion, according to the 2015 constitutions of Nepal, which also contain other fundamental rights and obligations. In a manner similar to that, everyone who claims a religion is free to preach, practice, and defend it as they see fit. Any religious group will be permitted to oversee and operate its own religious facilities. The operation and maintenance of religious sites, religious trusts, and the management of trust holdings and lands are all subject to law, and nothing in the Constitution is intended to exclude it (Adhikari, 2022; The Constitution of Nepal, 2015). The following are Nepal's national laws:

##### **4.2 Ancient Monument Preservation Act (AMPA), 1956**

The primary law for the preservation and management of cultural heritage and archaeological remains and artifacts in Nepal is AMPA (1956). According to this statute, the DOA is the single government agency responsible for managing and conserving Nepal's cultural heritages. Based on this fundamental statute, all cultural heritages are controlled and safeguarded. The statute allows for the designation of a zone as a protected monument zone. Any location where a monument is found may be designated as a protected monument zone by the government of Nepal. Both at the location of the monument and the nearby public area, a notice describing the boundaries of the protected monument zone must be put (DoA, 1956; Shrestha, 2008, 2016).

Anyone wishing to construct or repair a road, install or connect a phone line or electricity, dig for drinking water or sewerage, shoot a movie, host a fair or festival, perform a signing ceremony or dance, park vehicles, or paste a poster or painting within the protected monument zone must obtain permission. However, permission from the DOA is not required to conduct and perform traditional dancing and singing or to organize events (DoA, 1956). The AMPA states that anyone starting to construct a new home or building, or repairing, altering, or reconstructing an existing home or building so as to change its original shape, shall do so in a manner that is consistent with the style of the neighbourhood and that is consistent with the standard established by the DOA (DoA, 1956).

It is a significant piece of law for the preservation of cultural property and conservation of the physical heritage. In accordance with the AMPA, the DOA is in charge of approving utility installation, new construction, and repair projects inside the monument zone. Additionally, the DOA has the ability to ask for the removal of illegal structures that do not adhere to the established guidelines or requirements. According to the AMPA, historical sites are categorized into three groups according to their significance: international, national, and local historical landmarks (DoA, 1956).

### 4.3 Guthi Corporation Act, 1976

Guthi Corporation is a centralized government trust charged to conduct rituals and to preserve the service oriented religious affairs, historical and cultural activities. Guthi Corporation was established in Nepal to administer and preserve all properties that are dispersed as many traditional guthis (sociocultural institution trusts) (Government of Nepal, 1976). The preamble of Guthi Corporation act clearly defines that whereas; a Guthi Corporation has been established to remove state trust (*rajguthi*) from the jurisdiction of the government of Nepal. In order to maintain friendly relations between people of different classes, as well as the economic interests and morality of the people. Generally, Guthi Corporation operates the state trusts in a methodical manner and is expedient to make more effective and timely provisions by amending and consolidating laws relating to *guthi* (Government of Nepal, 1976).

Guthi Corporation act declares that, this act is completely responsible for conservation and management of all properties, which undergoes into this act and coordinates with the other government and non-government agencies if needed in the entire process. Function of *guthi* is to have all the *rajguthis*, manage and operate it, to take *Chhut guthi* and personal *guthi* in the *rajguthi* and manage and operate the same on the *amanat* (wage system) or because it to be operated in accordance with the provisions contained in this act are its primary responsibilities.

The Guthi Corporation act must be properly implemented in order to manage personal and *chhut guthis*. Using the *rajguthi* moveable and immovable property, or the money they generate, for any current or future religious, educational, cultural, or social goals. To operate the *guthi* from the income (*aayastha*) of the *rajguthi*, make expenses from it, establish a reserve (*jageda*) fund from the surplus amount, and make safe investments from that fund is similar to carrying out or causing to be carried out religious festivals and worships as specified in the donation deed, document, and custom. Moreover, in accordance with the rules of this legislation, the corporation is in responsibility of keeping track of the *guthis* property associated to temples and their grounds and is free to use the *guthis* funds to recruit or coordinate the required human resources. This wonderful clause allows for the maintenance and protection of all of Guthi's belongings (Government of Nepal, 1976).

In such a way, however, Guthi Corporation has full and independent rights and responsibilities in conservation and management of entire properties of *guthi's* of intangible heritage only. AMPA provides DoA have full responsibilities of the maintenance and preservation of the tangible heritage but due to the less priority of renovation of the *guthi* heritage or other several factors (Ministry of Culture, 2022; Sansthan, 2020). During the renovation and maintenance of the *guthi* heritage by the DoA rare coordinating with other responsible organization (Government of Nepal, 1976).

### 4.4 Kathmandu Valley Development Authority Act (KVDA), 1988

The primary topics covered by this legislation are the growth, expansion, and reconstruction of existing communities. KVDA has the authority to set up various land use zones inside the town development area and to categorize the lands according to such zones. The KVDA is free to create bylaws and has the power to demolish unlawful constructions in order to carry out the objectives of the KVDA act. The KVDA also sets requirements for physical growth. The act's implementation in the Kathmandu valley is within the purview of KVDA. According to the relevant Nepalese laws governing historic sites, the KVDA Act clearly includes in its aims the proper development and maintenance of any religious, cultural, or historical legacy in specified zones. Since *guthi* constitutes the majority of monuments, according to statistics from the Guthi Sansthan, taking this action is crucial for protecting cultural heritage (His Majesty's Government of Nepal, 1988; Mishra, 2019).

#### **4.5 Local Government Operation Act, 2017**

As of October 15, 2017, this law is in force. The legislative, executive, and quasi-judicial activities of the recently established municipal government now have a strong legal foundation. The legal framework was established in accordance with Article 296 (1) of the Nepal Constitution-2015 in order to support local leadership and governance. The act includes a number of arrangements regarding, among other things, district assembly, judicial works, financial jurisdictions, local government authorities, duties, and responsibilities, assembly meeting and working system, assembly management procedures, plan formulation and implementation, and administrative structure (Coghlan & Brydon-Miller, 2014; Government of Nepal, 2017). This law is primarily concerned with the protection, maintenance, and promotion of historic places as well as the preservation and progress of language, culture, and the fine arts. Similar to that, this law specifies how traditional fairs and festivals must be held and administered (Government of Nepal, 2017).

#### **4.6 Pashupati Area Development Trust Act, 1987**

The Pashupati Area Development Trust Act (1987), which became enforceable in 1987, places a strong emphasis on preserving the common people's morals and qualities while also protecting, maintaining, and developing the area. Make necessary preparations in the Pashupati area (Government of Nepal, 1987). In accordance with the goals, splendor, and significance of the Pashupati area as a centre of veneration and a holy location for Hindu pilgrims, this act emphasized, maintained, and developed the area in a planned manner. This act specifies the plans for the performance of cultural feasts and festivals, social and charitable endeavours, and worship in temples of all gods and goddesses, including the Lord Pashupatinath temple, under the state trust (*Rajguthi*), in the Pashupati region, in accordance with customary religious rites and rituals (Government of Nepal, 1987).

#### **4.7 Local Administration Act, 1971**

The Chief District Officer (CDO) has been given more responsibility for heritage conservation and management under a clause of this statute that is also highly significant for Nepal and KVWHP. The CDO is responsible for keeping track of all public water taps, wells, ponds, well sides, shelters (*Pati Pauwa*), guest houses (*Sattal, Dharmashala*), temples, caves, bridges, etc. that are located within the district. If any of these are damaged or in danger of collapsing, the CDO must order that they be repaired by the owner or his/her agent, the Municipality, the Village Development Committee (VDC) (Government of Nepal, 1971).

The CDO office is responsible for keeping track of all of their region's public water sources, including springs, ponds, lakes, rest areas, pilgrims' homes, temples, caverns, monasteries, and mosques, among others. Since monuments are prone to deterioration or falling over while their owner is gone, the CDO office will take care of their maintenance via the local group, DOA, and Guthi Corporation (Government of Nepal, 1971). Additional provisions of the act mandate that the office of the CDO maintain records of all land, inns (*Pati*), rest-houses (*Pauwa, Sattal*), parks, ponds, wells, pastures, outlets, etc. that are identified through cadastral survey maps, the Royal seal, *Khadga Nishana* orders, copper and stone inscriptions, or other comparable authoritative inscriptions, and send a copy of each to the Land Revenue Office (Government of Nepal, 1971).

#### **4.8 Town Development Act, 1988**

The preservation and management of cultural resources in the regions where the town planning project has been implemented depend on this activity. The Kathmandu valley, which is littered with several monuments and historic places, has served as the area of jurisdiction for the execution of this act from its establishment. Therefore, it is essential for the protection and management of those

important historical, archaeological, and religious sites. Similar to that, this statute emphasizes that it is not permitted to conduct any activity at such archaeological, historical, or religious sites without first obtaining permission from the municipal development committee. The AMPA of 1956 stipulates that the committee may create and implement any plans for the protection, advancement, and administration of any cultural and historical territory (Parliament of Nepal, 1988).

#### **4.9 Bylaw for Building (Protected Monument Zone) 2007**

The World Heritage Convention of 1972 or UNESCO's rules became immediately applicable when the Kathmandu valley was added to the list of World Heritage sites in 1979. Its only power as an assistant lawmaker was to protect the property; it possessed no other powers. Therefore, the State Party believed that it needed to be covered by national rules that could be put into place for the site's complete protection as well as to reward and penalize individuals for caring for the property. Thus, in compliance with the 1956 Ancient Monument Protection Act, the Nepalese government designated the seven distinctive monument zones that make up the Kathmandu valley world heritage site as protected monument zones on various dates (DoA, 1956; Mckercher & Du Cros, 2012).

The Bylaws include particular provisions for privately owned buildings that function as monuments and are required to preserve their exceptional universal value and unique design. These buildings showcase the peculiar characteristics of medieval Newar dwelling house architecture, aiding in the preservation of the neighbourhood. They must maintain the building's optimal height (35'), as well as the floor, window, and door heights (up to 8'), as well as the building's breadth, type of roof, and other dimensions. In addition, the ordinances covered new construction on privately held unoccupied land, repairing existing homes, classifying buildings, and non-classifying structures with distinctly historic traits. The bylaws act as specific legal tools for the administration and preservation of the Kathmandu Valley World Heritage Site in this way (Government of Nepal, 2006).

### **5. International Convention/Charter for the heritage conservation management**

#### **5.1 World Heritage Convention 1972**

The fundamental international legislation governing the preservation and administration of World Heritage assets globally is the 1972 World Heritage Convention, also known as the UNESCO Convention Concerning the Preservation of World Cultural and Natural Heritage, which was adopted in 1976. The convention recognizes that it is the fundamental duty of each State Party to make that the natural and cultural heritage described in Articles 1 and 2 and located on its territory is recognized, safeguarded, preserved, displayed, and passed on to future generations. It will make use of all of its resources, including financial, artistic, scientific, and technological support from outside, as well as any other essential assistance to accomplish this aim (UNESCO, 1972).

#### **5.2 Operational Guidelines 1980**

All sites designated as global historic sites are governed under the global historic Convention of 1972. In 1980, the global heritage committee published Operational Guidelines (OG), which make practical solutions simpler and operate as a supplemental legal tool for carrying out the agreement. Therefore, both the convention and the operational instructions are present. (Centre, 2012; UNESCO/WHC, 2013). These are listed below:

- The designation of structures as UNESCO world heritage sites and as cultural property in danger;
- The upkeep and defence of places recognized as global heritage;
- The World Heritage Fund provides international aid; and
- Supporting the convention by banding together on a local, state, national, and worldwide level

### 5.3 Athens Charter 1931

The Athens Charter is approved in 1931 at the inaugural International Congress of Architects and Technicians of Historic Monuments, which is hosted in Athens. Following are the main principles of this charter (ICOMOS, 2011; International Council on Monuments and Sites ICOMOS, 1931):

- International organizations for restoration are to be created as operational and consultative entities.
- Any restoration efforts must be subjected to knowledgeable criticism to prevent mistakes that might diminish the structures' historical relevance and character.
- The conservation of historic sites requires national legislation at all levels to be addressed.
- For conservation purposes, excavated areas that won't be immediately restored must be reburied.
- Utilizing modern techniques and materials during restoration work is possible.
- For historical sites, strict custodial protection must be offered.

### 5.4 Venice Charter 1964

Venice Charter 1964 tackles the definition, conservation, restoration, historic sites, excavation, as well as other facets of monument preservation and protection. Article 5 of this charter states that when a monument serves a socially useful function, preservation is always made simpler. Therefore, even though such usage is advised, the building's design or decor cannot be altered. A change in function may and should only need changes that fall within these parameters (ICOMOS, 1964). Article 11 emphasizes the significance of honouring the true contributions made by many eras to the building of a monument; much like Article 10 does, because restoration is not designed to promote uniformity of style.

### 5.5 Burra Charter 1999

The Burra Charter was first adopted in 1979 in the South Australian mining town of Burra; it underwent minor revisions in 1981 and 1988. The finest charter ever used for managing and preserving cultural assets is the Burra Charter, which was created expressly for Australian Heritage (ICOMOS Australia, 1999; Lesh, 2020; Logan, 2004; Mackay, 2021; M. C. Truscott, 2014; M. Truscott & Young, 2000). The Charter asserts that culturally significant places enhance people's lives by regularly providing a meaningful and energizing sense of connection to community and landscape, to history, and to lived experiences. These are significant historical records that provide tangible illustrations of Australian identity and experience. Places of cultural significance, which teach people about themselves, their ancestors, and the Australian landscape, show the diversity of communities (ICOMOS Australia, 1999).

### 5.6 ICOMOS Charter 2003

According to this charter 2003, cultural heritage structures provide a range of challenges for diagnosis and repair because of their historical context (the materials used, the manner of assembly), which limits the application of contemporary regulatory rules. To make sure that the analysis and repair techniques are acceptable and appropriate for the cultural context, recommendations are both preferred and necessary. The few guiding principles of this charter are as follows (Committees, 2005; ICOMOS, 2003):

- Multidisciplinary approach is required for the conservation, protection, and restoration of architectural heritage.
- It is hard to determine the value and authenticity of architectural heritage using rigid standards since all cultures must be respected and their physical legacies must be taken into consideration within the context of their distinct civilizations.



- A piece of architectural history is significant not just for its aesthetic value but also for the integrity of each and every one of its component parts, which serve as exemplary representations of the building techniques available at the period. Maintaining only the façade would not meet the conservation guidelines; the interior structures would need to be destroyed.
- All conservation needs and safety standards must be carefully considered whenever any change in usage or function is recommended.
- In architectural heritage, restoring a building's structural integrity serves as a tool rather than an objective in and of itself.

### **5.7 Riga Charter 2000**

Guidelines for the conservation, restoration, maintenance, repair, and use of historically valuable railroad equipment that may still be run can be found in the Riga Charter, which is an international charter or a statement of the scope, aims, and participants in cultural heritage initiatives (Stovel, 2001). Other objectives of this charter are listed below:

- Cultural heritage must be protected with the least amount of disruption feasible, even for preservation, as it is concrete or intangible proof of previous human activity.
- Since each historical era has its own style that differs from earlier usage of formal terminology and modes of communication, the preservation and restoration of cultural heritage should be the primary focus of present conservation efforts.
- Restoration and conservation work is done to preserve and highlight the value of cultural assets,
- Authenticity is the degree to which characteristics of a cultural legacy, such as its form and design, materials and substance, usage and function, traditions and practices, location and context, spirit and emotion, and other factors authentically and appropriately witness to its worth.

## **6. Impacts of multiple policies**

The site is ultimately within the protected monument zone, but there are numerous monuments and strewn images of gods and goddesses, particularly in the Kathmandu valley, that are connected to and governed by various governmental organizations as well as by unofficial community and social organizations that have existed and been active for a long time. Any effort (apart from intangible continuation of traditional practices) should start through DOA, the only institution in charge of managing and conserving Nepal's cultural assets. However, the absence of coordination mechanism specified in the law makes administering the site challenging. Nearly all of the land where the monument is situated is owned by the Guthi Corporation, which was established in line with a different legislation, the Guthi Corporation Act of 1976. Similar to that, KMC is in charge of the whole protected and unprotected monument zone. KMC has its own legislation and regulations pertaining to the protection of cultural heritage. As a zone of cultural property and protected monuments, it is also controlled by the CDO, another administrative body of the government with specific powers and responsibilities.

Various sorts of stakeholders are involved in the preservation and administration of the complete cultural legacy of the Kathmandu valley, according to the analysis of various policies. They all abide by the applicable laws in their respective areas. The only area that poses a problem is the coordination of various parties with relation to the preservation and administration of the property. There are no provisions for the collective duties and obligations of all stakeholders in site management and conservation, nor are there any incentives or sanctions for performing lawful tasks and responsibilities

without breaking any other laws or duplicating them. Due to the absence of this kind of legislation, it is extremely difficult to execute the many laws required for all stakeholders to fulfil their tasks in line with their individually specified legislation. In actuality, even by other stakeholders and site inhabitants, the multiple processes that must be followed are exceedingly complicated and challenging to comprehend. On the one hand, this is a big problem, and on the other, managing the site and conserving it will be challenging.

### **7. Data analysis, result and discussion**

The Kathmandu valley has reportedly been consistently protected, conserved, and managed by the communities as well as other stakeholders since the time of our great-grandparents, who created a systematic approach (the *guthi* system) and showed the way for its conservation and management. In spite of the fact that no official laws or regulations have been enacted since that time, it has persisted in many parts of our society. Due to a number of factors, many communities have been losing track of these indigenous systems, traditions, and rituals. As a result, the state started regulating these irreplaceable cultural heritage and created several laws and regulations to rigorously govern them. Similar to how there are multiple national and international policies, but they are interconnected. After implementation, many issues arise, thus the government should create efficient rules to ensure that cultural heritage is managed properly. Proper documentation may assist with 50% of conservation and management issues, according to discussions with the DOA, Guthi Corporation, archaeologists, academics, and heritage advocates.

The current system for managing and conserving cultural heritages is based on legal pluralism. Therefore, it would be simpler and preferable to include those traditions and practices when official national or international legal mechanisms are formed for the administration and preservation of the Kathmandu Valley World Heritage Property/Monuments Zone. According to the research study, as many stakeholders are bound by various regulations, there is no coordination between the historical conservation programs. For example, the DOA first preserves the physical constructions of any monuments, but DOA never focuses on how to preserve the everyday ritual activities (intangible heritage). It demonstrates the difficulties in fostering collaboration among the pertinent authorities. In order to effectively manage and conserve cultural assets, it is time to examine the present policies and coordinate our efforts. Any interested party, including the DOA, shall submit plans and programs for the protection of tangible and intangible cultural assets in order for any monuments or buildings to be renovated, rebuilt, or altered. This requirement applies to all interested parties. If not, conservation is incomplete.

### **8. Conclusion**

There is still a gap between cultural heritage management theory and practice in historical places as evidenced by the functions of current legislation. There are several traditions, customs, norms, and values that must be kept even if the cultural legacy of the Kathmandu valley is controlled and conserved in this context utilizing the numerous legal processes mentioned above. Nothing could be done without these age-old management and conservation techniques. An invisible management system like *guthi*, which has been used in society for eons, incorporates a number of regulations and stakeholders. From the study of this research, to create an efficient integrated system or organization that should concentrate on the awareness campaign, accurate recording of each heritage site, sufficient funds and skilled staff, and issues along with single door system. The article's concluding suggestion is to create an integrated mechanism based on the standard policies, mostly focused on the local cultural norms in addition to UNESCO requirements. It will be easier to preserve and manage the

cultural riches in the Kathmandu valley by establishing such regulations, which will also help the organization in question with other related issues.

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