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**LEGISLATIVE (I) DEPARTMENT
NOTIFICATION
Jaipur, July 13, 1961.**

No. F.4(36)LJ/A/57- The following Act of the Rajasthan State Legislature received the assent of the President on the 22 day of June, 1961, and is published for general information:-

**THE RAJASTHAN MONUMENTS, ARCHAEOLOGICAL SITES AND
ANTIQUITIES ACT, 1961**

(Act No. 19 of 1961)

(Received the assent of the President on the 22 day of June, 1961)

An

Act

to provide for the preservation, protection, upkeep, maintenance, acquisition and regulation and control over, ancient and historical monuments, archaeological sites and antiquities in the State of Rajasthan. Be it enacted by the Rajasthan State Legislature in the Twelfth Year of the Republic of India as follows: -

CHAPTER I

Preliminary

1. Short title, extent and commencement - (1) This Act may be called the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961.
(2) It extends to the whole of the State of Rajasthan.
(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
2. Definitions - In this Act, unless the subject or context otherwise requires, -
 - (i) "ancient or historical monument" means any archaeological building, structure, erection or monument or any tumulus, tomb or place of interment or any cave, rock- Sculpture, rock-painting or sculpture of or on stone, metal, terracotta or other immovable object or any inscription or monolith, which is of historical archaeological or artistic importance, interest or value, and includes-
 - (a) any remains thereof,
 - (b) the site thereof,

- (c) the portion of land adjoining such site which may be necessary or required for the preservation, protection, upkeep and maintenance of the same, and
 - (d) the means of access thereto and of convenient inspection and repairs thereof;

but does not include an ancient monument as defined in the Central Act, which has been declared protected under that Act and stands so declared.
- (ii) “Antiquity” means-
 - (a) any coin, sculpture, epigraph, manuscript, record, document, picture, painting, printed matter or other work of art or craftsmanship,
 - (b) any article, object or thing of historical, archaeological or artistic importance, interest or value, detached from a protected monument or collected from or discovered in a protected area;
 - (c) any article, object or thing illustrative of science, art, crafts, literature, religion, customs, morals or politics in bygone ages, and
 - (d) any other article, object or thing of historical, archaeological or artistic importance, interest or value,

and includes any article, object or thing which the State Government may, by notification in the Official Gazette, declare, by reason of its historical or archaeological association, to be an antiquity for the purposes of this Act but does not include an antiquity as defined in the Central Act, which has been declared protected under that Act and stands so declared.
- (iii) “Archaeological Officer” means an officer, of the Department of Archaeology of the State Government not below such rank as the State Government may from time to time prescribe;
- (iv) “Archaeological Site” means any mound indicating ancient habitation or any area which contains or is reasonably believed to contain ruins or relics of historical or archaeological importance, interest or value and includes-
 - (a) any remains thereof,
 - (b) the site thereof,
 - (c) the portion of land adjoining such site which may be necessary or required for the preservation, protection, upkeep and maintenance thereof, and
 - (d) the means of access thereto and of convenient inspection, repairs and excavation thereof,

but does not include an archaeological site and remains as defined in the Central Act, which has been declared protected under that Act and stands so declared;
- (v) “Central Act” means the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958) as amended from time to time;
- (vi) “Director” means the Director of Archaeology and Museums of the State and includes any officer appointed by the State Government to perform the duties of the Director under this Act;
- (vii) "maintain", with its grammatical variations and cognate expressions, includes the fencing, covering in, repairing, restoring and cleaning of an ancient or historical monument, an archaeological site or an antiquity or the doing of any

act which may be necessary for the preservation, protection, upkeep or regulation of such monument, site or antiquity, or for securing convenient access thereto;

- (viii) "owner" used with reference to an ancient or historical monument, archaeological site or antiquity includes-
 - (a) a joint owner invested with powers of management of or over such monument, site or antiquity on behalf of himself and other joint owners and the successor- in-title of any such owner, and
 - (b) any manager or trustee exercising powers of such management and the successor-in-office of any such manager or trustee;
 - (ix) "prescribed" means prescribed by rules made under this Act:
 - (x) "protected" when used with reference to an ancient or historical monument or an archaeological site, means such monument or site which may be declared by the State Government under section 3 to be a protected monument or a protected area; and
 - (xi) "protected antiquity" means an antiquity declared by the State Government under section 3 to be a protected antiquity and includes any article, object or thing referred to in sub-clause (b) of clause (ii).
3. Power to declare monuments etc. to be protected - (1) The State Government may declare for the purposes of this Act-
- (a) any ancient or historical monument to be a protected monument, or
 - (b) any archaeological site to be a protected area, or
 - (c) any antiquity to be a protected antiquity.
- (2) Before making any such declaration as is referred to in sub-section (1) the State Government shall, by notification in the Official Gazette, give two months' notice of its intention to do so and a copy of such notification along with a statement of the reasons for which such declaration is proposed to be made, shall be affixed in a conspicuous place at or near the ancient or historical monument or the archaeological site which is proposed to be declared as protected or on or near the place where or in which such monument or the antiquity proposed to be declared as protected is for the time being.
- (3) Any person interested in any such monument, archaeological site or antiquity may, within two months after the publication of such notification in the Official Gazette, object to the proposed declaration.
- (4) On the expiration of the said period of two months the State Government may, after considering the objections, if any received by it, declare by notification in the Official Gazette-
- (i) An ancient or historical monument to be a protected monument, or
 - (ii) An archaeological site to be a protected area, or
 - (iii) An antiquity to be a protected antiquity.
- (4A) Notwithstanding anything contained in sub-sections (2) and (3), where the State Government is satisfied with respect to any monument, archaeological site or antiquity, that there is immediate danger of its removal or destruction, it may instead of proceeding under the said sub-sections, by notification in the official

Gazette forthwith make a declaration under clauses (i), (ii) or (iii), as the case may be, of sub-section (4) in respect of any such monument, archaeological site or antiquity:

Provided that any person interested in any such monument, archaeological site or antiquity may, within two months after the publication of such notification, object to the declaration so made and State Government, after giving to such person an opportunity of being heard, may by order in writing dismiss the objection or withdraw the notification.

- (5) A notification published under sub-section (4) shall, unless and until it is withdrawn, be conclusive evidence of the fact that the ancient or historical monument, archaeological site or antiquity to which it relates is a protected monument, a protected area or a protected antiquity for the purposes of this Act.

CHAPTER II

Protected Monuments

4. Acquisition of rights in or guardianship of a protected monument - (1) The Director may, with the sanction of the State Government, purchase or take a lease of, or accept a gift or bequest of any protected monument.
- (2) Where a protected monument is without an owner, the Director may, by notification in the Official Gazette, assume the guardianship of such monument.
- (3) The owner of any protected monument may, by written instrument, constitute Director to be the guardian of such monument and the Director may, with the sanction of the State Government, accept such guardianship.
- (4) When the Director has accepted the guardianship of a protected monument under sub-section (3), -
- (a) the owner shall, except as expressly provided in this Act, have the same estate, right, title and interest in or to the monuments as if the Director had not been constituted a guardian thereof; and
- (b) the provisions of this Act relating to agreements executed under section 5, shall apply to the written instrument executed under the said sub-section.
- (5) Nothing in this section shall affect the use of any protected monument for customary religious observances.
5. Preservation of protected monument by agreement- (1) The Collector, when so directed by the State Government, shall propose to the owner of a protected monument to enter into an agreement with the State Government within a specified period for the maintenance and upkeep of the monument.
- (2) An agreement under this section may provide for all or any of the following matters, namely: -
- (a) the maintenance and upkeep of the monument;
- (b) the custody of the monument and the duties of any person who may be employed to watch it;

- (c) the restriction of the owner's right-
 - (i) to use the monument for any purpose, or
 - (ii) to charge any fee for entry into, or inspection of, the monument, or
 - (iii) destroy, injure, mutilate, deface, alter, repair, remove or disperse the monument or to allow it to fall into decay, or
 - (iv) to build on or near the site of the monument;
 - (d) the facilities of access to be permitted to the public or any section thereof or to archaeological officers or to persons deputed by the owner or any archaeological officer or the Collector to inspect or maintain the monument:
 - (e) the notice to be given to the State Government in case the land on which the monument is situated or any adjoining land is offered for sale by the owner, and the right to be reserved to the State Government to purchase such land, or any specified portion of such land, at its market value:
 - (f) the payments of any expenses incurred by the owner or by the State Government in connection with the maintenance and upkeep of the monument;
 - (g) the proprietary or other rights which are to vest in the State Government in respect of the monument when any expenses are incurred by the State Government in connection with the maintenance and upkeep of the monument;
 - (h) the appointment of an authority to decide any dispute arising out of the agreement; and
 - (i) any matter connected with the maintenance and upkeep of the monument which is a proper subject of agreement between the owner and the State Government.
- (3) The terms of an agreement under this section may be altered from time to time by the State Government with the consent of the owner.
- (4) The State Government or the owner may, at any time after the expiration of three years from the date of execution of an agreement under this section, terminate it on giving six months' notice in writing to the other party:
 Provided that, where the agreement is terminated by the owner, he shall pay to the State Government the expenses, if any, incurred by it on the maintenance and upkeep of the monument during the five years immediately preceding the termination of the agreement or, if the agreement has been in force for a shorter period, during the period the agreement was in force.
- (5) An agreement under this section shall be binding on any person claiming to be the owner of the monument to which it relates, from, through or under a party by whom or on whose behalf the agreement was executed.
6. Owners under disability. (1) In case of the owner of a protected monument being unable, by reason of infancy or other disability, to act for himself, the person legally competent to act on his behalf, and, in case of village property, the lambardar or other village-officer exercising powers of management of or over such property, may exercise the powers conferred upon an owner by section 5.

- (2) Nothing in this section shall be deemed to empower any person not being of the same religion as the person on whose behalf he is acting to make or execute an agreement relating to a protected monument which or any part of which is periodically used for the religious worship or observances of that religion.
7. Failure or refusal to enter into agreement. - (1) If any owner or other person competent to enter into an agreement under section 5 for the maintenance and upkeep of a protected monument refuses or fails to enter into such an agreement, the State Government may make an order providing for all or any of the matters specified in sub-section (2) of section 5.
- (2) No order under sub-section (1) shall be made unless the owner or other person has been given an opportunity of making a representation in writing and being heard against the proposed order.
- (3) Every order made under sub-section (1) shall be binding on the owner or such other person and on every person claiming title to the monument from, through or under the owner or such other person.
- (4) When an order made sub-section (1) provides that the monument shall be maintained by the owner or other person competent to enter into an agreement, all reasonable expenses for the maintenance and upkeep of the monument shall be payable by the State Government.
8. Application of endowment to repair protected monument. - (1) If any owner or other person competent to enter into an agreement under section 5 for the maintenance and upkeep of a protected monument refuses or fails to enter into such an agreement, and if any endowment has been created for the purpose of keeping such monument in repair or for that purpose, among others, the State Government may institute a suit in the court of the district judge, or, if the estimated cost of repairing the monument does not exceed one thousand rupees, may make an application to the district judge for proper application of such endowment or part thereof.
- (2) On the hearing of an application under sub-section (1), the district judge may summon and examine the owner and any person whose evidence appears to him necessary and may pass an order for the proper application of the endowment or of any part thereof, and any such order may be executed as if it were a decree of a civil court.
9. Enforcement of agreements. - (1) If an owner or other person who is bound by an agreement for the maintenance and upkeep of a protected monument under section 5 refuses or fails, within such reasonable time as the Director may fix, to do any act which in the opinion of the Director is necessary for the maintenance and upkeep of the monument, the Director may authorise any person to do any such act, and the owner or other person shall be liable to pay the expenses of doing any such act or such portion of the expenses as the owner may be liable to pay under the agreement.
- (2) If any dispute arises regarding the amount of expenses payable by the owner or other person under sub-section (1), it shall be referred to the State Government whose decision shall be final.

10. Power to make order prohibiting contravention of agreement.- (1) If the Director apprehends that the owner or occupier of a protected monument intends to destroy, injure, mutilate, deface, alter, disperse, remove, imperil or misuse the monument or to allow it to fall into decay or to build on or near the site thereof in contravention of the terms of agreement under section 5, he may, after giving such owner or occupier an opportunity of making a representation in writing, make an order prohibiting any such contravention of the agreement: Provided that no such opportunity may be given in any case where the Director, for reasons to be recorded, is satisfied that it is not expedient practicable to do so. (2) Any person aggrieved by an order made under sub-section (1) any appeal to the State Government within such time and in such manner as may be prescribed and the decision of the State Government shall be final.
11. Purchasers and persons claiming through owner bound by instrument- Every person who purchases any land on which is situated a protected monument in respect of which any instrument has been executed by the owner for the time being under section 4 or section 5, and every person claiming any right, title or interest to or in a monument from, through or under an owner who executed any such instrument, shall be bound by such instrument.
12. Acquisition of protected monument (1) If the State Government apprehends that a protected monument is in danger of being destroyed, injured, mutilated, defaced, altered, dispersed, removed, misused or allowed to fall into decay, the State Government may acquire it under and in accordance with the provisions of the Land Acquisition Act 1894, (Central Act No. I of 1894) as if the preservation, maintenance and upkeep of the monument were a public purpose within the meaning of that Act. (2) No protected monument shall be acquired under sub-section-
- (a) if such monument or any part of it is periodically used for religious observances, or
 - (b) if such monument is the subject of a subsisting agreement executed under section 4 or section 5, and
 - (c) unless the owner or other person competent to enter into an agreement under section 5 has failed to enter into an agreement proposed to him by the Collector under sub-section (1) of section 5 within the period specified in such proposal, or
 - (d) unless such owner or other person has terminated or given notice of his intention to terminate an agreement made under section 5.
13. Maintenance of certain protected monuments – (1) The State Government shall maintain every monument which has been acquired under section 12 or in respect of which any of the rights mentioned in section 4 have been acquired. (2) When the Director has assumed or accepted the guardianship of a protected monument under section 4, he shall, for the purpose of the maintenance and upkeep of such monument, have access to the monument at all reasonable times, by himself and by his agents, subordinates and workmen, for the purpose of inspecting and repairing the monument and for the purpose of bringing such

materials and doing such acts as he may consider necessary or desirable for the maintenance and upkeep thereof.

13A. Power to enter into agreement for the maintenance of certain monument-

- (1) The State Government may, for the purposes of maintenance of a monument falling under section 13, enter into an agreement with any person, firm or trust on such terms and conditions, not inconsistent with the provisions of this Act, as may be specified in the agreement.
 - (2) Notwithstanding anything contained in section 20A, the person, firm or trust referred to in sub-section (1) shall be entitled to collect and retain the whole or such portion of the fee leviable under section 20A and for such period, as may be agreed upon between the State Government and such person, firm or trust, having regard to the expenditure involved in the maintenance of the monument and collection of fee, interest on the capital invested, reasonable return on the investment and the volume of visitors.
14. Voluntary contributions, - The Director may receive voluntary contributions towards the cost of maintaining a protected monument and may give orders as to the management and application of any funds so received by him:
Provided that no contribution received under this section shall be applied to any purpose other than the purpose for which it was contributed.
15. Protection of place of worship from misuse, pollution or desecration. - (1) A protected monument maintained by the State Government under this Act which is a place of worship or shrine shall not be used for any purpose inconsistent with its character.
- (2) Where the State Government has acquired a protected monument under section 12, or where the Director has purchased, or taken a lease, or accepted a gift or bequest or assumed or accepted guardianship of, a protected monument under section 4, and such monument or any part thereof is used for religious worship or observances by any community, the Collector shall make due provision for the protection of such monument or part thereof from pollution or desecration-
- (a) by prohibiting the entry therein, except in accordance with the conditions prescribed with the concurrence of the persons, if any, in religious charge of the said monument or part thereof, of any person not entitled so to enter by the religious usages of the community by which the monument or part thereof is used, or
 - (b)) by taking such other action as he may think necessary in this behalf.
16. Relinquishment of rights in a protected monument- With the sanction of the State Government, the Director may;
- (a) where rights have been acquired in respect of any monument under this Act by virtue of any sale, lease, gift or will, relinquish, by notification in the Official Gazette, the rights so acquired to the person who would for the time being is the owner of the monument as if such rights had not been acquired; or
 - (b) relinquish any guardianship of a monument which he has accepted or assumed under this Act.
17. Penalties - (1) Whoever –

- (a) destroys, injures, mutilates, defaces, alters, removes, disperses, misuses, imperils or allows to fall into decay a protected monument, or
 - (b) removes from a protected monument any sculpture, carving image, bas-relief, inscription or other like object,
- shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to one lac rupees or with both.
- (2) Whoever –
- (a) being the owner or occupier of a protected monument, contravenes an order made under section 7 or section 10, or
 - (b) contravenes any other provision of this chapter for which contravention no punishment is provided for elsewhere therein,
- shall be punishable with the like punishment.
18. Power to control mining etc. near protected monuments. (1) If the State Government is of opinion that mining, quarrying, excavating, blasting and other operations of a like nature should be restricted or regulated for the purpose of protecting or preserving any protected monument, the State Government may, by notification in the Official Gazette, make rules –
- (a) fixing the boundaries of the area to which the rules are to apply,
 - (b) forbidding the carrying on of mining, quarrying, excavating, blasting or other operation of a like nature except in accordance with such rules and otherwise than under and in accordance with terms of a License, and
 - (c) prescribing the authority by which, and the terms on which Licenses may be granted to carry on any of the said operations.
- (2) A rule made under this section may provide that any person committing a breach thereof shall be punishable with fine which may extend to five thousand rupees.
19. Preservation of amenities of or to protected monuments. -(1) If the State Government is of opinion that for the purpose of preserving amenities to or of any protected monument it is necessary so to do, the State Government may, by notification in the Official Gazette, in respect of any area comprising or adjacent to the site of such monument and specified in such notification (hereinafter referred to as the controlled area).
- (a) prohibit or restrict the construction, erection or execution of buildings, structures and other works above ground within the controlled area, or the alteration or extension of any such buildings, structures or works in such manner as materially to affect their external appearance;
 - (b) prescribe the position, height, size, design, materials, colour and screening, and otherwise regulate the external appearance, of buildings, structures and other works above ground within the controlled area;
 - (c) require any local authority-
 - (i) to construct any approach road to any protected monument, or
 - (ii) to demolish any place of public convenience vesting in it, that is to say a latrine, urinal, dustbin and the like, located close to or in the vicinity of any protected monument;

- (d) prohibits or restrict the falling of trees within the controlled area;
 - (e) otherwise restrict the user of land within the controlled area to such extent as may appear to the State Government to be expedient for the purpose of preserving the amenities to or of the protected monument;
 - (f) provide for such matters as appear to the State Government to be incidental to or consequential on the foregoing provisions of this section or to be necessary for giving effect to those provisions.
- (2) Not less than forty-five days before issuing a notification under sub-section (1), the State Government shall cause to be published in the Official Gazette, in the controlled area and in the village and at the headquarters of the tehsil in which the controlled area is situated a notification stating that it proposes to issue a notification in terms of sub-section (1), together with a notice requiring all persons affected by such notification, who wish to make any objections to the issuing of such a notification, to submit their objections in writing to the State Government or to appear before any officer duly authorised in that behalf to hear objections on behalf of the State Government, within one month of the publication of the notification in the Official Gazette or within fifteen days from the date of the publication of the notification in the controlled area, whichever period expires later.
- (3) If, before the expiration of the time allowed by sub-section (2) for the filing of objections, no objections has been made, the State Government shall proceed at once to issue the notification under sub-section (1) If any such objection has been made, the State Government, after all the objections have been considered or heard, as the case may be, may either –
- (a) abandon the proposal to issue the notification under sub-section (1), or
 - (b) issue the notification under sub-section (1) with such modification as it thinks fit.
- (4) In considering the objections, the decision of the State Government on the question of issuing the notification under sub-section (1) shall be final and conclusive.
- (5) Nothing contained in any notification under sub-section (1) shall affect any building, structure or other work above ground or any alteration or extension thereof, if it was constructed, erected or executed before the date when notice of intention to issue a notification was given under sub-section (2), and for the purpose of this provision a building, structure or other work and any alteration or extension thereof shall be deemed to have been constructed, erected or executed before that, date-
- (a)) if its construction, erection or execution was begun before that date, or
 - (b) if and so far as its construction, erection or execution was necessary for the purpose of performing a contract made before that date.

- (6) If any person contravenes any of the provisions of a notification issued under sub-section (1), he shall, on conviction, be punished with fine not exceeding three thousand rupees for every day on which the contravention occurs or continues.
- (7) If, after any person has been convicted under sub-section (6) by reason of the fact that any building, structure or other work is not in conformity with the provisions of the notification issued under sub-section (1), the contravention continues after the expiration of such period as the court before whom he was convicted may determine, the State Government shall have power to do all such acts as in its opinion are necessary for removing so much of the building, structure or work as is not in conformity with the provisions of the notification aforesaid for making it conform with the provisions of the notification and any expenses incurred by the State Government in so doing shall be recoverable as an arrear of land revenue from the person convicted.
20. Right of access to protected monuments- (1) Subject to any rules made under this Act, the public shall have a right of access to every protected monument.
- (2) In making any rule under sub-section (1) the State Government may provide that a breach of it shall be punishable with fine which may extend to three thousand rupees.
- 20A. Power to levy entrance fee-** (1) The State Government may, by notification in the Official Gazette, levy entrance fee in respect of such protected monuments, and at such rates not exceeding two thousand five hundred rupees per head, as may be specified in such notification:
- Provided that if the State Government is of the opinion that it is expedient in the public interest so to do, it may by like notification, exempt, wholly or partly, any class of persons from the payment of entrance fee.
- (2) Such entrance fee when so levied shall be collected in accordance with the rules made under this Act.

CHAPTER III

Protected Areas

21. Acquisition of a protected area- If the State Government is of opinion that any protected area contains an ancient or historical monument or antiquities of historical, archaeological or artistic importance, interest or value, it may acquire such area under and in accordance with the provisions of the Land Acquisition Act, 1894 (Central A No. 1 of 1894) as if the acquisition thereof were for a public purpose within the meaning of that Act.
22. Restrictions on property rights in protected areas- (1) No person including the owner occupier of a protected area, shall construct any building within the protected area carry on any mining, quarrying, excavating, blasting or any operation of like nature in such area, or utilise such area or any part thereof in any other manner without the permission of the State Government:

Provided that nothing in this sub-section shall be deemed to prohibit the use of any such area or part thereof for purposes of cultivation if such cultivation does not involve the digging of not more than one foot of soil from the surface.

- (2) The State Government may, by order, direct that any building constructed by and person within a protected area in contravention of the provisions of sub-section (1) shall be removed within a specified period and, if the person refuses or fails to comply with the order, the Collector may cause the building to be removed and the person shall be liable to pay the cost of such removal.
23. Excavations for archaeological or historical purposes- (1) An archaeological officer or an officer authorised by him in this behalf or any person holding a License granted in this behalf in the prescribed manner under this Act (herein after referred to as the Licensee) may, after giving notice in writing to the Collector and the owner, enter upon and make excavation in any protected area.
- (2) Where an archaeological officer has reason to believe that any area not being a protected area contains ruins or relics of historical or archaeological importance, he or an officer authorised by him in this behalf may, after giving notice in writing to the Collector and the owner, enter upon and make excavations in the area.
24. Restrictions on excavations. (1) Notwithstanding anything contained in section 23, no excavation or other like operation for archaeological or historical purposes shall be undertaken or authorised to be undertaken in any area except with the previous approval of the Central Government and in accordance with such rules and directions, if any, as the Central Government may make or give in this behalf.
- (2) Where, in the exercise of the power conferred by section 22, the rights of any person are infringed by the occupation or disturbance of the surface of any land, the State Government shall pay to that person compensation for such infringement.
25. Disposal of Antiquities etc. discovered during excavations- (1) Where, as a result of any excavations made in any area under section 23, any antiquities are discovered, the archaeological officer or the Licensee, as the case may be, shall-
- (a) as soon as practicable, examine such antiquities and submit a report to the State Government in such manner and containing such particulars as may be prescribed, and
- (b) at the conclusion of the excavation operations, give notice in writing to the owner of the land, from which such antiquities have been discovered, of the nature of such antiquities.
- (2) All such antiquities shall be deemed to be protected antiquities and, until orders of the State Government as to the disposal or compulsory purchase thereof are received, the archaeological officer or the Licensee, as the case may be, shall keep them in such safe custody as he may deem fit.
- (3) On receipt of a report under sub-section (1) the State Government may make an order for the compulsory purchase of any such antiquities at their market value.

- (4) When an order for the compulsory purchase of any antiquities is made under sub-section (3), such antiquities shall vest in the State Government with effect from the date of the order.
26. Contraventions of chapter. -Whoever does any act in contravention of the provisions of this chapter, for which contravention no punishment is provided for elsewhere therein, shall be punishable with imprisonment for a term which may extend three years or with fine which may extend to one lac rupees or with both.
27. Regulation of excavations in protected areas- (1) The State Government may make rules
- (a) prescribing the authorities by whom Licenses to excavate for archaeological and historical purpose in a protected area may be granted;
 - (b) regulating the conditions on which such Licenses may be granted the form of such Licenses and the taking of security from Licensees;
 - (c) prescribing the manner in which antiquities found by a Licensee shall be disposed of; and
 - (d) generally, to carry out the purposes of this chapter.
- (2) Such rules may be general for all protected areas for the time being or may be special for any particular protected area or areas and may provide that any person committing a breach of any rule or of any condition of a License shall be punishable with fine which may extend to five thousand rupees, and may further provide that, where the breach has been by the agent or servant of a Licensee, the Licensee himself shall be punishable.

CHAPTER IV

Protected Antiquities

28. Power of Government to control movement of protected antiquities. – (1) If the State Government considers that any protected antiquities or class of protected antiquities ought not to be moved from the place where they are without the sanction of the State Government, the State Government may, by notification in the Official Gazette, direct that any such protected antiquity or any class of such protected antiquities shall not be moved except with the written permission of the Director.
- (2). Every application for permission under sub-section (1) shall be in such form and contain such particulars as may be prescribed.
 - (3). Any person aggrieved by an order refusing permission may appeal to the State Government whose decision shall be final.
 - (4). Any person who moves any protected antiquity in contravention of a notification issued under sub-section (1) shall be punishable with fine which may extend to fifteen thousand rupees.
 - (5). If the owner of any property proves, to the satisfaction of the State Government, that he has suffered any loss or damage by reason of the

inclusion of such property in a notification issued under sub-section (1), the State Government may –

- (a) exempt such property from the said notification, or
- (b) purchase such property at its market value, or
- (c) pay compensation for any loss or damage sustained by the owner of such property.

29. Purchase of protected antiquities by Government. – (1) If the State Government apprehends that any antiquity mentioned in a notification issued under sub-section (1) of section 28 is in danger of being destroyed, injured, mutilated, defaced, altered, removed, dispersed, misused or allowed to fall into decay or is of opinion that by reason of its historical or archaeological or artistic importance it is desirable to preserve such antiquity in a public place, the State Government may make an order for the compulsory purchase of such antiquity at its market value and the Collector shall thereupon give notice to the owner of the antiquity to be purchase: Provided that the power of purchase given by this sub-section shall not be extend to any image or symbol actually used for bonafide religious observations.
- (2) Where a notice of compulsory purchase is issued under sub-section (1) in respect of any antiquity such antiquity shall vest in the State Government with effect from the date of the notice.

CHAPTER V

Miscellaneous

30. Constitution of an Advisory Board. –
- (1) For the purpose of advising the State Government in the matter of the preservation, maintenance, upkeep, protection, acquisition, regulation and control of ancient or historical monuments, archaeological sites and antiquities in the State, the State Government may constitute an Advisory Board under the name of the Rajasthan Board for ancient Monuments, Archaeological Sites and Antiquities.
- (2) The constitution of the Advisory Board and the procedure regarding its work shall be such as may be prescribed.
31. Compensation for loss or damage. – Any owner or occupier of land who has sustained any loss or damage or any diminution of profits from the land reason of any entry on, or excavations in, such land or the exercise of any other power conferred by this Act shall be paid compensation by the State Government for such loss, damage or diminution of profits.
32. Assessment of market value or compensation. – (1) The market value of any property which the State Government is empowered to purchase at such value under this Act or the Compensation to be paid by the State Government in respect of anything done or any property acquired under this shall, where any dispute arises in respect of such market value or compensation, be ascertained in the manner provided in the provisions of the Land Acquisition Act, 1894 (Central Act No. 1 of 1894) in so far as those provisions can be made applicable:

Provided that, when making an inquiry under that Act, the Collector shall be assisted by two assessors, one of whom shall be a competent person nominated by the State Government and the other a person nominated by the owner, or, in case the owner fails to nominate an assessor within such reasonable time as may be fixed by the Collector in this behalf, by the Collector.

(3) Notwithstanding anything contained in sub-section. (1) or in the Land Acquisition Act, 1894 (Central Act No. 1 of 1894) in determining the market value of any antiquity in respect of which an order for compulsory purchase is made under sub-section (3) of section 25 or under sub-section (1) of section 29, any increase in the value of the antiquity by reason of its being of historical, archaeological or artistic importance, interest or value shall not be taken into consideration.

33. Delegation of powers – The State Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act may be exercised subject to such conditions, if any, as may be specified in such notification, by the Director or by any other officer not below the rank of a Collector as may be specified in the notification.
34. Jurisdiction of Courts – No court inferior to that of a Magistrate of the first class shall try any offence under this Act.
35. Special procedural provisions – Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) –
- (a) An offence under sub-section (1) of section 17 shall be deemed to be cognizable offence within the meaning of that code, and
 - (b) it shall be lawful for any Magistrate of the first class specially empowered by the State Government in this behalf to pass a sentence of fine exceeding two thousand rupees on any person convicted of an offence which under this Act is punishable with fine exceeding two thousand rupees.
36. Recovery of amount due to Government. - Any amount due to the State Government from any person under this Act may, on a certificate issued by the Director or an archaeological officer authorized by him in this behalf, be recovered in the same manner as an arrear of land revenue.
37. Protection of action taken under the Act - No suit for compensation and no criminal proceeding shall lie against the State Government or any public servant in respect of any act done or intended to be done in good faith in the exercise of any power conferred by this Act.
- 37-A. Rectification of error - Any clerical mistake, patent error or error from accidental slip or omission in the description of any ancient or historical monument or archaeological site or antiquity declared protected under this Act may, at any time be corrected by the State Government by notification in the Official Gazette.
38. Power to make rules - (1) The State Government may, by notification in the Official Gazette and subject to the condition of previous publication, make rules for carrying out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power such rules may provide for all matters which, under any provision of this Act, may be or are required to be prescribed or provided for by rules.

- (3) Any rule made under this section may provide that a breach thereof shall be punishable with fine, which may extend to one lac rupees.
 - (4) All rules made under this section shall be laid before the House of the State Legislature as soon as possible after they are made and shall be subject to such modifications as that House may make during the session in which they are so laid or the session immediately following.
39. Repeal and savings - The Ancient Monuments Preservation Act, 1904 of the Central Legislature as adapted to the pre-reorganization State of Rajasthan or as extending to the Abu and Ajmer areas and other corresponding laws of any State Legislature for the time being in force in any part of the State shall cease to have effect upon the coming into force of this Act, except as respects things done or omitted to be done before the commencement of this Act.

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EDUCATION DEPARTMNET NOTIFICATION

Jaipur, December 31, 1968

G. S. R. 3. -In exercise of the powers conferred by section 38 of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 (Rajasthan Act 19 of 1961) and the super-session of the Notification of even number dated 28h September, 1966, published in the Rajpatra, Part 4 (c), dated 28" September, 1966, the State Government hereby makes the following Rules (the same having been previously published in the Rajasthan Rajpatra, Part-II(B), dated the 28" January, 1965), namely: -

THE RAJASTHAN MONUMENTS, ARCHAEOLOGICAL SITES AND ANTIQUITIES RULES, 1968

CHAPTER I Preliminary

1. Short title and extent - (1) These rules may be called the Rajasthan Monuments, Archaeological Sites and Antiquities Rules, 1968

- (2) They shall extend to the whole of the State of Rajasthan.
2. Definition- In these rules, unless the context otherwise requires,
- (a) 'construction' means that construction of any structure and includes additions or alternations in an existing building;
 - (b) 'copying' means the preparation of copies by drawing or by photography or by mould or by squeezing and includes the preparation of a cinematography film with the aid of a hand camera which is capable of taking films of not more than eight millimeters and which does not require the use of a stand or involve any special previous arrangements;
 - (c) 'document' means any record on stone, lead or copper plate etc. Which is a work of art or craftsmanship and is historical value;
 - (d) 'filming' means the preparation of a cinematographic film with the aid of a camera which is capable of taking films of more than eight millimeters and which requires the use of a stand;
 - (e) 'form' means a form set out in Schedule III;
 - (f) 'manuscript' means any hand-writing, in a book form or on a paper or leaf, which is a work of art or historical value;
 - (g) 'mining operation' means any operation for the purpose of searching for or obtaining of any mineral'
 - (h) 'record' means engraved letters on stone, lead, terracotta or copper plate etc.;
 - (i) 'section' means a section of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961.
 - (j) 'schedule' means a schedule of these rules; and
 - (k) words and expression not defined by used in these rules shall have the meanings respectively assigned to them under the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961.

CHPATER II

Access to protected monuments

3. Monuments governed by agreements etc. – (1) Access to protected monuments, in respect of which an agreement has been entered into between the owner and the State Government under section 5, or in respect of which a suit has been instituted in the Court of the District Judge under section 8, shall be governed by the provisions of the agreement or, as the case may be, the suit, and nothing the rules 4,5,6 or 7 shall be construed as affecting any such agreement or suit.
- (2) A copy of the relevant provisions of every such agreement or suit shall be exhibited in a conspicuous part of the monument.
4. Parts of the monuments not open- The Director may by order direct that any specified part of a protected monument shall not be opened permanently or for a specified period, to any person other than an Archaeological Officer, his agents, subordinates and workmen and any other Government servants on duty at such part.
5. Monument when kept open – (1) The protected monument specified in Schedule I shall remain open during the hours specified against them in that schedule. Protected

monuments which are not specified and to which neither rule 3 or nor rule 4 applies shall remain open from sun-rise to sun-set, provided that an archaeological officer may by notice to be exhibited in a conspicuous part of the monument direct that a protected monument or a part thereof shall be closed temporarily for such period as may be specified in the notice.

(2) Nothing in this rule or in rule 4 shall apply to an archaeological officer his agents, subordinates and workmen or to any other Government servant on duty at a protected monument.

6. Entrance fee- (1) Every visitor shall require to pay the fee as mentioned in Part I of Schedule II for admission into Amber Palace, Nahargarh Fort, Jaipur and Mardana Palaces, Udaipur. The fee shall be payable in cash at the gate of entry into the Palaces and Fort. No fee shall be chargeable from children up to the age of 7. Parties of students coming under the guidance of their teachers shall have entrance into the palaces and fort on payment of a fee of ten Paise only, provided that the Director may, by order, direct that on such occasions and for such period as may be specified in the order, no fee shall be charged for entry into the palaces and fort or part thereof.
- (2) The fee shall be recovered from each visitor by a representative of the Directorate of Archaeology and Museums, Rajasthan, Jaipur who shall issue a ticket in the form specified in part II of the Schedule II, to each visitor authorizing entry into Amber Palace, Nahargarh Fort and Mardana Palaces, Udaipur.
- (3) Any Visitor going up to the Jaleb Chowk of Amber Palace and Nahargarh otherwise than on foot, shall pay the fee as in Part II of Schedule II for animals and conveyance. No conveyance other than specified in this part of Schedule II shall be plied on the route to Jaleb Chowk of Amber Palace and Nahargarh fort.
- (4) The following persons shall not be charged admission and conveyance fees for entry into the palaces on production of a permit granted by the Director in the form specified in Part IV of Schedule II, namely: -
- (i) The Governor of Rajasthan, members of his family and Raj Bhawan guests.
 - (ii) Rulers of Covenanting States of Rajasthan and the members of their families;
 - (iii) Union Ministers and State Ministers including Deputy Ministers;
 - (iv) Ambassadors;
 - (v) Speakers and Dy. Speakers of Parliament and State Assemblies (vi) State Guests;
 - (vi) Officials holding permanent passes from the Director for performance of their normal duties; and
 - (vii) Stall holders and shopkeepers who have been Licensed by the Director to run their shops inside Jaleb Chowk of Amber Palace and Nahargarh Fort.
7. Holding of meetings etc. in monuments- (1) No protected monument shall be used for the purpose of holding any meeting, reception party, conferences or entertainment except under and in accordance with a permission in writing granted by the Government of Rajasthan.
- (2) Nothing in sub-rule (1) shall apply to any meeting, reception, party, conference or entertainment which is held in pursuance of a recognized religious usage or custom.

8. Prohibition of certain acts within protected monument- No person shall within a protected monument-
 - (a) do any act which causes or is likely to cause damage or injury to any part of the monument; or
 - (b) discharge any fire-arms; or
 - (c) cook or consume food except in areas, if any, permitted to be used for that purpose; or
 - (d) hawk or sell any goods or wares or canvass any cystinger for such goods or wares or display any advertisement in any form show a visitor round for monetary consideration, except under the authority of or under and in accordance with the conditions of a License granted by the Director or the Superintendent of Archaeology, Government of Rajasthan; or
 - (e) beg for alms; or
 - (f) violate any practice, usage or custom applicable to or observed in the monument; or
 - (g) bring, for any purpose other than the maintenance of the monument-
 - (i) any animal, or
 - (ii) any vehicle except in the areas reserved for the parking thereof.
9. License required for copying certain monuments The Director may, by order, direct that no person other than an archaeological officer or an officer authorised by him in this behalf shall copy any specified protected monument or any class of protected monuments or any part thereof except under and in accordance with the terms and conditions of a License granted by an Archeological Officer.
10. Conditions for copying other monuments- (1) Any person may copy a protected monument other than such monuments in respect of which an order has been made under rule 9.
 - (2) Nothing in sub-rule (1) shall be construed as authorizing any person other than an Archeological Officer or an officer authorised by him in this behalf, while copying any such monuments, to-
 - (a) bring into or use, within the precincts of such monuments, a camera-stand, stool, chair, table, large drawing desk board, or any such appliance, or
 - (b) erect any scaffolding within such precincts, or
 - (c) use within such precincts any artificial light other than a flash light synchronized with the exposure of a camera, or
 - (d) apply any extraneous matter, such as water, oil, grease or any moulding material on such monument or part thereof, or
 - (e) prepare a direct tracing or mould or squeeze of such monument or part thereof.
 - (f) except under and in accordance with the terms and conditions of License in writing granted by an archaeological officer.
11. License required for filming- No person shall undertake any filming operation at a protected monument or a part thereof except under and in accordance with the terms and conditions of a License granted under rule 13.

12. Application for License- An application for License under rules 9,10 and 11 shall be accompanied by the License fee specified in Schedule IV and shall be made to the Director in Form I at least one month before the proposed date of the commencement of any such operation.
13. Grant or refusal of License- On receipt of an application under rule, the Director may grant a License in Form I or, if he is satisfied that the License asked for should not be granted, he may after recording the reasons therefore refuse to grant a License.
14. Terms and conditions for the grant of a License- (1) Nothing shall be done by the License which has or may have the effect of exposing any part of the protected monument and the lawns and gardens attached thereto, to the risk of any damage.
(2) No extraneous matter such as water, oil etc. shall be applied on any part of the monument.
(3) The generating plate for electric power, wherever required, shall be placed away from the monument and the attached lawns and gardens.
(4) There shall be no noise or unseemly behavior on the part of the performers.
(5) There shall be no request for closing down the monument or any part thereof to the public even for a short period either to facilitate the operation or for opening the monument beyond the normal hours.
(6) Nothing shall be done, which may hamper the free movement of the visitors to the monument.
(7) Each member of the party shall be allowed free entrance and conveyance at monument, where no such fees are charged from visitors.
(8) No employee of the Department of Archaeology shall be expected to render any assistance beyond the normal attention paid by such employees to the visitors.
(9) The License shall observe the provisions of rules 3 to 8.
(10) Nothing shall be done to violate the customary rules prevailing at the monument or to use it for any purpose that may be inconsistent with its character.
(11) Nothing which is likely to offer public sentiment shall be done.
(12) All the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 shall be observed.
(13) In the event of the License having been cancelled under these rules, no claim for the refund of the fee or any part thereof shall be entertained.
(14) If however, under any circumstances the party fails to undertake the operation at the monument on the date specified in the application submitted earlier for the grant of License or if it does not wish to keep the monument engaged for the period for which fee stands already deposited (after having once begun the shooting operation at the monument), no fee or part thereof shall be refunded in either case.
(15) The above rules shall not apply to bonafide visitors in possession of 8 mm. Cine-camera, not requiring the use of stands, who want to film a monument for the simple purpose of taking record films and with no intention of utilizing the monument as a part of any scene, provided that the prohibition contained in rule 3 above are observed and the use of artificial light including flash-light synchronizers shall not be allowed in the interior of a monument.

15. Cancellation of License- The Director may, by order and, after giving notice to the licensee, cancel any License granted under rule 13, if he is satisfied that any of the terms and conditions of the License has been contravened.
16. Appeal- Any person aggrieved by an order of the Director under rule 13 or rule 15 may prefer an appeal to the State Government and the decision of that Government on such appeal shall be final.
17. Penalties- Whoever-
 - (a) unlawfully enters any protected monument or part thereof at a time when under these rules, it is not to be kept open; or
 - (b) unlawfully enters such monument in respect of which an order has been made under rule 4 or rule 5; or
 - (c) contravenes any of the provisions of rules 6,7 and 8; or
 - (d) copies or films of any protected monument or does any act in contravention of the provisions of rules 9,10 and 11 or the terms or conditions of any License granted under rule 13;shall be punishable with fine which may extend to one hundred rupees.
18. Particulars of buildings, structures and other works controlled under section 19- Within the controlled area of a protected monument, the position, height, size, design, material, colour and screening etc. of the building, structures and other works above the ground shall be regulated by the following conditions:-
 - (a) the new construction or structure shall not be in such a place and of such a height as might obstruct the external view of the protected monument;
 - (b) the size of the new building or structure or works shall not be greater than that of the monument;
 - (c) the design of the new construction or structure or works shall not allow any incongruities so as to be a patch work in the vicinity, when compared with the style used in the monument;
 - (d) the materials used in the new construction shall not be different in quality from those used in the old building, structure or work;
 - (e) the colour of the new construction, structure or works shall be in conformity with the one used in the monument;
 - (f) the style of screens used, if any, in the new construction or structure or works would conform to the type used in the monument; and
 - (g) the internal appearance of the building, structures and other works above ground within the controlled area of the monument shall fall in line with the external appearance of the protected monument, in the regulated area of which the alteration or extension of any buildings or structures or works take place.

Chapter III

Constructions and other operations in protected area etc.

19. Application for permission for construction or excavation etc. in protected areas- Every application for permission for-
 - (a) construction of any building;

- (b) carrying out any mining, quarrying, blasting; or
 - (c) excavating for archaeological or historical purposes; or
 - (d) undertaking any other operation of the like nature, under section 22, in any protected area, shall be made in Form II atleast three months before the date of commencement of the proposed construction, operation excavation, etc. as aforesaid.
20. Grant or refusal of License- (1) On receipt of an application under rule 19: -
- (a) if such an application is for excavations for archaeological or historical purposes in any protected area, the Director shall obtain the previous approval of the Central Government with regard to the proposed excavation and may thereafter grant a License in Form IV for such purposes, subject to such rules and directions of the Central Government, if any, as the Central Government may make or give in this behalf in each case or generally, if the Director is satisfied that the applicant is competent by training and experience, to undertake the excavation and has adequate means, equipment and staff for the purpose;
 - (b) if such an application is for excavation for purposes other than archaeological or historical purposes, or for construction of any building or for carrying of any mining, quarrying, blasting or any operation of a like nature, the Director may grant, a License in Form V, if he is satisfied that the construction of any building or carrying on any such operation is not likely to damage any protected monument or affect that value thereof, and the applicant has adequate training and means for the purpose for which he has applied
- (2) Not withstanding anything contained in sub-rule (1) and subject to the provision of rule 23, no License shall be granted under this rule unless the applicant has paid the License fee specified in Schedule IV and furnished security of such amount not exceeding one thousand rupees as the applicant has adequate training and means for the purpose for which, he has applied.
- (3) The Director may for reasons to be recorded in writing refuse to grant a License in any particular case.
21. Conditions for License Subject to such rules or directions, if any, as the Central Government may make or give in this behalf, as provided under section 24, every License granted under rule 20 shall be subject to the following conditions: -
- (a) It shall be non-transferable;
 - (b) It shall be in force for such period not exceeding two months as may be specified in the License:
Provided that the Director may, on application made to him at least one month before the expiry of the License, extend the period of such License by such time as he considers proper, subject to the condition that the total period including the period originally fixed and the period so extended does not exceed six months;
 - (c) The License shall give to the Director, the Collector of the district and the owner of the land to be excavated or in respect of which any operation as

stated in rule 19 is to be carried on at least fifteen days notice in writing for the excavation or such operation;

- (d) The licensee shall have to be present at site for at least 3/4th period of the aforesaid operation, unless the Director by order exempts him from such presence;
 - (e) The licensee shall not, without the permission of the Director, dismantle or disturb any structures or antiquities found during his operation under the License and shall make adequate arrangements for the safety of structure or antiquities till they are taken charge of by the Director. The licensee shall inform the Director or the owner of the land of the discovery of any such structure or antiquities. He shall also inform the Director of the discovery of any antiquity in Form VI.
 - (f) The licensee shall not subject to any antiquities discovered during his operations under the License, to any chemical or electrical appliances of mining, without the permission of the Director;
 - (g) The licensee shall not impose any restriction on the inspection by any Archaeological Officer of his operations under the License or the structures or antiquities discovered during such operation. The licensee shall not also object to the taking of notes on or the filming of, the structures or antiquities so discovered, by an Archaeological Officer;
 - (h) The licensee shall give at least 15 days notice in writing to the Director before he discontinues his operations under the License unless the discontinuance of such operation is caused by causes beyond the control of the licensee or on account of the expiration of the period of License;
 - (i) The licensee shall within three months of the completion of his operation under the License, submit to the Director a summary of the result of the operations carried on by him and where the operations continue for more than three months, such report shall be submitted every quarter and it shall be open to the Director to publish the contents of the report in his reports or reviews.
22. Disposal of antiquities- (1) Where, as a result of any excavation or operation carried on in any protected area, any antiquity is discovered, the Archaeological Officer or the licensee, as the case may be, shall submit a report of such discovery to the State Government through the Director, personally or by post in Form VII.
- (2) Unless the State Government make an order under sub-section (3) of section 25 of the Act, such antiquities shall be disposed in the following manner: -
- (i) antiquities other than rare antiquities shall be divided into two parts, one share shall go to the licensee and the other to the State Archaeological Department.
 - (ii) rare antiquities shall be preserved in the Museum of the area or locality;
 - (iii) all human relics of historical importance or antiquities, which are of National importance, shall be transferred to the Central Archaeological Survey.
23. Exemption from security and other cognate matters- (1) The Director may by order exempt a person or institution engaged in excavating or mining, blasting or quarrying

- operation, if such a person or institution is an expert in this line and is recognized by the Central Archaeological Survey as competent to carry on the work.
- (2) On the expiry of the excavations or operations under the License granted under rule 20 or the cancellation of such License under these rules, the security deposited by the licensee or the balance thereof in cases where some deduction or recovery has been made under these rules, shall be returned to him
 - (3) The Director may by order direct the deductions or recovery from the security amount furnished by the licensee under these rules.
 - (i) of the value of any antiquities recovered as a result of an excavation or operation carried on by a licensee under his License, if such antiquity is lost or destroyed while in the custody of the licensee.
 - (ii) of any compensation payable to the owner or occupier of the land in which the licensee has carried on any excavation or operation under his License.
 - (4) When during the currency of a License, any amount has been deducted or recovered under this rule, the Director may require the licen, within such time as he may specify to deposit a further sum as equivalent to the amount deducted or recovered.
24. Control of mining etc. to protect or preserve protected monument- (1) The Director may by order fix the boundaries of the area in or near which any protected monuments stand, for the purpose of regulating or restricting mining, quarrying, excavating, blasting and other operations of like nature, in order to protect or preserve any protected monument.
- (2) No person shall carry on any mining, quarrying, excavating, blasting or any other operation of like nature in the area fixed under sub-rule (1), except in accordance with the terms and conditions of a License granted under sub-rule (3).
 - (3) An application for the grant of License required under sub-rule (2) shall be made to the Director, in Form VIII at least three months before the proposed date of commencement of any such operation.
 - (4) On receipt of the application and the fees prescribed in Schedule IV, the Director may grant the License in Form IX containing the terms subject to which any such operation, as aforesaid, may be carried on in any such area fixed under sub rule (1). The provision of sub-rule (2) of rule 20 and of rules 21 and 23 shall apply, as far as may be, to the grant of License under this sub-rule.
 - (5) The Director may, if he is satisfied that the carrying on of any such operation is dangerous to any protected monument, he may, after recording the grounds of his opinion, refuse to grant the License applied for or he may cancel the same, if granted.
25. Cancellation of a License- The Director may by order cancel of License granted under rule 20 or rule 24, if he is satisfied that the conduct of any construction or as the case may be, of any operation has not been satisfactory or in accordance with the terms and conditions of such License or is dangerous to any protected monument:
 Provided that no License shall be cancelled, unless the licensee has been given opportunity of being heard.

26. Appeal- Any person aggrieved by an order of the Director, under rule 20 or rule 24 or rule 25 may, prefer may, prefer an appeal to the State Government, the decision of the State Government on such appeal shall be final.
27. Penalties- (1) Whoever undertaken any construction, mining quarrying, blasting or any operation of a like nature or any excavation, in any protected area otherwise then under a License granted under rule 20 or contravenes any of the terms and conditions of such License, shall be punishable with a fine which may extend to five thousand rupees
- (2) Where the breach of any rule or condition of a License has been committed by the agent or servant of a licensee, the licensee himself shall be punishable as if he has himself committed such breach.
- (3) Whoever commits any breach of sub-rule (2) of rule 24 or of any terms and conditions of the License granted under sub-rule (4) thereof shall be punishable with fine which may extend to two hundred rupees.

CHAPTER IV

Protected Antiquities

28. Declaration antiquities- Every owner of a coin sculpture epigraph, illustrated manuscript, picture, painting or any other work of art or craftsmanship, which is an antiquity, shall make a declaration to the effect that he or she has with him or her any one or more of the above types of antiquities. Such a declaration would contain all relevant particulars pertaining to the size, material, title and chronology of the object. A photograph of each of these objects shall have to be kept by every owner together with a register of all such objects, in which all particulars relating there to would be maintained. The declaration of his assess of the type mentioned by the owner would not mean that these would be confiscated or acquired compulsorily but that these would be placed within the knowledge of scholars and art critics, if they desire to do so. This would done in order to see the art and archaeological material of Rajasthan interpreted properly. Copies of photographs may be supplied by owners to scholars against cash payment but one set of such photographs may be supplied free of charge to the Director, for his record in such cases where it is not possible for the party to supply such photographs, the owner would send information to the Director that he has no objections if his objects are photographed by the department of Archaeology and Museums, the department shall arrange to have the objects photographed for reference purposes. After a list of such antiquities is received and photographic record of the objects are available, the State Government may declare them as "Protected" under the Act, after issuing a notification in the official gazette in Form X and a copy of it would be sent to the respective owners.
29. Application for moving antiquities. Every application for permission to move any antiquity or any class of such antiquities in respect of which a notification has been issued under sub-section (1) of section 28 shall be made in Form XI to the

Director at least three months before the proposed date of the moving of such antiquity.

30. Grant or refusal of permission- On receipt of an application under rule 20, the Director may after making such enquiries as he may deem necessary, grant permission for the moving of all or any of the antiquities or; for reasons to be recorded, refuse such permission.
31. Penalty- Any person-
- (a) who fails to declare any antiquity under his ownership as required by rule; or
 - (b) who moves any protected antiquity except with the written permission of the Director as required by sub-section (1) of section 28,
- shall be punishable with fine which may extend to five hundred rupees.

CHAPTER V

Composition.

32. Composition – (1) The Board shall consist of the following member:-
- (a) The Minister of Education;
 - (b) The Deputy Minister of Education;
 - (c) Director General of Archaeology in India or his nominee;
 - (d) Secretary to the Government, Education Department or his nominee;
 - (e) Chief Engineer Public Works Department, Rajasthan;
 - (f) Not more than two persons possessing special knowledge of archaeology or keenly interested in the preservation of the cultural heritage, to be co-opted by the Board, as members; and
 - (g) The Director of Archaeology and Museums.
- (2) The Minister of Education, Rajasthan shall be ex-office Chairman of the Board and when he is absent or for any other reason, he is unable to act, the Dy. Minister of Education, Rajasthan, shall act as Chairman. The Director shall be the member Secretary of the Board.
- (3) The Vice-Chairman of the Board shall be elected by the Board and carry out the functions of the Chairman when the Chairman is absent or for any reason, he is unable to act.
33. Terms of office (1) the terms of office of the members of the Board shall be three years.
- (2) Only the co-opted members shall be eligible for re-appointments by co-option.
34. Meeting- (1) The Board shall meet as and when considered necessary by the Chairman Provided that there shall be at least one meeting in a year.
- (2) Special meetings may be called by Secretary on requisition by at least one third members of the Board, if such requisition is addressed to the Secretary and is accompanied by a clear statement of the business to be transacted thereat, the Secretary shall, upon receipt of the requisition, call the special meeting as soon as may be practicable.
35. Notice of meeting- The Secretary shall send the notice of meeting. together with the agenda, to the members at least 15 days before the date of the meeting, except

- in the case of a special meeting wherefore such short notice, as may be practicable under the circumstances of the case, may be given.
36. Quorum- At least one half of the members shall be present to constitute quorum at any meetings.
 37. Procedure of business at a meeting. - (1) All questions shall be decided by a majority of votes of the members including Chairman or the Vice-Chairman, as the case may be, present and voting.
(2) In all cases of equality of votes, the Presiding authority shall have a record vote.
(3) Votes shall be taken by a show of hands.
 38. Standing and ad-hoc committees- (1) The Board shall be at liberty to form standing or ad-hoc committees and shall have power to appoint on an ad-hoc committee persons who are not members of the Board but who possess special knowledge and experience of the problems which the committee is required to examine.
(2) Each standing or ad-hoc committee shall consist of three to six members who shall be appointed by the Board.
(3) The quorum at any meeting of such committee shall be two third of the total number of its members. present thereat. If such a quorum is not present at any meeting, it shall be adjourned on any convenient date and no quorum shall be necessary at the adjourned meeting.
(4) The members shall elect amongst themselves a person as the President of their Committee at a meeting specially convened for the purpose.
(5) The term of office of the members of such Committee shall be co-extensive with the term of office of the Advisory Board.
(6) The procedure of business at a meeting of the Board as stated in rules 34 shall apply Mutatis mutandis' to a meeting of such committee.
 39. Power of the State Government to dissolve and reconstitute the Advisory Board-
(1) If, at any time, the State Government is satisfied that the Advisory Board is not competent to perform its duties or has abused its powers or its continuance is not likely to serve any purpose, it may by order published in the official gazette dissolve the Board, Provided that no action shall be taken under this sub-section unless the Board has been afforded a reasonable opportunity submitting explanation and of being heard, if the Board so desires.
(2) The Board dissolved under sub-section (1) may be reconstituted by the State Government by order published in the official gazette.
(3) The consequences of the dissolution of the Board under sub-section (1) shall be as if the term of the Board has expired under these rules.

CHAPTER VI

Miscellaneous

40. Manner of preferring an appeal- (1) Every appeal to the State Government under the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 61 or under these rules shall be in writing and shall be preferred within one month of the date of receipt of the order appealed against.

- (2) Every such appeal shall be accompanied by a copy of the order appealed against.
41. Service of orders and notices- Every order or notice made or issued under these rules shall-
- (a) in the case of any order or notice of a general nature or affecting a class of persons, be published in the official gazette; and
 - (b) in the case of any order or notice affecting corporation or firm, be served in the manner provided for the service of summons in rule 2 of order XXIX or rule 3 of order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908; and
 - (c) in the case of any order or notice affecting an individual person, be served on such person-
 - (i) by delivering or tendering it to the person concerned,
 - (ii) if it cannot be so delivered or tendered, by delivering or tendering it to any adult male member of the family of such person or by affixing a copy thereof on the outer door or some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain, or
 - (iii) by sending it by registered post, acknowledgement due.

(No. F. 6(39)Edu./B/56-C.IV)

By Order,

t-flag esgrk]

Secretary to Government

Form II
(See Rule 13)

License for copying or filming operation at protected monument.

M/s is here allowed to undertake the copying operation or filming operation of his/their film entitled as per script and details of scenes attached hereto in and around Discrit.....State Rajasthan for a period of..... days commencing with the days of 196.....

The license is granted subject to the provision of the rules and is further subject to the following conditions, namely: -

The requisite of fee of Rshas been charged from his/them. The license is not transferable. It shall be valid for the period; it has been issued.

**Seal and signature of the
Director, Archaeology, Raj.**

Jaipur

Form III
(See Rule 19)

Application for permission for construction, quarrying, blasting and mining operation within a protected area.....

1. Name and address of applicant.
2. Name of the protected area within which construction/mining/excavating/quarrying/blasting operation is proposed locality.
3. Nature and details of the proposed construction, quarrying, blasting and excavating and operation in respect of which permission is sought.
4. Purpose of the proposed construction/blasting/quarrying/excavating or mining operation
5. Approximate duration and date of commencement of the proposed construction/blasting/quarrying/excavating/mining operation.....
6. Approximate expenditure on the proposed operation etc.

I declare that above information is correct. I also undertake to observed the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 and the rules made thereunder.

Seal of the Organization

State

Signature of the Applicant

Note:- 1. If the application is on behalf of an organization, the name thereof should be given.

2. If the application is on behalf of an organization, the signature should be that of the head of the organization.

Form IV
(See Rule 20)

Form of license of excavations for Archaeology or historical purpose in protected area.

Whereas.....has applied for a license for carrying out excavations for archaeological or historical purpose in the protected area known as At District.

And whereas the said Shri has agreed to abide by the said rules and directions of the Central Government, as also the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 and the rules made thereunder and more particularly specified in Part 'A' given below.

And whereas the Central Government has approved the grant of license to the said Shri subject to the rules and directions specified in part 'B' given below;

And whereas the said Shri has also deposited the license fee of Rs. and the security amount of Rs..... as required by the rules.

Whereas, I Director of Archaeology and Museums, Rajasthan, do hereby grant this license under rule 20(1)(i) of the Rajasthan Monuments, Archaeological Sites and Antiquities Rules, 1964, to the said Shri for carrying out the excavations for historical or Archaeological purposes, in the area indicated in red out lines on the plan attached hereto.

This license is granted subject the provision of the Rajasthan Monuments Archaeological Sites and Antiquities Act, and the rules made there under, more particularly subject to the conditions and rules specified in Part 'A' and part 'B' thereof.

The license is valid forcommencing with day of 196

Station.

Dated

Museums

Seal of the Deptt.

*Signature of the Director
of Archaeology &*

Rajasthan.

PART 'A'
Conditions of the License

- (i) The License shall not be transferable;
- (ii) It shall be in force for such period not exceeding two months as may be specified in the License: Provided that the Director may, on application made to him at least one month before the expiry of the License, extend the period of such License by such time as he considers proper, subject to the condition that the total period including the period originally fixed and the period so extended does not exceed six months;

- (iii) The License shall give to the Director, the collector of the District and the owner of the land to be excavated or in respect of which any operation as stated in rule 19 is to be carried on, at least fifteen days, notice in writing of the excavation of such operation.
- (iv) The License shall have to be present at site for at least 3/4th period of the aforesaid operation, unless the Director by order exempts him for such presence;
- (v) The License shall not, without the permission of the Director dismantle or disturb structures or antiquities found during his operations under the License and shall made adequate arrangements for the safety of structures or antiquities till they are taken charge of by the Director. The License shall inform the Director or the owner of the land of the discovery of any such structure. He shall also inform the Director of discovery of any antiquity in Form VI.
- (vi) The License shall not subject any antiquities discovered during his operations under the License, to any chemical or electrical appliances of mining, without the permission of the Director;
- (vii) The License shall not impose any restrictions on the inspection by any Archaeological Officer of his operations under the License or the structures or antiquities discovered during such operation. The License shall not also object to the taking of notes on or the filming of the structures or antiquities so discovered, by an Archaeological Officer.
- (viii) The License shall give at least 15 days notice in writing to the Director before he discontinues his operations under the license, unless the discontinuance of such operation is caused by causes beyond the control of the license or on account of the expiration of the period of license;
- (ix) The License shall, within three months of the completion of his operation under the license submit to the Director a summary of the result of the operations carried on by him and where the operations continue for more than three months, such reports shall be submitted every quarter and it shall be open to the Director to publish the contents of the report in his reports or reviews.

PART 'B'

Rules and directions of the Central Government be observed by the License;

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Form V **(See Rule 20)**

License for construction / quarrying / excavating / blasting / mining / operation in a protected area.

Whereas.....has applied for License for carrying out construction / quarrying / excavating / blasting / mining / operation in a protected area known as at..... District.

And whereas the said Shri has undertaken to observe the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 and the rules made thereunder has further deposited the sum of Rs (Rupees only) as required by the rules.

I.....Director of Archaeology and Museums do hereby grant this license under sub-rule (ii) of rule 20 of the said rules to the said..... to carry out operations in the area indicated in red outlines on the plan attached hereto.

The License is granted subject to provisions of the said Act and rules and more particularly to the following conditions, namely: -

PART 'A'

Conditions of the License

- (i) This License shall not be transferable;
- (ii) It shall be in force for such period not exceeding two months as may be specified in the License:
Provided that the Director may, on applications made to him at least one month before the expiry of the license, extend the period of such License by such time as he considers proper, subject to the condition that the total period including the period originally fixed and the period so extended does not exceed six months;
- (iii) The License shall give to the Director, the collector of the District and the owner of the land to be excavated or in respect of which any operation as stated in rule 19 is to be carried on, at least fifteen days notice in writing of the excavation of such operation;
- (iv) The License shall have to be present at site for at least 3/4 period of the aforesaid operation, unless the Director by order exempts him for such presence;
- (v) The License shall not, without the permission of the Director dismantle or disturb any structures or antiquities found during his operations under the license and shall make adequate arrangements for the safety of structures or antiquities till they are taken charge of by the Director. The License shall inform the Director or the owner of the land of the discovery of any such structure or antiquities. He shall also inform the Director of the discovery of any antiquity in Form VI.
- (vi) The License shall not subject any antiquities discovered during his operations under the License, to any chemical or electrical appliances of mining, without the permission of the Director;
- (vii) The License shall not impose any restrictions on the inspection by any Archaeological Officer of his operations under the License or the structures or antiquities discovered during such operation. The License shall not also object to the taking of notes on or the filming of the structures or antiquities so discovered, by an Archaeological Officer.
- (viii) The license shall give at least 15 days notice in writing to the Director before he discontinues his operations under the license, unless the discontinuance of such

operation is caused by causes beyond the control of the license or on account of the expiration of the period of license;

- (ix) The License shall, within three months of the completion of his operation under the License submit to the Director a summary of the result of the operations carried on by him and where the operations continue for more than three months, such reports shall be submitted every quarter and it shall be open to the Director to publish the contents of the report in his reports or reviews.

... .. Day of ...20....

... .. Station.

... .. Date

Jaipur

*Signature of the Director
Archaeological, Rajasthan,*

*Seal of the Deptt.
of Archaeology & Museums Rajasthan.*

Form VI

(See Rule 21 (v))

Form of the information to be submitted by the License regarding discovery of antiquities.

To,

The Director,
Archaeology & Museums,
Rajasthan, Jaipur.

Dear Sir,

During the operations carried on under the License No. dated granted by you, the following antiquities, particularized below have been discovered. Adequate arrangements have been made for their safe custody: -

Particulars of antiquities discovered: -

1. Class & Antiquities.
2. Material
3. No. of antiquities.
 - a. complete.
 - b. fragments.
4. Conditions at the time of discovery.
5. Name of arrangements made for their safe custody, including name of the person in whose custody and the place where antiquities discovered are placed.
6. Remarks.

Dated.....
licensee.
Station.....

Signature of the

Form VII
(See Rule 22)

Form of the report on the antiquities discovered as a result of excavation in a protected area.

Name of site

Locality

District

State

Report for the period

From

To

S.No	Class of antiquities Material	No. of antiquities/Complete fragmentary.	Approximate age	Remarks
------	----------------------------------	---	--------------------	---------

Station.....

Signature of the licensee
or Excavator.

Dated.....

Note: - in the case of pottery the approximate number is to be stated.

Form VIII
(See Rule 24)

Application for license for mining, quarrying, excavating, blasting etc. within a regulated area.

1. Name and address of the applicant.
2. Name of the Monument near or adjoining which the regulated area is situated.
3. Locality District
4. Nature and details of the proposed mining operation/construction in respect of which permission is sought. (A site-plan in triplicate showing in red outline the location of the building in relation to the monument and the regulated area and the plan and elevation of the building should be attached; and the colour, external appearance and method of the screening of the building and depth down to which the soil will be excavated for the appurtenances of the building should be specified.)
5. Purpose of the proposed mining operation/construction.
6. Approximate duration and date of commencement of the proposed mining operation/construction/

I declare that the above information is correct. I also undertake to observe the provisions of the Rajasthan Monuments, Archaeological Sites and antiquities Act, 1961 and the rules made thereunder.

Seal of the organization
applicant.

Station

Signature of the

Date

Form IX

(See Rule 24)

License for mining/quarrying/excavating/blasting operations etc. within a regulated area.

Whereas..... of has applied for a license for regulated area near adjoining at..... District and has undertaken to observe the provisions of the Rajasthan Monuments, Archaeological Act. 1961 and the rules made thereunder.

Whereas of has applied for a license for regulated area near adjoining at..... District and has undertaken to observe the provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 and the rules made thereunder.

I..... Director of Archaeology and Museums, do hereby grant this license under sub-rule (4) of rule (24) of the said rules to the said..... in the area indicated in red outline on the plan attached hereto.

The license is granted subject to the provisions of the said Act and rules and is further subject to the following conditions, namely: -

PART 'A'

Conditions of the License

- (i) The license shall not be transferable;
- (ii) It shall be in force for such period not exceeding two months as maybe specified in the license : Provided that the Director may, on application made to him at least one month before the expiry of the license, extend the period of such license by such time as he considers proper, subject to the condition that the total period including the period originally fixed and the period so extended does not exceed six months;
- (iii) The license shall give to the Director, the collector of the District and the owner of the land to be excavated or in respect of which any operation as stated in rule 19 is to be carried on, at least fifteen days, notice in writing of the excavation of such operation;
- (iv) The license shall have to be present at site for at least 3/4th period of the aforesaid operation, unless the Director by order exempts him for such presence;
- (v) The license shall not, without the permission of the Director dismantle or disturb any structures or antiquities found during his operations under the license and shall make adequate arrangements for the safety of structures or antiquities till they are taken charge of by the Director. The license shall inform the Director of the owner of the land of the discovery of any such structure of the owner of the land of the discovery of any such structure or antiquities. He shall also inform the Director of the discovery of any antiquity in Form VI.
- (vi) The license shall not subject any antiquities discovered during his operations under the license, to any chemical or electrical appliances of mining, without the permission of the Director;
- (vii) The license shall not impose any restrictions on the inspection by any Archaeological Officer of his operations under the license or the structures or antiquities discovered

- during such operation. The license shall not also object to the taking of notes on or the filming of the structures or antiquities so discovered, by an Archaeological Officer.
- (viii) The license shall give at least 15 days notice in writing to the Director before he discontinues his operations under the license, unless the discontinuance of such operation is caused by causes beyond the control of the license or on account of the expiration of the period of license;
- (ix) The license shall, within three months of the completion of his operation under the license submit to the Director a summary of the result of the operations carried on by him and where the operations continue for more than three months, such reports shall be submitted every quarter and it shall be open to the Director to publish the contents of the report in his reports or reviews.

The license shall be valid for commencing with Day of

*Date
Station*

Seal of the Director

*Signature of the Director of
Archaeology & Museums,
Rajasthan*

Form X

(Gazette notification for declaring antiquities as protected)

Whereas the Government of Rajasthan is of the opinion that paintings/sculptures, coins, ancient manuscripts (illustrated)/chart objects specified in the schedule before is of State importance. Now, therefore, in exercise of the powers conferred by sub-section (i) of section 3 of the Rajasthan Monuments, the Government of Rajasthan hereby gives notice of its intention to declare the antiquities specified in the schedule below to be of State importance. Any objection made within two months after the issue of this notification by any person interested in the same antiquity or antiquities will be considered by the Government.

SCHEDULE

S.N O	Name and Description of the Monument/Antiquities	Locality	Distric t	Importance
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*Signature and Seal of the Director,
Archaeology & museums, Rajasthan, Jaipur*

Form XI
Application for moving of antiquities

1. Name and address of the applicant.
2. Name of the place from which antiquities are to be moved.
Locality District State
3. Description of antiquities proposed to be moved (Photographs showing details of the antiquities should be attached).
4. Reasons for their removal.
5. Approximate date of moving.
6. Their present market value or recorded value.

I declare that the above information is correct.

Date Station Signature of the applicant.

**The Ancient
Monuments
And
Archaeological
Sites & Remains
Act, 1958
BAREACT
Along with
RULES & NOTIFICATION**

THE ANCIENT MONUMENS AND
ARCHAEOLOGICAL SITES AND REMAINS
ACT, 1958
(ACT NO. 24 OF 1958)

Preliminary

SECTION

1. Short title, extent and commencement.
2. Definitions
 - 2-A. Construction of reference to any law not in force in the State of Jammu and Kashmir.

**Ancient Monuments and Archaeological Sites
and Remains of National Importance**

SECTION

3. Certain ancient monuments, etc., deemed to be of national importance.
4. Power of Central Government to declare ancient monuments etc., to be of national importance.

Protected Monuments

SECTION

5. Acquisition of rights in a protected monument.
6. Preservation of protected monument by agreement.
7. Owners under disability or not in possession.
8. Application of endowment to repair a protected monument.
9. Failure or refusal to enter into an agreement.
10. Power to make order prohibiting contravention of agreement under Section 6.
11. Enforcement of agreement.
12. Purchasers at certain sales and persons claiming through owner bound by instrument by executed owner.
13. Acquisition of protected monuments.
14. Maintenance of certain protected monuments.
15. Voluntary contributions.
16. Protection of place of working from misuse, pollution or desecration.
17. Relinquishment of Government of rights in a monument.
18. Right of access to protected monument.

Protected Areas

SECTION

19. Restrictions on enjoyment of property rights in protected areas.
20. Power to acquire a protected area.

Archaeological Excavations

SECTION

- 21. Excavations in protected areas.
- 22. Excavations in areas other than protected areas.
- 23. Compulsory purchase of antiquities, etc., discovered during excavation operations.
- 24. Excavations, etc., for archaeological purposes.

Protection of antiquities

SECTION

- 25. Power of Central Government to control moving of antiquities.
- 26. Purchase of antiquities by Central Government.

Principles of Compensation

SECTION

- 27. Compensation for loss or damage.
- 28. Assessment of market value or compensation.

Miscellaneous

SECTION

- 29. Delegation of power.
- 30. Penalties.
- 31. Jurisdiction to try offences.
- 32. Certain offences to be cognizable.
- 33. Special provision regarding fine.
- 34. Recovery of amounts due to the Government.
- 35. Ancient monuments, etc., which have ceased to be national importance.
- 36. Power to correct mistakes, etc.
- 37. Protection of action taken under the Act.
- 38. Power of make rules.
- 39. Repeals and saving.

THE ANCIENT MONUMENTS AND
ARCHAEOLOGICAL SITES AND REMAINS
RULES, 1959

CHAPTER I

Preliminary

RULE

1. Short title, extent and commencement.
2. Definitions

CHAPTER II

Access to Protected Monuments

RULE

3. Monuments government by agreement
4. Parts of monuments not open.
5. Monuments.
6. Entrance fee.
7. Holding of meetings, etc., in monuments
8. Prohibition of certain acts within monuments.
9. Penalty.

CHAPTER III

Construction and other Operations Protected Area

RULE

10. Permission required for construction, etc.
11. License required for excavation.
12. Application for license
13. Grant or refusal of license.
14. Period of license.
15. Cancellation of license.
16. Conditions of license.
17. Recovery from security.
18. Demand of further security.
19. Appeal.
20. Return of security.
21. Publication of excavation.
22. Return of antiquities by a licensee.
23. Penalty.

CHAPTER IV

Excavation in Unprotected Areas

RULE

24. Intimation to the Central Government.

25. Approved by the Central Government.
26. Deputation of an archeological officer.

CHAPTER V

Report on Excavated Antiquities by an Archaeological Officer

RULE

27. Form of report by an archaeology officer.

CHAPTER VI

Moving of Antiquities From Certain Area

RULE

28. Application for moving antiquities.
29. Grant or refusal of permission.
30. Appeal.

CHAPTER VII

Mining Operator and Construction near Protected Monuments

RULE

31. Notice of intention to declare a prohibited or regulated area.
32. Declaration of prohibited or regulated area.
33. Effect of declaration of prohibited or regulated area.
34. Application for license.
35. Grant or refusal of license.
36. Cancellation of license.
37. Appeal.
38. Removal of unauthorized buildings.
39. Penalty.

CHAPTER VIII

Mining Operator and Construction near Protected Monuments

RULE

40. Permission required for copying certain monuments.
41. Conditions of copying other monuments.
42. License required for filming.
43. Application for license.
44. Grant or refusal of license.
45. Cancellation of license.
46. Appeal.
47. Certain rules not affected.
48. Penalty.

CHAPTER IX

Miscellaneous

RULE

- 49. Manner of preferring an appeal.
- 50. Service of orders and notices.

SCHEDULES

SCH.

- First- Certain monuments or parts thereof will remain open.
- Second- Certain monuments or parts thereof entry into which can be had only on payment of fee.
- Third- Form I - Application for permission for construction/mining operation with a Protected area.
 - Form II - Application for license to excavate in a protected area.
 - Form III - License for excavating in a protected area.
 - Form IV - Report on antiquities excavated in a protected area.
 - Form V - Report on antiquities excavated by an archaeological officer.
 - Form VI - Application for the moving of antiquities.
 - Form VII - Application for license for mining operation/construction within a regulated area.
 - Form VIII - License off mining operation/construction within a regulated area.
 - Form IX - Application for license of filming operation at a protected monument.
 - Form X - License for filming operation at a protected monument.

NOTIFICATIONS UNDER THE VARIOUS PROVISIONS OF THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS ACT, 1952 AND RULES, 1959

NOTIFICATION

1. The central Government gave one month's notice of its intention to declare areas up to 100 meters from the protected limits, and further beyond it up to meters near or adjoining protected monuments to be prohibited and regulated 200 areas respectively for purposes of both mining operation and construction. -S.O. 1764, dated 16th June, 1992.
2. In the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 the Central Government here by appoints the officers with the premises under Jurisdiction of Archaeological Survey of India. -S.O. 321, dated 16th January, 1998.
3. The Director General, Archaeological Survey of India, here by direct that the Taj Mahal at Agra, a protected monument, shall not be open on every Friday to any person, except for those offering customary afternoon prayers in the mosque in the Taj Mahal complex. -S.O. 1000E), dated 5th January, 2001.

(THE) Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958)

28th August, 1958

An Act to provide for the preservation of ancient and historical monuments and archaeological sites and remains of national importance, for the regulation of archaeological excavations and for the protection of sculptures, carvings and other like objects. Be it enacted by Parliament in the Ninth- Year of the Republic of India as follows: The Act has been extended to:

Preliminary

1. **Short title, extent and commencement-** (1) This Act may be called the Ancient Monuments and Archaeological Sites and Remains Act, 1958.....
(2) It extends to the whole of India.
(3) It shall come into force on such date as that Central Government may by notification in the Official Gazette, appoint.
2. **Definitions-** In this Act, unless the context otherwise requires: -
 - a. "ancient monument" means any structure, erection or monument, Or any tumulus or place of interment, or any cave, rock sculpture, inscription or

monolith, which is of historical, archaeological or artistic interest and which has been in existence for not less than one hundred years, and includes-

- i. the remains of an ancient monument
 - ii. the site of an ancient monument.
 - iii. such portion of land adjoining the site of an ancient monument as may be required for fencing or covering in or otherwise preserving such monument, and
 - iv. the means of access to, and convenient inspection of an ancient monument;
- b. “antiquity” includes-
 - i. any coin, sculpture, manuscript, epigraph or other work of art or craftsmanship,
 - ii. any article, object or thing detached from a building or cave.
 - iii. any article, object or thing illustrative of science, art, crafts, literature, religion, customs, morals or politics in bygone ages,
 - iv. any article, object or thing of historical interest, and
 - v. any article, object or thing declared by the Central Government by notification in the Official Gazette, to be an antiquity for the purpose of this Act,
which has been in existence for not less than one hundred years;
- c. “archaeology officer” means an officer of the Department of Archaeology of the Government of India not lower in rank than Assistant Superintendent of Archaeology;
- d. “archeological site and remains” means any area which contains or is reasonably believed to contain ruins or relics of historical or archaeological importance which have been in existence for not less than one hundred years, and includes-
 - i. such portion of land adjoining the area as may be required for fencing or covering in or otherwise preserving it, and
 - ii. the means of access to and convenient inspection of the area;
- e. “Director-General” means the Director-General of Archaeology and includes any officer authorised by the Central Government to perform the duties of the Director-General;
- f. “maintain” with its grammatical variations and cognate expressions, includes the fencing, covering in, repairing, restoring and cleansing of a protected monument and the doing of any act which may be necessary for the purpose of preserving a protected monument or of securing convenient access there to;
- g. “owner” includes-
 - i. a joint owner invested with powers of management on behalf of himself and other joint owners and the successor-in-title of any such owner; and
 - ii. any manager or trustee exercising powers of management and the successor-in-office of any such manager or trustee;
- h. “prescribed” means prescribed by rules made under this Act;

- i. “protected area” means any archaeological site and remains which declared to be of national importance by or under this Act
- j. “protected monument” means an ancient monument which is declared to be of national importance by or under this Act.

2- A. Construction of reference to any law not in force in the State of Jammu and

Kashmir- Any reference in this Act to any law which is not in force in the State of Jammu and Kashmir, shall in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State Ancient Monuments and Archaeological Sites and Remains of National Importance

- 3. **Certain ancient monuments, etc. deemed to be of national importance-** All ancient and historical monuments and all archaeological sites and remains which have been declared by the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act. 1951 or by Section 126 of the States Reorganisation Act, 1956, to be of national importance shall be deemed to be ancient and historical monuments or archaeological sites and remains declared to be of national importance for the purposes of this Act.
- 4. **Power of Central Government to declare ancient monuments etc. to be of national importance-** (1) Where the Central Government is of opinion that any ancient monument or archaeological site and remains not included in Section 3 is of national importance, it may, by notification in the Official Gazette, give two months’ notice of its intention to declare such ancient monument or archaeological site and remains to be of national importance; and a copy of every such notification shall be affixed in a conspicuous place near the monument or site and remains, as the case may be.
(2) Any person interested in any such ancient monument or archaeological site and remains may, within two months after the issue of the notification, object to the declaration of the monument, or the archaeological site and remains, to be of national importance.

Protected Monuments

- 5. **Acquisition of rights in a protected monument-** (1) The Director-General may, with the sanction of the Central Government, purchase, or take a lease of, or accept a gift or bequest of, any protected monument,
(2) Where a protected monument is without an owner, the Director-General may, by notification in the Official Gazette assume the guardianship of the monument.
(3) The owner of any protected monument may, by written instrument, constitute the Director-General the guardian of the monument, and the Director-General may, with the sanction of the Central Government, accept such guardianship.
(4) When the Director-General has accepted the guardianship of a monument under sub-section (3), the owner shall, except as expressly provided in this Act, have the same estate, right, title and interest in and to the monument as if the Director-General had not been constituted a guardian thereof.

- (5) When the Director-General has accepted the guardianship of a monument under sub-section (3), the provisions of this Act relating to agreements executed under section 6 shall apply to the written agreements executed under the said sub-section.
- (6) Nothing in this section shall affect the use of any protected monument for customary religious observances.
6. **Preservation of protected monument by agreement-** (1) The Collector, when so directed by the Central Government, shall propose to the owner of a protected monument to enter into an agreement with the Central Government within a specified period for the maintenance the monument.
- (2) An agreement under this section may provide for all or any of the following matters, namely-
- a. the maintenance of the monument;
 - b. the custody of the monument and the duties of any person who may be employed to watch it;
 - c. the restriction of the owner's right-
 - I. to use the monument for any purpose,
 - II. to charge any fee for entry into, or inspection of, the monument,
 - III. to destroy, remove, alter or deface the monument, or
 - IV. to build on or near the site of the monument;
 - d. the facilities of access to be permitted to the public or any section thereof or to archaeological officers or to persons deputed by the owner or any archaeological officer or the Collector to inspect or maintain the monument;
 - e. the notice to be given to the Central Government in case the land on which the monument is situated or any adjoining land is offered for sale by the owner, and the right to be reserved to the Central Government to purchase such land or any specified portion of such land, at its market value;
 - f. the payment of any expenses incurred by the owner or by the Central Government in connection with the maintenance of the monument;
 - g. the proprietary or other rights which are to vest in the Central Government in respect of the monument when any expenses are incurred by the Central Government in connection with the maintenance of the monument;
 - h. the appointment of an authority to decide any dispute arising out of the agreement, and
 - i. any matter connected with the maintenance of the monument which is a proper subject of agreement between the owner and the Central Government.
- (3) The Central Government or the owner may, at any time after the expiration of three years from the date of execution of an agreement under this section, terminate it on giving six months' notice in writing to the other party:
 Provided that where the agreement is terminated by the owner, he shall pay to the Central Government the expenses, if any, incurred by it on the maintenance of the monument during the five years immediately preceding the termination of the agreement or, if the agreement has been in force for a shorter period, during the period the agreement was in force.

- (4) An agreement under this section shall be binding on any person claiming to be the owner of the monument to which it relates, from, through or under a party by whom or on whose behalf the agreement was executed.
7. **Owners under disability or not in possession-**(1) If the owner of a protected monument is unable, by reason of infancy or other disability, to act for himself, the person legally competent to act on his behalf may exercise the powers conferred upon an owner by section 6.
- (2) In the case of village property, the headman or other village-officer exercising powers of management over such property may exercise the powers conferred upon an owner by section 6.
- (3) Nothing in this section shall be deemed to empower any person not being of the same religion as the person on whose behalf he is acting to make or execute an agreement relating to a protected monument which or any part of which is periodically used for the religious worship or observances of that religion.
8. **Application of endowment to repair a protected monument-** (1) If any owner or other person competent to enter into an agreement under section 6 for the maintenance of a protected monument refuses or fails to enter into such an agreement, and if any endowment has been created for the purpose of keeping such monument in repair or for that purpose among others, the Central Government may institute a suit in the Court of the District Judge, or if the estimated cost of repairing the monument does not exceed one thousand rupees, may make an application to the District Judge, for the proper application of such endowment or part thereof.
- (2) On the hearing of an application under sub-section (1), the District Judge may summon and examine the owner and any person whose evidence appears to him necessary and may pass an order for the proper application of the endowment or of any part thereof, and any such order may be executed as if it were a decree of a Civil Court.
9. **Failure or refusal to enter into an agreement-** (1) If any owner or other person competent to enter into an agreement under section 6 for the maintenance of a protected monument refuses or fails to enter into such an agreement, the Central Government may make an order providing for all or any of the matters specified in sub-section (2) of section 6 and such order shall be binding on the owner or such other person and on every person claiming title to the monument from, through or under, the owner or such other person.
- (2) Where an order made under sub-section (1) provides that the monument shall be maintained by the owner or other person competent to enter into an agreement, all reasonable expenses for the maintenance of the monument shall be payable to the Central Government.
- (3) No order under sub-section (1) shall be made unless the owner or other person has been given an opportunity of making a representation in writing against the proposed order.
10. **Power to make order prohibiting contravention of agreement under section 6-**
- (1) If the Director-General apprehends that the owner or occupier of a protected monument intends, remove, alter, deface, imperil or misuse the monument or to build

on or near the to destroy site thereof in contravention of the terms of an agreement under section 6, the Director-General may, after giving the owner or occupier an opportunity of making a representation in writing, make an order prohibiting any such contravention of the Agreement:

Provided that no such opportunity may be given in any case where the Director-General, for reasons to be recorded, is satisfied that it is not expedient or practicable to do so.

(2) Any person aggrieved by an order under this section may appeal to the Central Government within such time and in such manner as may be prescribed and the decision of the Central Government shall be final.

11. Enforcement of agreement- (1) If an owner or other person who is bound by an agreement for the maintenance of a monument under section 6 refuses or fails within such reasonable time as the Director-General may fix, to do any act which in the opinion of the Director-General is necessary for the maintenance of the monument, the Director-General may authorise any person to do any such act or such portion of the expenses as the owner may be liable to pay under the agreement.

(2) If any dispute arises regarding the amount of expenses payable by the owner or other person under sub-section (1). It shall be referred to the Central Government whose decision shall be final.

12. Purchasers at certain sales and persons claiming through owner bound by instrument executed by owner- Every person who purchases, at a sale for arrears of land revenue or any other public demand, any land on which is situated a monument in respect of which any instrument has been executed by the owner for the time being under section 5 or section 6, and every person claiming any title to a monument from, through or under, an owner who executed any such instrument, shall be bound by such instrument.

13. Acquisition of protected monuments- If the Central Government apprehends that a protected monument is in danger of being destroyed, injured, misused, or allowed to fall into decay, it may acquire the protected monument under the provisions of the Land Acquisition Act, 1894, as if the maintenance of the protected monument were a public purpose within the meaning of that Act.

14. Maintenance of certain protected monuments- (1) The Central Government shall maintain every monument which has been acquired under section 13 or in respect of which any of the rights mentioned in section 5 have been acquired.

(2) When the Director-General has assumed the guardianship of a monument under section 5, he shall, for the purpose of maintaining such monument, have access to the monument at all reasonable times, by himself and by his agents, subordinate and workmen, for the purpose of inspecting the monument and for the purpose of bringing such materials and doing such acts as he may consider necessary or desirable for the maintenance thereof.

15. Voluntary contributions- The Director-General may receive voluntary contributions towards the costs of maintaining a protected monument and may give orders as to the management and application of any funds so received by him:

Provided that no contribution received under this section shall be applied to any purpose other than the purpose for which it was contributed.

- 16. Protection of place of worship from misuse, pollution or desecration-** (1) A protect monument maintained by the Central Government under this Act which is a place of worship or shrine shall not be used for any purpose inconsistent with its character.
- (2) Where the Central Government has acquired a protected monument under section 13, or where the Director-General has purchased, or taken a lease or accepted a gift or bequest or assumed guardianship of a protected monument under section 5 and such monument or any part thereof is used for religious worship or observances by any community, the Collector shall make due provision for the protection of such monument or part thereof, from pollution or desecration-
- (a) by prohibiting the entry therein, except in accordance with the conditions prescribed with the concurrence of the persons, if any, in religious charge of the said monument or part thereof, of any person not entitled so to enter by the religious usages of the community by which the monument or part thereof is used, or
- (b) by taking such other action as he may think necessary in this behalf.
- 17. Relinquishment of Government rights in a monument-** With the sanction of the Central Government, the Director-General may-
- (a) where rights have been acquired by the Director-General in respect of any monument under this Act by virtue of any sale, lease, gift or will, relinquish by notification in the Official Gazette, the rights so acquired to the person who would for the time being be the owner of the monument if such rights had not been acquire; or
- (b) relinquish any guardianship of a monument which he has assumed under this Act.
- 18. Rights of access to protected monument-** Subject to any rules made under this Act, the public shall have a right of access to any protected monument.

Protected Areas

- 19. Restrictions on enjoyment of property rights in protected areas-** (1) No person, including the owner or occupier of a protected area, shall construct any building within the protected area or carry on any mining, quarrying, excavating blasting or any operation of a like nature in such area, or utilise such area or any part thereof in any other manner without the permission of the Central Government:
- Provided that nothing in this sub section shall be deemed to prohibit the use of such any area or part thereof for purposes of cultivation if such cultivation does not involve, the digging of not more than one foot of soil from the surface.
- (2) The Central Government may, by order, direct that any building constructed by any person within a protected area in contravention of the provisions of sub-section.

- (3) shall be removed within a specified period and, if the person refuses or fails to comply with the order, the Collector may cause the building to be removed and the person shall be liable to pay the cost of such removal.
- 20. Power to acquire a protected area-** If the Central Government is of opinion that value protected area contains an ancient monument or antiquities of national interest and value, it may acquire such area under the provisions of the Land Acquisition Act, 1894 as if acquisition were for a public purpose within the meaning of that Act.
- 21. Archaeological Excavations-** An archaeological officer or an officer authorized by him in this behalf or any person holding a license granted in this behalf under this Act (hereinafter referred to as the licensee) may, after giving notice in writing to the Collector and the owner, enter upon and make excavations in any protected area.
- 22. Excavations in areas other than protected areas-** Where an archaeological officer has reason to believe that any area not being a protected area contains ruins or relics of historical or archaeological importance, he or an officer authorized by him in this behalf may after giving notice in writing to the Collector and the owner enter upon and make excavations in the area.
- 23. Compulsory purchase of antiquities, etc., discovered during excavation operations-** (1) Where as a result of any excavation made in any area under section 21 or section 22 any antiquities are discovered the archaeological officer or the licensee, as the case may be shall-
- (a) as soon as practicable, examine such antiquities and submit a report to the Central Government in such manner and containing such particulars as may be prescribed,
 - (b) at the conclusion of the excavation operation, give notice in writing to the owner of the land from which such antiquities have been discovered of the nature of such antiquities.
- (2) Until an order for the "Compulsory acquisition of any such antiquities is made under Sub-section (3) the archaeological officer or the licensee, as the case may be, shall keep them in such safe custody as he may deem fit.
- (3) On receipt of a report under sub-section (1) the central Government may make an order for the compulsory acquisition of any such antiquities.
- (4) When an order for the compulsory acquisition of any antiquities is made under sub-section (3), such antiquities shall vest in the Central Government with effect from the date of the order.
- 24. Excavations, etc., for archaeological purposes-** No State Government shall undertake or authorise any person to undertake any excavation or other, like operation for archaeological purposes in any area which is not a protected area with the previous approval of the Central Government and in accordance with such rules or directions, if any, as the Central Government may make or give in this behalf.

Protection of Antiquities

- 25. Power of Central Government to control moving of antiquities-** (1) If the Central Government, considers that any antiquities of class or antiquities ought not to be

moved from the place where they are without the sanction of the Central Government the Central Government may by notification in the official Gazette, direct that any such antiquity or any class of such antiquities shall not be moved except with the written permission of the Director-General.

(2) Every application for permission under sub-section (1) shall be in such form and contain such particulars as may be prescribed.

(3) Any person aggrieved by an order refusing permission may appeal to the Central Government whose decision shall be final.

- 26. Purchase of antiquities by Central Government-** (1) If the Central Government apprehends that any antiquity mentioned in a notification issued under sub-section (1) of section 25 is in danger of being destroyed, removed, injured, misused or allowed to fall into decay or is of opinion that, by reason of its historical or archaeological importance it is desirable to preserve such antiquity in a public place, the Central Government may make an order for the compulsory acquisition of such antiquity and the Collector shall thereupon give notice to the owner of the antiquity to be acquired.
- (2) Where a notice of (compulsory acquisition) is issued under sub-section (1) in respect of any antiquity such antiquity shall vest in the Central Government with effect from the date of the notice.
- (3) The power of compulsory acquisition given by this section shall not extend to any image or symbol actually used for bona-fide religious observances.

Principles of Compensation

- 27. Compensation for loss or damage-** Any owner or occupier of land who has sustained any loss or damage or any diminution of profits from the land by reason of any entry on or excavations in such land or the exercise of any other power conferred by this Act shall be paid compensation by the Central Government for such loss, damage or diminution of profits.
- 28. Assessment of market value or compensation-** (1) The market value of any property which the Central Government is empowered to purchase at such value under this Act. or the compensation to be paid by the Central "Government in respect of anything done under this Act, shall where any dispute arises in respect of such market value or compensation, be ascertained in the manner provided in sections 3, 5, 8 to 34, 45 to 47, 51 and 52 of the Land Acquisition Act, 1894 (1 of 1894), so far as they can be made applicable:
- Provided that, when making an enquiry under the said Land Acquisition Act, the Collector shall be assisted by two assessors, one of whom shall be a competent person nominated by the Central Government and one a person nominated by the owner, or, in case the owner fails to nominate an assessor within such reasonable time as may be fixed by the Collector in this behalf, by the Collector.
- (2) For every antiquity in respect of which an order for compulsory acquisition has been made under sub-section (3) of section 23 or under sub-section (1) of section 26, there shall be paid compensation and the provisions of sections 20 and 22 of the Antiquities and Art Treasures Act, 1972 (52 of 1972) shall, so far as may be,

apply in relation to the determination and payment of such compensation as they apply in relation to the determination and payment of compensation for any antiquity or art treasure compulsorily acquired under section 19 of that Act.

Miscellaneous

29. The Central Government may, by notification in the Official Gazette, direct that any powers conferred on it by or under this Act shall, subject to such conditions as may be specified in the direction, be exercisable also by-
- a. such officer or authority subordinate to the Central Government, or
 - b. such State Government or such officer or authority subordinate to the State Government,
- as may be specified in the direction.
30. (1) Whoever-
- (i) destroys, removes, injures, alters, defaces, imperils or misuses a protected monument, or
 - (ii) being the owner or occupier of a protected monument, contravenes an order made under sub-section (1) of section 9 or under sub-section (1) of section 10, or
 - (iii) removes from a protected monument any sculpture carving, image, bas-relief, inscription, or other like object, or
 - (iv) does any act in contravention of sub-section (1) of section 19,
- shall be punishable with imprisonment which may extend to three months, or with fine which may extend to five thousand rupees, or with both.
- (2) Any person who moves any antiquity in contravention of a notification issued under sub-section (1) of section 25 shall be punishable with fine which may extend to five thousand rupees; and the court convicting a person of any such contravention may by order direct such person to restore the antiquity to the place from which it was moved.
31. **Jurisdiction to try offences-** No court inferior to that of a presidency magistrate or a magistrate of the first class shall try any offence under this Act.
32. **Certain offences to be cognizable-** Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), an offence under clause (i) or clause (iii) of sub-section (1) of section 30, shall be deemed to be a cognizable offence within the meaning of that Code.
33. **Special provision regarding fine-** Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898 (5 of 1898), it shall be lawful for any magistrate of the first class specially empowered by the State Government in this behalf and for any presidency magistrate to pass a sentence of fine exceeding two thousand rupees on any person convicted of an offence which under this Act is punishable with fine exceeding two thousand rupees.
34. **Recovery of amounts due to the Government-** Any amount due to the Government from any person under this Act may, on a certificate issued by the Director-General or an archaeological officer authorised by him in this behalf be recovered in the same manner as an arrear of land revenue.

- 35. Ancient monuments, etc., which have ceased to be of national importance-** If the Central Government is of opinion that any ancient and historical monument or archaeological site and remains declared to be of national importance by or under this Act has ceased to be of national importance, it may, by notification in the Official Gazette, declare that the ancient and historical monument or archaeological site and remains, as the case may be, has ceased to be of national importance for the purposes of this Act.
- 36. Power to correct mistakes, etc.-** Any clerical mistake, patent error or error arising from accidental slip or omission in the description of any ancient monument or archaeological site and remains declared to be of national importance by or under this Act may, at any time, be corrected by the Central Government by notification in the Official Gazette.
- 37. Protection of action taken under the Act-** No suit for compensation and no criminal proceeding shall lie against any public servant in respect of any act done or in good faith intended to be done in the exercise of any power conferred by this Act.
- 38. Power to make rule-** (1) The Central Government may, by notification in the Official Gazette and subject to the condition of previous publication, make rules for carrying out the purposes of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
- (a) the prohibition or regulation by licensing or otherwise of mining, quarrying, excavating blasting or any operation of a like nature near a protected monument or the construction of buildings on land adjoining such monument and the removal of unauthorised buildings;
 - (b) the grant of licenses and permissions to make excavations for archaeological purposes in protected areas, the authorities by whom, and the restrictions and conditions subject to which, such licenses may be granted, the taking of securities from licensees and the fees that may be charged for such licensees;
 - (c) the right of access of the public to a protected monument and the fee, if any, to be charged therefore;
 - (d) the form and contents of the report of an archaeological officer or a licensee under clause (a) of sub-section (1) of section 23;
 - (e) the form in which applications for permission under section 19 or section 25 may be made and the particulars which they should contain;
 - (f) the form and manner of preferring appeals under this Act and the time within which they may be preferred;
 - (g) the manner of service of any order or notice under this Act;
 - (h) the manner in which excavations and other like operations for archaeological purposes may be carried on;
 - (i) any other matter which is to be or may be prescribed.
- (3) Any rule made under this section may provide that a breach thereof shall be punishable-

- (i) in the case of a rule made with reference to clause (a) of sub-section (2), with imprisonment which may extend to three months, or with fine which may extend to five thousand rupees, or with both;
- (ii) in the case of a rule made with reference to clause (b) of sub-section (2), with fine which may extend to five thousand rupees;
- (iii) in the case of a rule made with reference to clause (c) of sub-section (2), with fine which may extend to five hundred rupees.
- (4) All rules made under this section shall be laid for not less than thirty days before each House of Parliament as soon as possible after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.

39. Repeals and savings- (1) The Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951 and section 126 of the States Reorganisation Act, 1956 (37 of 1956), are hereby repealed.

- (2) The Ancient Monuments Preservation Act, 1904 shall cease to have effect in relation to ancient and historical monuments and archaeological sites and remains declared by or under this Act to be of national importance, except as respects things done or omitted to be done before the commencement of this Act.

**THE GAZETTE OF INDIA
EXTRAORDINARY
PART II-SECTION 3 – SUB-SECTION (ii)
PUBLISHED BY AUTHORITY**

NEW DELHI, THURSDAY, OCTOBER 15, 1959/ASVINA 23, 1881

**MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS
NOTIFICATIONS
NEW DELHI, THE 15TH OCTOBER, 1959**

S.O. 2306- In exercise of the powers conferred by section 38 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following rules, the same having been previously published in the Gazette of India, Part II-Section 3-Sub-Section (ii), dated the 8th August, 1959, as required by sub-section (1) of the said section.

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS RULES 1959
CHAPTER I
PRELIMINARY 1**

1. Short title, date and commencement: (1) These rules may be called the Ancient Monuments and Archaeological Sites and Remains Rules, 1959.
(2) They extend to the whole of India, but rules 24, 25, 27, 28, 29 and 30 shall not apply to the State of Jammu and Kashmir.
(3) They shall come into force on the 15th day of October, 1959.
2. Definitions- In these rules, unless the context otherwise requires-
 - (a) “construction” means the construction of any structure and includes additions to or alterations of an existing building;
 - (b) “copying”, together with its grammatical variations and cognate expressions, means the preparation of copies by drawing or by photography or by mould or by squeezing and includes the preparation of a cinematographic film with the aid of a hand-camera which is capable of taking films of not more than eight millimeters and which does not require the use of a stand or involve any special previous arrangement;
 - (c) “filming”, together with its grammatical variations and cognate expressions, means the preparation of a cinematographic film 1 [including video film] with the aid of a camera which is capable of taking films of more than eight millimeters and which requires the use of a stand or involves other special previous arrangements;
 - (d) “form” means a form set out in the Third Schedule;

- (e) “mining operation” means any operation for the purpose of searching for or obtaining minerals and includes quarrying, excavating, blasting and any operation of a like nature;
- (f) “prohibited area” or “regulated area” means an area near or adjoining a protected monument which the Central Government has, by notification in the Official Gazette, declared to be a prohibited area, or, as the case may be, a regulated area, for purposes of mining operation or construction or both;
- (g) “Schedule” means a Schedule to these rules; and
- (h) “section” means a section of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958).

CHAPTER II

ACCESS TO PROTECTED MONUMENTS

3. Monuments governed by agreement- (1) Access to protected monuments in respect of which an agreement has been entered into between the owner and the Central Government under section 6, or in respect of which an order has been made by that Government under section 9, shall be governed by the provisions of the agreement or, as the case may be, the order; and nothing in rules 4, 5, 6 or 7 shall be construed as affecting any such agreement or order.
(2) A copy of the relevant provisions of every such agreement or order shall be exhibited in a conspicuous part of the monument concerned.
4. Parts of monuments not open- The Director-General may, by order, direct that 2 [any protected monument or any specified part thereof] shall not be open, permanently or for a specified period, to any person other than an archaeological officer, his agents, subordinates and workmen and any other Government servant on duty at such part.
5. Monuments when kept open- (1) The protected monument specified in the First Schedule shall remain open during the hours specified against them in that schedule; protected monuments which are not so specified and to which neither rule 3 nor rule 4 applied shall remain open from sunrise to sunset:
Provided that an archaeological officer by notice to be exhibited in a conspicuous part of a protected monument, direct that a protected monument or part thereof shall be closed temporarily for such period as may be specified by the notice.
(2) Nothing in this rule or in rule 6 shall apply to an archaeological officer, his agents, subordinates and workmen or to any other Government servant on duty at a protected monument.
6. Entrance Fee- No person above the age of fifteen years shall enter any protected monument or part thereof specified in the Second Schedule except on payment of a fee of twenty naye paise:
Provided that the Director-General may, by order, direct that, on such occasions and for such periods as may be specified in the order, no fee shall be charged for entry in to a protected monument or part thereof.
7. Holding of meetings, etc., in monuments- (1) No protected monument shall be used for the purpose of holding any meeting, reception, party, conference or entertainment

except under and in accordance with a permission in writing granted by the Central Government.

(2) Nothing in sub-rule (1) shall apply to any meeting, reception, party, conference or entertainment, which is held in pursuance of a recognized religious usage or custom.

8. Prohibition of certain acts within monuments- No person shall, within a protected monument-
- (a) do any act which causes or is likely to cause damage or injury to any part of the monument; or
 - (b) discharge any fire-arms; or
 - (c) cook or consume food except in areas, if any, permitted to be used for that purpose; or
 - (d) hawk or sell any goods or wares or canvas any custom for such goods or wares or display any advertisement in any form or show a visitor round for monetary consideration, except under the authority of, or under, and in accordance with the conditions of, a license granted by an archaeological officer
 - (e) beg for alms; or
 - (f) violate any practice, usage or custom applicable to or observed in the monument; or
 - (g) bring, for any purpose other than the maintenance of the monument,
 - (i) any animal, or
 - (ii) any vehicle except in areas reserved for the parking thereof.
9. Penalty- Whoever—
- (i) unlawfully enters any protected monument or part thereof at a time when, under these rules, it is not to be kept open, or
 - (ii) unlawfully enters any protected monument in respect of which an order has been made under rule 4 or rule 5, or
 - (iii) contravenes of any of the provisions of rule 6 or rule 7 or rule 8,
- shall be punishable with fine which may be extended to five hundred rupees.

CHAPTER III

CONSTRUCTION AND OTHER OPERATIONS IN PROTECTED AREAS

10. Permission required for construction, etc- (1) No person shall undertake any construction or mining operation within a protected area except under and in accordance with a permission granted in this behalf by the Central Government.
- (2) Every application for permission under sub-rule (1) shall be made to the Central Government in Form-I at least three months before the date of commencement of the construction or operation.
11. License required for excavation- No person other than an archaeological officer or an officer authorised by him in this behalf shall undertake any excavation for archaeological purposes in any protected area except under and in accordance with the terms and conditions of a license granted under rule 13.

12. Application for license- Every application for a license shall be in Form-II and be made to the Director-General at least three months before the proposed date of the commencement of the excavation operations.
13. Grant or refusal of license- (1) On receipt of an application under rule 12, the Director-General may grant a license in Form-III if he is satisfied that, having regard to the status of the applicant, the competence of the director of excavation operations, the adequacy of the staff to be employed and other relevant factors, the license may be granted to the applicant:
Provided that no license shall be granted unless the applicant has furnished security of such amount not exceeding rupees ten thousand as the Director-General may, having regard to the circumstances of each case, require.
(2) The Director-General, by order, may, for reasons to be recorded in writing, refuse to grant a license in any particular case.
14. Period of license- Every license shall be in force for such period not exceeding three years as may be specified in the license: Provided that the Director-General may, on application made to him at least one month before the expiry of a license, extend its period by one year at a time so that the aggregate period does not exceed five years.
15. Cancellation of license- The Director-General may, by order, cancel a license granted under rule 13 if he is satisfied that the conduct of the excavation operations has not been satisfactory or in accordance with the conditions of the license, or if any further security demanded under rule 18 has not been deposited within the specified time: Provided that no license shall be cancelled unless the licensee has been given an opportunity to make his objections.
16. Conditions of license- Every license shall be subject to the following conditions, namely:
 - (a) the license shall not be transferable;
 - (b) the licensee shall give to the Director-General, the Collector and the owner of the land to be excavated at least fifteen days' notice in writing of the commencement of the excavation operations;
 - (c) the licensee shall produce the license before the District Magistrate or the District Superintendent of Police concerned or an archaeological officer, if so required;
 - (d) the excavation operations shall be conducted under the supervision of the director named in the license who shall be present at the excavation operations for at least three-fourths of the period of the operations;
 - (e) the licensee shall not, without the permission of the Director-General, dismantle or disturb any structures found during the excavation operations and shall make adequate arrangements for the safety of such structures and of the excavated antiquities till they are taken charge of by the Director-General;
 - (f) The licensee shall not subject any antiquities recovered during the excavation operations to any chemical or electrolytic process of cleaning without the written permission of the Director-General;
 - (g) An archaeological officer or his representative may inspect the excavation operations or any antiquities recovered during the operations and make notes on or copy or film the excavated structures and antiquities;

- (h) The licensee shall not discontinue the excavation operations unless he has given at least fifteen days' notice in writing to the Director-General;
 - (i) At the conclusion of the excavation operations, the licensee shall give notice in writing to the owner of the land specifying the nature of the antiquities, if any, recovered during the operations;
 - (j) The licensee shall, within three months of the completion of the excavation operations, submit to the Director General a summary report of the results of the excavation, and where the operations are carried on for a period of more than three months such report shall be submitted every quarter, and it shall be open to the Director-General to publish the report in his reports or reviews; and
 - (k) The licensee shall as soon as practicable submit a report in Form IV to the Central Government through the Director General on the antiquities recovered during the excavation operations.
17. Recovery from security- The Director-General may, by order, direct the deduction, from the security furnished by a licensee under rule 13, of
- (a) the value of any antiquities recovered during the excavation operations and lost or destroyed while in the custody of the licensee; and
 - (b) any compensation payable by the Central Government under section 27 to the owner or occupier of the land excavated by the licensee.
18. Demand of further security- Where during the currency of a license, any amount has been recovered under rule 17, the Director-General may require the licensee, within such time as he may specify, to deposit such further sum as security as is equivalent to the amount so recovered.
19. Appeal- Any person aggrieved by an order of the Director-General under rule 13 or rule 15 or rule 17 may prefer an appeal to the Central Government; and the decision of that Government on such appeal shall be final.
20. Return of security- On expiration or earlier cancellation of a license, the security deposited by the licensee or the balance thereof remaining after deduction of any amount under rule 17 shall be returned to him.
21. Publication of the result of excavation- Save as otherwise provided in rule 16, the Director-General shall not, without the consent of the licensee, publish the results of the excavation unless the licensee has failed to publish the results within the period specified by the Director-General in this behalf.
22. Retention of antiquities by licensee- The Central Government may, by order, subject to such terms and conditions as may be specified, permit the licensee to retain such of the antiquities recovered during the excavation operations as may be specified therein: Provided that human relics of historical importance and antiquities, which, in the opinion of the Central Government, are of national importance, shall not be permitted to be retained by the licensee.
23. Penalty- Whoever-
- (i) unlawfully undertakes any excavation for archaeological purposes in any protected area, or

- (ii) contravenes any of the conditions of a license, shall be punishable with fine which may extend to five thousand rupees.

CHAPTER IV

EXCAVATION IN UNPROTECTED AREAS

24. Intimation to the Central Government- Every State Government intending to undertake or authorize any person to undertake any archaeological excavation or other like operation in any area which is not a protected area shall intimate its intention to the Central Government at least three months prior to the proposed date of the commencement of the excavation or operation specifying the following details, namely-
- (i) name, location and other details of the site;
 - (ii) nature of antiquities previously found;
 - (iii) details of previous explorations, if any;
 - (iv) purpose of the excavation or operation;
 - (v) proposed extent of the excavation or operation (a plan of the site in triplicate showing in red outline the extent of the proposed excavation or operation should be attached);
 - (vi) proposed duration of the excavation or operation;
 - (vii) amount of the proposed expenditure on the excavation or operation; and
 - (viii) name and status of the director of the excavation or operation.
25. Approval by the Central Government-After considering the proposal, the Central Government may either approve it or advise the State Government to modify it or to abandon it altogether.
26. Deputation of an archaeological officer- The Central Government may depute an archaeological officer to inspect the excavation or operation while it is in progress and render such advise as he deems necessary.

CHAPTER V

REPORT ON EXCAVATED ANTIQUITIES BY AN ARCHAEOLOGICAL OFFICER

27. Form of report by an archaeological officer- Where, as a result of an excavation made by an archaeological officer in any area under section 21 or 22 any antiquities are discovered, the archaeological officer shall, as soon as practicable, submit a report in Form V to the Central Government through the Director-General on the antiquities recovered during the excavation

CHAPTER VI

MOVING OF ANTIQUITIES FROM CERTAIN AREAS

28. Application for moving antiquities- Every application for permission to move any antiquities or any class of antiquities in respect of which a notification has been issued under sub-section (1) of section 25 shall be made in Form-VI to the Director-General at least three months before the proposed date of the moving.

29. Grant of refusal of permission- On receipt of an application under rule 28, the Director-General may, after making such enquiry as he may deem necessary, grant permission for the moving of all or any of the antiquities or, for reasons to be recorded, refuse such permission.
30. Appeal- Any person aggrieved by an order of the Director General under rule 29 may prefer an appeal to the Central Government; and the decision of that Government on such appeal shall be final.

CHAPTER VII

MINING OPERATION AND CONSTRUCTION NEAR PROTECTED MONUMENTS

31. Notice of intention to declare a prohibited or regulated area- (1) Before declaring an area near or adjoining a protected monument to be a prohibited area or a regulated area for purposes of mining operation or construction or both, the Central Government shall, by notification in the Official Gazette, give one month's notice of its intention to do so; and a copy of such notification shall be affixed in a conspicuous place near the area.
- (2) Every such notification shall specify the limits of the area which is to be so declared and shall also call for objections, if any, from interested persons.
32. Declaration of prohibited or regulated area- After the expiry of one month from the date of the notification under rule 31 and after considering the objections, if any, received within the said period, the Central Government may declare, by notification in the Official Gazette, the area specified in the notification under rule 31, or any part of such area, to be a prohibited area, or, as the case maybe, a regulated area for purposes of mining operation or construction or both.
33. Effect of declaration of prohibited or regulated area- No person other than an archaeological officer shall undertake any mining operation or any construction-
- (a) in a prohibited area, or
- (b) in a regulated area,
- except under and in accordance with the terms and conditions of a license granted by the Director-General.
34. Application for license- Every person intending to undertake any mining operation or any construction in a regulated area shall apply to the Director-General in Form VII at least three months before the date of commencement of such operation or construction.
35. Grant or refusal of license- (1) On receipt of an application under rule 34, the Director General may grant a license or, if he is satisfied that the license asked for should not be granted, may, for reasons to be recorded, refuse to grant a license.
- (2) Every license granted under sub-rule (1) shall be in Form VIII and be subject to the following conditions, namely:-
- (a) the license shall not be transferable;
- (b) it shall be valid for the period specified therein; and
- (c) any other condition relating to the manner of carrying out the mining operation or the construction which the Director-General may specify in the

license for ensuring the safety and appearance of, and the maintenance of the approach and access to, the protected monument.

36. Cancellation of license- The Director-General may, by order, cancel a license granted under rule 35 if he is satisfied that any of its conditions has been violated: Provided that no license shall be cancelled unless the licensee has been given an opportunity to make his objections.
37. Appeal- Any person aggrieved by an order of the Director-General made under rule 35 or rule 36 may prefer an appeal to the Central Government; and the decision of that Government on such appeal shall be final.
38. Removal of unauthorized buildings- (1) The Central Government may, by order, direct the owner or occupier of an unauthorized building in a prohibited area or in a regulated area or of a building or part thereof which has been constructed in contravention of any of the conditions of a license granted under rule 35 to remove such building or part thereof within a period specified in that order.
- (2) If the owner or occupier refuses or fails to comply with an order made under sub-rule (1), the Central Government may direct the District Magistrate to cause the building or part thereof to be removed, and the owner or occupier shall be liable to pay the cost of such removal.
39. Penalty- Whoever—
- (i) unlawfully undertakes any mining operation or construction in a prohibited area or in a regulated area, or
 - (ii) contravenes any of the conditions of a license, or
 - (iii) fails or refuses to comply with an order made under sub-rule (1) of rule 38, shall be punishable with imprisonment, which may extend to three months or with fine which may extend to five thousand rupees or with both.

CHAPTER VIII

COPYING AND FILMING OF PROTECTED MONUMENTS

40. Permission required for copying certain monuments- The Director-General may, by order, direct that no person other than an archaeological officer or an officer authorized by an archaeological officer in this behalf shall copy any specified monument or part thereof except under and in accordance with the terms and conditions of a permission in writing by an archaeological officer.
41. Conditions of copying other monuments- (1) Any person may copy a protected monument in respect of which no order under rule 40 has been made.
- (2) Nothing in sub-rule (1) shall be construed as authorizing any person other than an archaeological officer or an officer authorised by him in this behalf, while copying any such monument, to-
- (a) bring into or use within the precincts of such monument a camera-stand, stool, chair, table, large drawing-board, easel or any such appliance, or
 - (b) erect any scaffolding within such precincts, or
 - (c) use within such precincts any artificial light other than a flash-light synchronised with the exposure of a camera, or

- (d) apply any extraneous matter, such as water, oil, grease or any moulding material, on such monument or part thereof, or
 - (e) prepare a direct tracing or mould or squeeze of such monument or part thereof, except under and in accordance with the terms and conditions of a permission in writing granted by an archaeological officer.
42. License required for filming- No person other than an archaeological officer or an officer authorised by him in this behalf shall undertake any filming operation at a protected monument or part thereof except under and in accordance with the terms and conditions of a license granted under rule 44.
43. Application for license- Every person intending to undertake any filming operation at a protected monument shall apply to the Director-General in Form IX at least three months before the proposed date of the commencement of such operation.
44. Grant or refusal of license- (1) On receipt of an application under rule 43, the Director General may grant a license or, if he is satisfied that the license asked for should not be granted, may, for reasons to be recorded, refuse to grant a license:
- Provided that the Director General shall not grant any license to film the interior of any protected monument, that is to say such part of any protected monument as is covered by a roof of any description, except when the film is for the purpose of education or of publicising the monument.
- (2) Every license granted under sub-rule (1) shall be in Form X and be subject to the following conditions, namely:-
- (a) the license shall not be transferable and shall be valid for the period specified therein;
 - (b) nothing shall be done by the licensee or any member of his party which has, or may have, the effect of exposing any part of the monument or attached lawn or garden to the risk of damage;
 - (c) the filming operation shall be restricted to that part of the monument in respect of which the license has been granted;
 - (d) no extraneous matter, such as water, oil, grease or the like, shall be applied on any part of the monument;
 - (e) the generating plant for electric power, wherever required, shall be placed away from the monument or the attached lawn or garden;
 - (f) the filming operation shall not obstruct or hamper the movement of persons who may lawfully be within the precincts of the monuments and
 - (g) any other condition which the Director-General may specify in the license.
45. Cancellation of license- The Director-General, by order, may, after giving notice to the licensee, cancel a license granted under rule 44 if he is satisfied that any of its conditions has been violated.
46. Appeal- Any person aggrieved by an order of the Director-General made under rule 44 or rule 45 may prefer an appeal to the Central Government; and the decision of that Government on such appeal shall be final.
47. Certain rules not affected- Nothing in rule 41 and no provision of a permission granted under rule 40 or of a license granted under rule 44 shall affect the operation of rules 3, 4, 5, 6, 7, 8 and 9.

48. Penalty- Whoever copies or films any protected monument or does any other act in contravention of any provision of this chapter or of any permission or license granted thereunder shall be punishable with fine which may extend to five hundred rupees.

CHPATER IX

MISCELLANEOUS

49. Manner of preferring an appeal- (1) Every appeal to the Central Government under the Ancient Monuments and Archaeological Sites and Remains Act, 1958, or under these rules shall be in writing and shall be preferred within one month of the date of receipt of the order appealed against.
- (2) Every such appeal shall be accompanied by a copy of the order appealed against.
50. Service of orders and notices- Every order or notice made or issued under the Ancient Monuments and Archaeological Sites and Remains Act, 1958, or these rules shall—
- (a) in the case of any order or notice of a general nature or affecting a class of persons, be published in the Official Gazette; and
 - (b) in the case of any order or notice affecting a corporation or firm, be served in the manner provided for the service of summons in rule 2 of order XXIX or rule 3 of order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908; and
 - (c) in the case of any order or notice affecting an individual person, be served on such person-
 - (i) by delivering or tendering it to the person concerned, or
 - (ii) if it cannot be so delivered or tendered, by delivering or tendering it to any adult male member of the family of such person or by affixing a copy thereof on the outer door or some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain, or
 - (iii) by sending it by registered post, acknowledgement due.

Indian Treasure Trove Act, 1878

(ACT NO. VI OF 1878)

(12th February 1878)

An Act to amend the law relating to Treasure Trove

(As modified upto the 1st September, 1949)

Whereas it is expedient to amend the law relating to treasure-trove. It is hereby enacted as follows: -

Preliminary

1. **Short title-** This Act may be called the Indian Treasure Trove Act, 1878.
Extent- It extends to all the provinces of India.
2. Repeal of enactments. Rep. By the amending Act, 1891 (XII of 1891)
3. **Interpretation Clause-** In this Act-
 “Treasure” means anything of any value hidden in the soil, or in anything affixed thereto;
 “Collector” means (1) any Revenue-officer in independent charge of a district, and (2) any officer appointed by the 4 [Provincial Government] to perform the functions of a Collector under this Act. When any person is entitled, under any reservation in an instrument of transfer of any land or thing affixed thereto, to treasure in such land or thing, he shall, for the purposes of this Act, be deemed to be the owner of such land or thing.

Procedure on finding Treasure

4. **Notice by finder of treasure-** Whenever any treasure exceeding in amount or value ten rupees is found, the finder shall, as soon as practicable, give to the Collector notice in writing-
 - (a) of the nature and amount or approximate value of such treasure;
 - (b) of the place in which it was found;
 - (c) of the date of the finding,and either deposit the treasure in the nearest Government Treasury, or give the Collector such security as the Collector thinks fit, to produce the treasure at such time and place as he may from time to time require.
5. **Notification requiring claimants to appear-** On receiving a notice under section 4, the Collector shall, after making such enquiry (if any) as he thinks fit, to take the following steps (namely):- a) he shall publish a notification in such manner as the 1 [Provincial Government] from time to time prescribes in this behalf, to the effect that, on a certain date (mentioning it) certain treasure (mentioning its nature; amount and approximate value) was found in a certain place (mentioning it); and requiring all persons claiming the treasure, or any part thereof, to appear personally or by agent before the Collector on a day and at a place therein mentioned, such day not being earlier than four months, or

later than six months, after the date of the publication of such notification; b) when the place in which the treasure appears to the Collector to have been found was at the date of the finding in the possession of some person other than the finder, the Collector shall also serve on such person a special notice in writing to the same effect.

6. **Forfeiture of right on failure to appear-** Any person having any right to such treasure or any part thereof, as owner of the place in which it was found or otherwise, and not appearing as required by the notification issued under section 5, shall forfeit such right.
7. **Matters to be enquired into and determined by the Collector-** On the day notified under section 5, the Collector shall cause the treasure to be produced before him, and shall enquire as to and determine-
 - (a) the person by whom, the place in which, and the circumstances under which, such treasure was found; and
 - (b) as far as is possible, the person by whom, and the circumstances under which, such treasure was hidden.
8. **Time to be allowed for suit by person claiming the treasure-** If, upon an enquiry made under section 7, the Collector sees reason to believe that the treasure was hidden, within one hundred years before the date of the finding, by a person appearing as required by the said notification and claiming such treasure, or by some other person under whom such person claims, the Collector shall make an order adjourning the hearing of the case for such period as he deems sufficient, to allow of a suit being instituted in the Civil Court by the claimant, to establish his right.
9. **When treasure may be declared ownerless-** If upon such enquiry the collector sees no reason to believe that the treasure was so hidden; or
If where a period is fixed under section 8 no suit is instituted as aforesaid within such period to the knowledge of the Collector; or
If such suit is instituted within such period, and the plaintiff's claim is finally rejected;
The Collector may declare the treasure to be ownerless.
Appeal against such declaration- Any person aggrieved by a declaration made under this section may appeal against the same within two months from the date thereof to the Chief Controlling Revenue-authority.
subject to such appeal, every such declaration shall be final and conclusive.
10. **Proceedings subsequent to declaration-** When a declaration has been made in respect of any treasure under section 9, such treasure shall, in accordance with the provisions hereinafter contained, either be delivered to the finder thereof, or be divided between him and the owner of the place in which it has been found in manner hereinafter provided.
11. **When no other person claims as owner of place, treasure to be given to finder-**
When a declaration has been made in respect of any treasure as aforesaid, and no person other than the finder of such treasure has appeared as required by the notification published under section 5 and claimed a share of the treasure as owner of the place in which it has been found, the Collector shall deliver such treasure to the finder thereof.
12. **When only one such person claims and his claim is not disputed, treasure to be divided, and shares to be delivered to parties-** When a declaration has been made as aforesaid in respect of any treasure, and only one person other than the finder of such treasure has so appeared and claimed, and the claim of such person is not disputed by the

finder, the Collector shall proceed to divide the treasure between the finder and the person so claiming according to the following rule (namely):— If the finder and the person so claiming have not entered into any agreement then in force as to the disposal of the treasure, three-fourths of the treasure shall be allotted to such finder and the residue to such person. If which finder and such person have entered into any such agreement, the treasure shall be disposed of in accordance therewith: Provided that the Collector may, in any case, if he thinks fit, instead of dividing any treasure as directed by this section-

- (a) allot to either party the whole or more than his share of such treasure, on such party paying to the Collector for the other party such sum of money as the Collector may fix as the equivalent of the share of such other party, or of the excess so allotted, as the case may be; or
- (b) sell such treasure or any portion thereof by public auction and divide the sale-proceeds between the parties according to the rule hereinbefore prescribed: Provided also that, when the Collector has by his declaration under section 9 rejected any claim made under this Act by any person other than the said finder or person claiming as owner of the place in which the treasure was found, such division shall not be made until after the expiration of two months without an appeal having been presented under section 9 by the person whose claim has been so rejected, or when an appeal has been so presented, after such appeal has been dismissed. When the Collector has made a division under this section, he shall deliver to the parties the portions of such treasure, or the money in lieu thereof, to which they are respectively entitled under such division.

13. **In case of dispute as to ownership, proceeding to be stayed-** When a declaration has been made as aforesaid in respect of any treasure and two or more persons have appeared as aforesaid and each of them claimed as owner of the place where such treasure was found, or the right of any person who has so appeared and claimed is disputed by the finder of such treasure, the Collector shall retain such treasure and shall make an order staying his proceedings with a view to the matter being enquired into and determined by a Civil Court.
14. **Settlement of such dispute-** Any person who has so appeared and claimed may, within one month from the date of such order, institute a suit in the Civil Court to obtain a decree declaring his right; and in every such suit the finder of the treasure and all persons disputing such claim before the Collector shall be made defendants.
15. **And division thereupon-** If any such suit is instituted and the plaintiff's claim is finally established therein, the Collector shall, subject to the provisions of section 12, divide the treasure between him and the finder. If no such suit is instituted as aforesaid, or if the claims of the plaintiffs in all such suits are finally rejected, the Collector shall deliver the treasure to the finder.
16. **Power to acquire the treasure on behalf of the Government-** The Collector, may, at any time after making a declaration under section 9, and before delivering or dividing the treasure as hereinbefore provided, declare by writing under his hand his intention to acquire on behalf of the Government the treasure or any specified portion thereof, by payment to the persons entitled thereto of a sum equal to the value of the materials of

such treasure of portion, together with one-fifth of such value, and may place such sum in deposit in his treasury to the credit of such persons; and thereupon such treasure or portion shall be deemed to the property of the Government, and the money so deposited shall be dealt with, as far as may be, as if it were such treasure or portion.

17. **Decision of Collector final, and no suit to lie against him for acts done bona fide-** No decision passed or act done by the Collector under this Act shall be called in question by any Civil Court, and no suit or other proceeding shall lie against him for anything done in good faith in exercise of the powers hereby conferred.
18. **Collector to exercise powers of Civil Court-** A Collector making any enquiry under this Act may exercise any power conferred by the Code of Civil Procedure¹ on a Civil Court for the trial of suits.
19. **Power to make rules-** The Provincial Government may from time to time, make rules consistent with this Act to regulate proceeding hereunder.
Such rules shall, on being published in the Official Gazette, have the force of law.

Penalties

20. **Penalty on finder failing to give notice, etc.-** If the finder of any treasure fails to give the notice or does not either make the deposit or give the security required by section 4, or alters or attempts to alter such treasure so as to conceal its identity the share of such treasure, or the money in lieu thereof to which he would otherwise be entitled, shall vest in Her Majesty.
And he shall, on conviction before a Magistrate be punished with imprisonment for a term, which may extend to one year, or with fine, or with both.
21. **Penalty on owner abetting offense under section 20-** If the owner of the place in which any treasure is found abets, within the meaning of the Indian Penal Code (Act XLV of 1860), any offense under section 20, the share of such treasure or the money in lieu thereof to which he would otherwise be entitled, shall vest in Her Majesty, and he shall, on conviction before a Magistrate, be punished with imprisonment which may extend to six months, or with fine, or with both.

SCHEDULE

[Repealed by the Amending Act, 1891 (XII of 1891)]

(First published in Rajasthan Rajpatra part IV (G) dated 29.06.1961)
HOME 'A' DEPARTMENT

NOTIFICATION

Jaipur, May 20, 1961

No. F.19(2) Home (A-Gr.II)60- In exercise of the powers conferred by section 19 of the Indian Treasure Trove Act, 1878 (VI of 1878) and in supersession of all previous rules on the subject, the Governor is pleased to make the following rules, namely:-

1. These rules may be called the "Rajasthan Treasure Trove Rules, 1961.
2. **Definitions-** In these rules unless the context otherwise requires-
 - a. "Act" means the Indian Treasure Trove Act. 1878 (VI of 1878).
 - b. "Superintendent" means the superintendent, Department of Archaeology, Government of India within whose jurisdiction the treasure has been found.
 - c. "Section" means a section of Act.
 - d. "Government" means the Government of Rajasthan.
 - e. "Treasure Trove Officer" in the State means the Director of Archaeology and Museums, Rajasthan.
3. **Collector's Report-** On receipt of any notice under section 4 or on receipt of information from any person or other than the finder, that a treasure has been found, the collector shall report the fact to the Government, the Superintendent and the Treasure Trove officer stating as far as the information at his disposal permits:
 - a. the name of the finder;
 - b. the nature and details of the treasure;
 - c. the approximate value of the treasure;
 - d. the date of the finding of the treasure;
 - e. the origin and surroundings of the treasure.
4. **Publication of Notification-** Every notification under section 5 (a) shall be published at the local police station, at the office of the Collector of the district or equivalent officer within whose jurisdiction the treasure was found, and also at some conspicuous spot in the village in which it was found.
5. **Report of the Treasure Trove Officer and Superintendent-** Within 60 days of the receipt of such information from the Collector, the Treasure Trove Officer and the Superintendent shall report, individually or jointly to the Collector whether the treasure or any part thereof should be acquired by the Government.
6. **Acquisition of Treasure-** (I) The collector shall before acquiring or making a declaration under section 16 of his intention to acquire on behalf of the Government any treasure or any part thereof, obtain the orders of the Government. (II) If the Government decides to acquire such treasure or any part thereof, whether on the report of the Treasure Trove Officer and Superintendent or otherwise, the Government shall accordingly inform the Collector, who after making the declaration under section 9 and complying with the provisions of the section shall as soon as

possible forward the treasure or any part thereof so acquired either do the Treasure Trove Officer or any other centre which the Government may specify in this behalf.

7. **Distribution of Treasure-** The Treasure Trove Officer in the event of the Government deciding to acquire the treasure or any part thereof, shall recommend to government distribution among the museums and institutions in the following order of priorities (a) Principal museum of the State in which the Treasure Trove is found and the National Museum. In recommending allocation to the State Museum, the Treasure Trove Officer shall take into consideration that the objects to be given to the State Museum are of the State or regional interest and those to be given to the National Museum are of national importance. (b) Other museums in the State managed by the Government or other public authorities, including Universities in the State. (c) Principal State Museums of other States and the Indian Museum, Calcutta. d) Other museums of other States and maintained by the State Government or other public authorities including Universities; (e) Other Museums.
8. **Sale-** The Government after assessing the needs of the museums and institutions mentioned in paragraph 7, may in consultation with the Treasure Trove Officer and the Superintendent, place a part of the treasure required under rule 6 (ii) or otherwise for sale to the public after notifying the proposed sale to the public after notifying the proposed sale in such manor as it may deem fit.
9. **Price-** The price of the finds notified for sale shall be fixed by the Government after consulting the Treasure Trove Officer and the Superintendent and shall be specified against each item in the notification of the proposed sale and the amount realised by such sale shall be credited to the receipts of the Government.
10. The Treasure Trove Officer shall send a consolidated report of the treasure found during financial year to the Government of India, the Ministry of Education. This report shall include a brief summary of the results of the examination or treasure trove finds during the year under review, and shall also include their classification by their material and roughly by the class to which they belong.
The report shall also give a short account of any notable Treasure Trove finds and their distribution during the year.

**By order of the Governor,
Z.A. Jhala,
Secretary to Government**

List of State Protected Monuments

S.No.	Name of the Monument	Place
District-Ajmer		
1	Akbar's Fort or Magazine or Daulata Khana	Ajmer
2	Main Entrance of the Akbar's Fort	Ajmer
3	Toda and Digambaron Ki Jain Chhatries	Ajmer
4	Chamunda Devi Temple	Ajmer
5	Santosh Bavala ki Chhatari	Pushkar
6	Gopinath Temple	Sarwar
7	Ghantaghar	Ajmer
8	Noorchashma	Ajmer
9	Toran Stambh, village, Baghera	Baghera
10	Shukar Varah, Mandir, village, Baghera	Baghera
11	Agra gate	Ajmer
12	Usari gate	Ajmer
13	Madar gate	Ajmer
14	Alwar gate	Ajmer
15	Shivling	Nand
16	Fort	Sarvar
17	Fort	Fatahgarh
18	Shiv Mandir	Ajaypal
19	Kotwali Gate	Ajmer
20	King Edward Memorial	Ajmer
District-Alwar		
21	Alwar Palace	Alwar
22	Tripoliya	Alwar
23	Fateh Jang Gumbad	Alwar
24	Krishna Kunda	Alwar
25	Raj Garh Fort	Raj Garh
26	Bhartahari Gumbad	Tijara
27	Fort	Indore
28	Khanzada Ki Kabaren	Indore
29	Ancient Palace of Bada Gujar Chief	Raj Garh
30	Pathan Kabren	Tijara
31	Cenotaph of Moosi Maharani, located in the premises of Rajprasad near water tank (Sagar) the main monuments is 89x89 feet, the surrounding area from East to West-313 feet and North to South-173 feet.	Alwar
32	Bala kila	Alwar
District-Baran		
33	Shiv Temple or Bhand Devara	Ramgarh
34	Hindu Mandir	Baran
35	Group of Temples	Kakuni
36	Fort	Ramgarh
37	Temple	Bansthuni
38	Fort	Nahargarh
39	Old Temple	Khandela
40	Masjid	Shahabad

41	Badal Mahal	Shahabad
42	Fort	Shahabad
43	Fort	Kelwara
44	Shiv Mandir	Noorpur
45	Shiv Mandir	Nagada
46	Mandir	Badera
47	Mata Ka Mandir	Bara Khera
48	Mandir	Dhuman
49	Mandir	Bichalas
50	Group of Temples	Saharod
51	Shakti Sagar Talab	Mothpur
52	Cenotaphs of Bamulia Jagidar's	Baran
53	Deep Stambh with surrounding 25 meter control area	Niyana, Anta
54	Shergarh Ka Kila	Atru
District-Barmer		
55	Kiradu Ke Mandir	Hatama
56	Fort	Sivana
57	Mata Ka Mandir	Bisukala
58	Sun Temple	Dewaka
59	Jain Temple	Juna-Patarasar
District-Bharatpur		
60	Kishori mahal's complete premises, kamara khas kachahari kala, kothi khas, Hansarani palace, chaman Bagichi, Hamam and adjoining structure area and open land till boundary of the fort including three wells and gates of mudwall. 1. Mathura gate 2. B. Narain gate 3. Atalbandh gate 4. Anah gate 5. Kumher gate 6. Goverdhan gate 7. Neemda gate 8. Chandpol gate 9. Surajpol gate The mud bastion with canon and platform situated near surajpol gate on North side of mud wall and the surrounding area of 100 Sq. feet of the platform.	Bharatpur
61	Choburza/Gadhi Khemkaran	Bharatpur
62	Prachin Prasad	Kumher
63	Jal Mahal	Kumher
64	Kila	Deeg
65	Kameshwar Mahadev Ka Mandir	Kama
66	Kila	Wair
67	Prasad Tatha Vatika	Wair
68	Baldevji Ka Mandir	Roopwas
69	Mohammad Gauri Ke Senapati Ki Chhatri	Nadbai
70	Cenotaphs of Holkar	Gangour Soti
71	Prachin Prasad Chhatta	Deeg
72	Prachin Prasad	Kaman
73	Akabar ke Kos Chinha	Kaman
74	Akabar ke Kos Chinha	Kaman
75	Temple of Surya	Satwas

76	Kale Khan Ka Makbara	Bayana
77	Chhatri of twelve pillars	Bayana
78	Lal Darwaja	Kaman
79	Ancient Well	Kaman
80	Well of Dharamraj	Kaman
81	Cenotaphs in the way of Vijay Mandir Garh	Bayana
82	Muslim Kabren and Sahale Khan ki Kabren	Sahsan
83	Sri Krishan ke paad and Gau Charan Chinha Khasra No. 1 & 198	Bhudaka, Kama
84	Temple of Kedar Nath (on hill) and a tank (below hill) khasra No. 892, 987, 988, 887	Vilod, Kama
85	Bhojan Thalian and two Katore Khasra No. 3080, 3078, 3079	Kalawata, Kama
86	Cave of Bhaumasur and Fislan Patti Khasra No. 438 & 586 paharis & parvat.	Kalawata, Kama
District-Bhilwara		
87	Battis Khambhon ki Chhatri	Mandal
88	Vishnu Temple	Ghaud
89	Haveli of Late Shri Kesari Singh Barahath	Shahpura
90	Shitla Temple with Sculptures	Dhanop
91	Roothi Rani ka Mandir	Ghaud
92	Minar (Watch Tower)	Mandal
93	Durg Mandalgarh	Mandalgarh
District-Bikaner		
94	Cenotaphs of the early rulers of Bikaner	Bikaner
95	The medieval period city wall gates Kotgate, Jassusar gate, Nathusar gate, Sheetala gate and Goga gate	Bikaner
96	Devi kund Sagar and Cenotaphs	Bikaner
97	Jambha ji or Mokam Temple	Mokam
98	Chintamani Jain Temple	Mokam
99	Laxmi Narain Mandir	Bikaner
100	Mandir Raj Ratan Behari & Rasik Siromani (Ratan Behari Park)	Bikaner
101	Kirti Stambha & war Memorial	Bikaner
102	Haveli of Sh. Sunil Rampuria	Bikaner
103	Haveli of Sh. Surendra Rampuria	Bikaner
104	Haveli of Sh. Shikharchand Rampuria	Bikaner
105	Haveli of Sh. Manakchand Rampuria	Bikaner
106	Haveli of Sh. Ratanlal Rampuria	Bikaner
107	Haveli of Sh. Jaichand Rampuria	Bikaner
108	Haveli of Sh. Moolchand Rampuria	Bikaner
District-Bundi		
109	Raniji Ke Baori	Bundi
110	Shiv Temple	Kanwalji
111	Inscription of Hammir	Kanwalji
112	Chaurasi Khambo ki Chhatri	Bundi
113	Bhavaldi Baori	Bundi
114	Mandir Laxmi Narayan	Bundi

115	Dhabhaiji ka Kund (Jail Kund)	Bundi
116	Paintings on Rock Sheltar at Hathidoob site	Haulaspura
117	Paintings on Rock Sheltar at Nachala site	Haulaspura
118	Paintings on Rock Sheltar at Chhaparia site	Haulaspura
119	Paintings on Rock Sheltar at Undimaya site	Haulaspura
120	Paintings on Rock Sheltar at Khurd ka Nala site	Haulaspura
121	Paintings on Rock Sheltar at Dharawa site	Haulaspura
122	Paintings on Rock Sheltar at Kewadia site	Haulaspura
123	Paintings on Rock Sheltar at Nalده site	Haulaspura
124	Sukh Mahal	Bundi city
District-Banswara		
125	Dwarikadhish Temple	Talwara
District-Chittorgarh		
126	Bridge Situated at Gambhiri river	Chittorgarh
127	Deep Stambh with surrounding 50 meter control area	Nagari
District-Churu		
128	Sethani ka Jhohada	Churu
129	Cenotaph of Anand Singh	Taranagar
130	Minaryukt Koop	Bootia
131	Sahava ka Talab	Sahava, Taranagar
District-Dholpur		
132	Much Kund	Dholpur
133	Kund and Shiv Temple	Dholpur
134	Jarjarina Kabren and Masjid	Dholpur
135	Ancient Baori	Dholpur
136	Bhuteshwar Mahadev	Baseri
137	Talab Shahi	Bari
138	Place and Temple, Purani Chhavani	Dholpur
139	Remains Architectural opposite Chopra Mahadev temple	Damapur
District-Dausa		
140	Bhandarej ki Baori	Baswa
District-Hanuman Garh		
141	Cenotaph, Raisinghpura	Nohar
District-Jaipur		
142	Albert Hall, Ram Niwas Bagh	Jaipur
143	Jyotish Yantralaya	Jaipur
144	Sudarshana/Nahargarh	Jaipur
145	Isarlat	Jaipur
146	Hawa Mahal	Jaipur
147	Cenotaphes of Gaitore	Jaipur
148	Temples of Galta	Jaipur
149	Balanand ji Temple	Jaipur
150	Queens Cenotaphs	Amber Road
151	Brijnand ji Temple	Jaipur
152	Charan Mandir	Jaipur
153	Rampart including all gates of old Jaipur City	Jaipur

154	Sanganer Temple	Jaipur
155	Cenotaphs at Station Road	Jaipur
156	Town Hall (Old Assembly Hall)	jaipur
157	Wall paintings of Samod Haveli	Purani Basti, Jaipur
158	Wall paintings of Purohit ji ki Haveli	Purani Basti, Jaipur
159	Sun Temple	Galta Hill
160	Kalika Devi Temple	Sirehdeorhi Bazar, Jaipur
161	Bhawani Rao Bohara's House	Ghat ki Gooni, Jaipur
162	Sisodia Maharani Temple	Ghat ki Gooni, Jaipur
163	Wall Paintings of Janana Ghat	Galta, Jaipur
164	Sun Temple	Galta, Jaipur
165	Krishna Dev Payahari Ki Gufa	Galta, Jaipur
166	Akabar Ke Kos Chinha	Amber-Delhi-Agra- Ajmer Road
167	Wall paintings of Prachin Govind Devaji ka Temple	Amber Ghati
168	Prachin Govind Devaji ka Temple	Amber Ghati
169	Kalyan ji Temple	Amber
170	Amber Palace on Hill	Amber
171	Cenotaphs at Shahpura Road	Amber
172	Prachin Mahal below Hill	Amber
173	Panna Miyan Ka Kund	Amber
174	Dalarambagh	Amber
175	Mohan Bari	Amber
176	Sanghi Temple	Amber
177	Nrisingha Temple	Amber
178	Rampart of old Amber town	Amber
179	Mughal Gate	Viratnagar
180	Jamwa Mata Temple	Jamwa Ramgarh
181	Wall paintings of Bhaopura Chhatri	Bhaopura
182	Prachin Baori Khasra No. (616, 617,/2)	Bhaopura
183	Chomu Fort	Chomu
184	Nakati Mata Temple	Jai Bhawanipura
185	Nayala Fort	Nayala
186	Nayala Palace	Nayala
187	Cenotaphs near Parion ka Bagh	Amber
188	Sh. Laxmi Narain Mandir, opposite, Hathi Stand Rambagh (Khasra No. 4416)	Amber, Jaipur
189	Sh. Gopal ji ka mandir opposite Hathi Stand Ramgagh (Khasra No. 4416)	Amber, Jaipur
190	Sh. Laxmi Narain ka mandir (Behari ji) opposite, Panna miyan kund Sagar Road (Khasra No. 4353)	Amber, Jaipur
191	Properties Situated in Ghat ki Guni, Jamdoli	Jaipur
192	Inscription of Ashoka the Great	Virat Nagar

193	Akbar ki kos Minar	Johparia, Bassi
194	Akbar ki kos Minar	Jhar Bassi
195	Akbar ki kos Minar	Malyalia, Bassi
196	Akbar ki kos Minar	Hansmahal, Bassi
197	Akbar ki kos Minar Jaipur city Jaipur	Jaipur
198	Akbar ki kos Minar Jaipur city Jaipur	Jaipur
199	Devyani Kund Sambhar	Sambhar
200	Nahargarh ki Bawari	Jaipur
201	Area of Parion ka Bagh including two Ancient Baori, two wells, Ancient irrigation method, one temple & one muzar (Khasra No. 5579, 5579/9342, 5579/9344, 5580, 5580/9104, 5580/9343, 5581 to 5587 & 5589 to 5598)	Amber
202	Natanion ki Haveli	Jaipur
203	Sisodia Rani ka Bagh (Ghat ki Guni)	Jamdoli
204	Two Storeyed Bairathi Haveli near Jain Temple Mohalla Purohitan, Amber (50 Meter Controlled Area all around four sides) Khasara No. 4346/9985 (Tehsil Amber) & 20 Ka, Kha, Ga and 263 Ka (City Survey)	Amber
205	Two Chhabara Havelies, Bangali Pada (Lal Bazar) (50 Meter Controlled Area all around four sides) Khasara No. 4332 (Tehsil Amber) & 229 Cha & Da 230 and 230 Ka (City Survey)	Amber
206	Cenotaphs of Sudamapuri, situated at Agra Road, Jaipur as :- (1) Cenotaphs of Daroga Shri Manna Lal Vijai Lal (with inscription Samvat 1899) (2) Cenotaphs of Daroga Shri Swaroop Chand (with inscription Samvat 1900)	Jaipur
District-Jaisalmer		
207	Patwa Haveli-3129	Jaisalmer
208	Patwa Haveli-3128	Jaisalmer
209	Patwa Haveli-3017	Jaisalmer
210	Patwa Haveli-3126	Jaisalmer
211	Patwa Haveli-3127	Jaisalmer
212	Patwa Haveli-3127 B	Jaisalmer
213	Patwa Haveli-3013	Jaisalmer
214	Salam Singh ki Haveli – 2521	Jaisalmer
215	Nathmal ki Haveli-4434	Jaisalmer
216	Teelon Ki Prol	Jaisalmer
217	Kirti Stambha	Ola
218	Kuldhara Ancient village (whole village)	Jaisalmer
219	Ancient village Khabha (whole village)	Jaisalmer
220	Kishangarh Fort, Kishangarh	Jaisalmer
221	Ghotaru Fort, Ghotaru	Jaisalmer
222	Ganeshia Fort, Bichia Chod	Jaisalmer
District-Jalore		
223	Jalore Fort	Jalore
224	Tophkhana	Jalore

225	Ancient Cenotaphs, Bhadrajune	Ahor
District-Jhalawar		
226	Fort	Gagron
227	Dargah Meethe Sahab	Gagron
228	Padma Nabhi/Sun Temple	Jhalara Patan
229	Antiquities of Dehalanpur	Dehalanpur, Aklera
230	Antiquities of Mau Borda	Mau Borda, Khanpur
231	Chhaneri Paneri Temple	Jhalrapatan
232	Madan Vilas	Jhalrapatan
233	Garh Palace	Jhalawar
District-Jodhpur		
234	Jodhpur Fort	Jodhpur
235	Hari-Har Temple-1	Osian
236	Hari-Har Temple-2	Osian
237	Hari-Har Temple-3	Osian
238	Hari-Har Temple-4	Osian
239	Hari-Har Temple-5	Osian
240	Sun Temple	Osian
241	Shiv Temple	Osian
242	Piplad Mata Temple	Osian
243	Vishnu Temple	Osian
244	Jain Temple	Osian
245	Sachiya Mata Temple	Osian
246	Baori (Jalara or Jhalara)	Osian
247	Heroes Hall (Veeron ki Dalan)	Mandore
248	Cenotaph of Rao Mal Deva	Mandore
249	Cenotaph of Motaraja Udai Singh	Mandore
250	Cenotaph of Sawai Raja Sur Singh	Mandore
251	Cenotaph of Raja Gaj Singh	Mandore
252	Cenotaph of Maharaj Jaswant Singh-I	Mandore
253	Cenotaph of Maharaj Ajeet Singh	Mandore
254	Cenotaphes at Panch Kunda	Mandore
255	Kakku Deval and Kirti Stambha	Ghatiyala
256	Sculpture of Tokeshwara Maharaj	Mandore
257	Ravana ki Chanwari	Mandore
258	City wall Jodhpur	Jodhpur
259	Shiv Mandir, Lamba (Khasra No. 1529)	Bilara
260	Vishnu & Shiv Mandir, Buchakala	Bilara
261	Prachin, Mandir, Gangana (Khasra No. 123)	Jodhpur
262	Prachin Mahal, Sursagar	Jodhpur
263	Durg Phalodi	Phalodi
264	Zanana Mahal	Mandore
265	Harsh ka Deval (Shiv Temple)	Varna (Bilara)
266	Prachin Shiv Temple Baori, Bhopalgarh	Bhopalgarh
267	Prachin Shivalay, Bhundana	Bhopalgarh
District-Jhunjhunu		
268	Fort, with fortified including all structures (surrounding	Khetri

	100 meter control area)	
269	Fatehvilas Mahal, with fortified including all structures (surrounding 100 meter control area)	Khetri
270	Panna Lal Shah Talab, with fortified including all structures (surrounding 100 meter control area)	Khetri
271	Temple of Raghunath Ji, with fortified including all structures (surrounding 100 meter control area)	Khetri
272	Temple of Madan Mohan Ji, with fortified including all structures (surrounding 100 meter control area)	Khetri
District-Karoli		
273	Timan Garh Fort	Karoli
274	Shahi Kund	Karoli
275	Tomb of Kabirshah	Karoli
District-Kota		
276	Brij Vilas	Kota
277	Bada Talab and Jag Mandir	Kota
278	Kabren of Kesar Khan and Dokar Khan	Kota
279	Shiv Temple	Haripura
280	Sun Temple	Budhadeet
281	Badri Nath and Parshva Nath Temples group	Auwa
282	Cave Paintings	Alaniya
283	Temple group	Kanwas
284	The Fortification	Darrah
285	Gaipar Nath	Rata Kankara
286	Shiv Math Mandir, Chandresal	Kota
287	Group of Temple, Manas village	Kota
288	Ancient Shiv Temple, Bargu	Sangod
289	Group of temples	Thoonpur
District-Nagaur		
290	Fort	Nagaur
291	Tarkin/Buland Darwaja	Nagaur
292	Cenotaph of Amar Singh	Nagaur
293	Akabari Maszid or Shahi Maszid	Nagaur
294	Malkot Fort	Merta city
295	Shiv Temple	Kekind
296	Phul Baori and large sculptures with 50 meters area around at village chotikhathu (Khasra No. 1460)	Choti Khatu
297	Shiv Temple	Thanwala
298	Mandir-Maszid	Ladnun
299	Dadhimati Mata Mandir	Goth Manglod, Nagaur
300	Appaji Sindhiya ki chhatri	Tausor, Nagaur
301	Devi Mandir, Khundala, Including 50 Mtrs Surrounding Area	Khinvsor
302	Chhatriyan Tantvas	Khinvsor
303	Meera Mahal, Merta City	Mertacity
304	Rao Dudagarh	Mertacity
305	Pada Mata, Mandir, Gram Balia	Didvana
306	Nathon ka Math, Gram Badali	Nagaur

307	Sham ki Masjid	Nagaur
308	Akbari Masjid of Nagaur	Nagaur
District-Pali		
309	Makar Mandi Mata Temple	Nimaj
310	Sun Temple	Ranakpur
311	Sojat Durg	Sojat City
District-Pratapgarh		
312	Inscription with pillar of shung period in Brahmi & surrounding area of 50 Mtrs of four side. (Khasra No. 398)	Anwaleshwar
District-Rajsamand		
313	Charbhuj Temple	Khamnor
314	Durga Mandir	Unwas
District-Sirohi		
315	Sun Temple	Varman
316	Ancient fortification wall, Chandravati, Khasra No. 89/1, 90, 91, 92, 93, 94, 95, 96 and 209	Sirohi
District-Sikar		
317	Fort of Fatehpur	Fatehpur
318	Temple of Omal-Somal Devi Saledipur	Khandela Sri Madhopur
319	Chand Singh ki Chhatri, Ganeri control Area of 15 Mtrs of four sides	Laxmangarh
District-Sawaimadhopur		
320	Rest House at Mora Sagar Bandh	Bamanwas
321	Rest House at Dheel Bandh	Bonli
322	Rest House at Gilai Sagar Bandh	Khandar
District-Tonk		
323	Sunehari Kothi	Nazarbagh, Tonk
District-Udaipur		
324	Jagdish Temple	Udaipur
325	Moti Magari ke Prasad	Udaipur
326	Gangodbhe Kund	Ahar
327	Group of Shiv Temple	Ahar
328	Meera Temple	Ahar
329	Cenotaph of Raja Rama Shah's Sons	Ahar
330	Meera Temple	Kailashpuri
331	Ramnath Temple and Baori	Jawar
332	Kesariya ji Temple	Dhooleva
333	Ambika Temple	Jagat
334	Sun Temple	Toos
335	Vishnu Temple	Iswal
336	Temple	Kathadavana
337	Shiv Temple	Paladi
338	Temple of Tripurusha Deva	Ghasa
339	Sun Temple	Nandesama
340	Shiv Temple	Amarakji
341	Pratimaon Ka Chabutra (Mataji Ka Than)	Tanesar
342	Sajjangarh	Udaipur

List of State Protected Sites

S.No.	Name of the sites	Place
	District- Jaipur	
1	Ancient, Site, Agatari	Agatari
2	Ancient, Site, Gondi	Gondi
3	Ancient, Site, Jodhpura	Jodhpura
4	Ancient, Site, Khera	Khera
5	Ancient, Site, Mongli	Mongli
6	Ancient, Site, Rajnota	Rajnota
7	Ancient, Site, Ismailpur	Virat Nagar
	District- Udaipur	
8	Ancient mound of Dhulkot	Ahar
9	Ancient Site of Darauli	Darauli
10	Ancient Mound	Karanpura
11	Ancient Site Balathal	Balathal
	District- Sirohi	
12	Chandrawati Site	Chandrawati
	District- Jhalawar	
13	Ancient Site Gangadhara	Gangadhara
14	Ancient Site Bhingarh	Bhimgarh
	District- Dungarpur	
15	Ancient Site of Amjhara	Amjhara
	District-Chittorgarh	
16	Ancient Site of Ranimaliya	Near Bansi
	District-Ganganagar	
17	Ancient Site of Pallu	Nohar
□18	District-Ganganagar	Anupgarh/Suratgarh
	a) Ancient Site Chak 72/1 and 72/2	
	b) Ancient Site Chak 39/1 and 39/2	
	c) Ancient Site Chak 40 and 43	
	d) Ancient Site Chak 11, 15, 21, 77	
	e) Ancient Site Gama ki Dhani	
	f) Ancient Site Rerh	
	g) Ancient Site Bhagwansar, Karnisar, Mamanwali, Rampura, Amarpura, Jessar, Bugian	
	District-Kota	
19	Ruins of Asalpur	Asalpur

20	Ruins of Old temples	Relawana
21	Ancient Site of Agar	Agar
22	Ancient Site of Dhulet	Dhulet
23	Ancient Site of Kelwana	Kelwana
24	Old Statues and art pieces at the residence of Sri. Bidya Ratna Bhatnagar	Kotah
25	Mahadeo and Ganpati image	Kotah
	District-Bharatpur	
26	Ancient Mound, Unchageon	Unchageon
27	Ancient Mound, Helak Ki Roondh	Helak Ki Roondh
28	Ancient Mound, Aghapur	Aghapur
29	Ancient Mound, Kama	Kama
30	Ancient Mound, Bilara Chhota	Bilara Chhota
31	Ancient Mound, Pengore	Pengore
32	Ancient Mound, Ajah	Ajah
33	Ancient Mound, Barah	Barah
34	Ancient Mound, Au	Au
35	Ancient Mound, Jaghina	Jaghina
36	Ancient Mound, Kherara	Kherara
37	Ancient Mound, Uchchain	Uchchain
38	Ancient Mound, Menhagya	Menhagya
39	Ancient Mound, Abdulpur	Abdulpur
40	Ancient Mound, Katara	Katara
	District-Jaisalmer	
41	Fossil Park	Akal Jodha
	District-Pali	
42	Old mound (Juna Kheda) with antiquities Near village Nadol in Pali District, khasara No. 3851	Junakheda
	District-Sikar	
43	Ancient Site	Ganeshwar

List of State Protected Monuments of Archaeological Survey of India in Rajasthan

S.No.	Name of Monument/Site	Locality	District
District - Alwar			
1.	Ancient Site	Bhangarh	Alwar
2.	Shiva Temple	Neelkanth	Alwar
3.	Ancient Remains	Pandrupol	Alwar
4.	Lal Masjid	Tijara	Alwar
5.	Baori and Adjacent Archaeological Remains	Neemrana	Alwar
District - Baran			
6.	Ruins of Temples	Atru/Ganeshganj	Baran
7.	Yupa Pillars	Badva	Baran
8.	Temple (12 th Century) untraceable	Baran	Baran
9.	Ancient Ruins and Structural Remains	Krishna-vilas	Baran
10.	Old Temple, Statues and Inscriptions	Shergarh	Baran
District - Bharatpur			
11.	Akbar's Chhatri	Bayana	Bharatpur
12.	Ancient Fort with its monuments	Bayana	Bharatpur
13.	Jahangir's Gateway	Bayana	Bharatpur
14.	Jhajri	Bayana	Bharatpur
15.	Lodhi's Minar	Bayana	Bharatpur
16.	Saraj Sad-ul-lah	Bayana	Bharatpur
17.	Usa Mandir	Bayana	Bharatpur
18.	Delhi Gate outside the Fort	Bharatpur	Bharatpur
19.	Fateh Burj near Anah Gate	Bharatpur	Bharatpur
20.	Jawahar Burj and Ashtadhatu Gateway	Bharatpur	Bharatpur
21.	Idgah	Brahmabad	Bharatpur
22.	Islam Shah's Gate	Brahmabad	Bharatpur
23.	Deeg Bhawans	Deeg	Bharatpur
24.	Looted Gun	Deeg	Bharatpur
25.	Marble Jhoola	Deeg	Bharatpur
26.	Chaurasi Khamba Temple	Kaman	Bharatpur
27.	Ancient Mound	Malah	Bharatpur
28.	Ancient Mound	Noh	Bharatpur
29.	Colossal Image of Yaksha	Noh	Bharatpur
30.	Lal Mahal	Rupvas	Bharatpur
31.	Fortwalls including Chowburja Gate and Approach Bridge at the Chowburja and Ashtadhatu Gate	Bharatpur	Bharatpur
32.	Moat surrounding the Fort Wall	Bharatpur	Bharatpur
33.	Mahakal and two other temples	Bijolia	Bharatpur
District - Bhilwara			
34.	Rock Inscription (12 th Century)	Bijolia	Bhilwara
35.	Rock Inscription within the parasvanath Temple compound (12 th C.A.D.)	Bijolia	Bhilwara
36.	Ancient Temple known as Kaner-ki-Putli	Khadipur	Bhilwara

District - Bundi			
37.	Ancient Mound	Keshavrai Patna	Bundi
38.	Ancient Mound	Nainwa	Bundi
39.	Wall Paintings of Hadoti School in the Palace	Bundi	Bundi
District - Dausa			
40.	Ancient Mound	Abaneri	Dausa
41.	Baori	Abaneri	Dausa
42.	Harsat Mata-ka-Mandir	Abaneri	Dausa
43.	Banjaron-ki-Chhatri containing pillars similar to the railing pillars of Bharhut Stupa	Lalsot	Dausa
44.	Ancient Mound	Maheshra	Dausa
45.	Ancient Mound	Raniwas	Dausa
46.	Ancient Mound	Sikrai	Dausa
District – Dholpur			
47.	Jogni Jogna Temple	Sone-ka-Gurja	Dholpur
48.	Shergarh Fort	Dholpur	Dholpur
49.	Babur's Garden	Jhor	Dholpur
District – Jaipur			
50.	Jama Masjid	Amber	Jaipur
51.	Lamxi Narain Temple	Amber	Jaipur
52.	Sri Jagat Siromani Temple	Amber	Jaipur
53.	Sun Temple	Amber	Jaipur
54.	Excavated Site	Bairat	Jaipur
55.	Punderikji-ki-Haveli – Paintings in a room	Brahmpuri (Jaipur)	Jaipur
56.	Temple containing Fresco Paintings	Galtaji (Jaipur)	Jaipur
57.	Excavated Site	Sambhar	Jaipur
58.	Fortress known as Medhaji ka Mahal	Jamwaramgarh	Jaipur
District -Jhalawar			
59.	Buddhist Caves and Pillars	Binayaga	Jhalawar
60.	Caves of Niranjani etc.	Binayaga	Jhalawar
61.	Ancient Ruins	Dalsagar/Gangdhar	Jhalawar
62.	Ancient Ruins	Dhudhaliya	Jhalawar
63.	Buddhist Cavaes	Hathiagor	Jhalawar
64.	Buddhist Cavaes, Pillars & Idols	Kolvi	Jhalawar
65.	Old Temples near the Chandrabhaga	Jhalrapatan	Jahalwar
District – Karauli			
66.	Wall Paintings in the Gopal Lal	Karauli	Karauli
District - Kota			
67.	Siva Temple & 2 unpublished Gupta Inscriptions	Charchoma	Kota
68.	Temple, Fortwall & Statues	Darra	Kota
69.	Temple with Inscription	Kanswa	Kota
District – Sawai Madhopur			
70.	Ranthambhor Fort	Ranthambhor	Sawai Madhopur
71.	Jain Temple	Alanpur	Sawai

			Madhopur
72.	Persian Inscription in a Baori	Alanpur	Sawai Madhopur
District - Tonk			
73.	Harshnath Temple	Harsh	Sikar
74.	Bisal Deoji's Temple	Bisalpur	Tonk
75.	Ancient Mound	Bundwali Doongari	Tonk
76.	Ancient Mound	Gariagarh/Newai	Tonk
77.	Devapura Barodia Mounds	Jhalai	Tonk
78.	Hathi Bhata	Khwra/Kakor	Tonk
79.	Ancient Mound	Nagar	Tonk
80.	Excavated Site	Nagar	Ton
81.	Mand Kila Tal Inscription	Nagar	Tonk
82.	Yupa Pillars in Bichpuria Temple	Nagar	Tonk
83.	Inscription in Fort (untraceable)	Nagar	Tonk
84.	Inscription	Panwar	Tonk
85.	Excavated Site	Rairh/Newai	Tonk
86.	Kala Pathar Temple	Todarai Singh	Tonk
87.	Kalyan Rai Temple	Todarai Singh	Tonk
88.	Laxmi Narainji's Temple Locality known as Gopinath Temple	Todarai Singh	Tonk
89.	Old Baori locality known as Hadi-Rani-ka-Kund	Todarai Singh	Tonk
90.	Pipaji's Temple	Todarai Singh	Tonk
District - Ajmer			
91.	The Adhai Din Ka Jhopra	Ajmer	Ajmer
92.	One Baori on the Ajmer-Jaipur Road	Ajmer	Ajmer
93.	The Badshahi Haveli in the Naya Bazar	Ajmer	Ajmer
94.	Delhi Gate consisting of one Archway	Ajmer	Ajmer
95.	Gateway of Taragarh Hill	Ajmer (Taragarh)	Ajmer
96.	The Marble Pavilions and Balustrade on the Ana Sagar Bund and the Ruins of the Marble Hammam behind the Ana Sagar Bund	Ajmer	Ajmer
97.	Saheli Bazar Buildings in Daulat Bagh	Ajmer	Ajmer
98.	Tomb of Allauddin Khan known as 'Sola Khamba'	Ajmer	Ajmer
99.	Tombs of Abdulla Khan and His Wife	Ajmer	Ajmer
100.	Tripolia Gate	Ajmer	Ajmer
101.	Magazine Buildings in the Ajmer Fort	Ajmer	Ajmer
102.	Kos Minar erected by emperor Akbar	Ajmer-Jaipur Road	Ajmer
103.	Kos Minar erected by emperor Akbar	Ajmer-Jaipur Road	Ajmer
104.	Kos Minar erected by emperor Akbar	Chatri	Ajmer
105.	One Sarai	Chatri Village	Ajmer
106.	Kos Minar erected by emperor Akbar	Ghugra	Ajmer
107.	Kos Minar erected by emperor Akbar	Hushiara	Ajmer
108.	Kos Minar erected by emperor Akbar	Hushiara	Ajmer
109.	Kos Minar erected by emperor Akbar	Kair	Ajmer

110.	Kos Minar erected by emperor Akbar	Khanpura/Kayampura	Ajmer
111.	Mahal Badhshai at Pushkar	Pushkar	Ajmer
112.	Brahma Ji Temple	Pushkar	Ajmer
District - Banswara			
113.	Siva Temple and Ruins	Arthuna	Banswara
114.	Ancient Remains	Vithal Deva	Banswara
District - Bikaner			
115.	Bhandasar Jain Temple	Bikaner	Bikaner
116.	Jain Temple of Susani Goddess	Morkhana Village	Bikaner
District – Chittaurgarh			
117.	Ghateshwar Temple	Badoli	Chittaurgarh
118.	Kund	Badoli	Chittaurgarh
119.	Shrinagar Chawri	Badoli	Chittaurgarh
120.	Temple of Ashtamata	Badoli	Chittaurgarh
121.	Temple of Ganesh	Badoli	Chittaurgarh
122.	Temple of Sheshashayan	Badoli	Chittaurgarh
123.	Temple of Shiv and Kund	Badoli	Chittaurgarh
124.	Temple of Trimurti	Badoli	Chittaurgarh
125.	Temple of Vamanavantar known as Narad Temple	Badoli	Chittaurgarh
126.	Fort Chittaur as a whole	Chittaur	Chittaurgarh
127.	Menal (Mahanal) Temple and Math	Menal	Chittaurgarh
128.	Hathiwada enclosure with inscription together with adjacent land in Survey plot no. 301	Nagari	Chittaurgarh
129.	Ancient Ruins in whole Survey No. 991, 992, 993, 994/1, 994/3, 995, 996, 997, 998, 999, 1000 and 1002	Nagari	Chittaurgarh
130.	Archaeological Site and Remains at Jeora comprised in survey plot no. 416	Nilodh/Jeora	Chittaurgarh
District - Dungarpur			
131.	Jain Temple inscription	Baroda	Dungarpur
132.	Somnath Temple	Dev Somnath	Dungarpur
District - Ganganagar			
133.	Ancient Mounds (2)	Mathula	Ganganagar
134.	Ancient Mounds	Chak-86	Ganganagar
135.	Ancient Mounds	Bhannar Their	Ganganagar
136.	Ancient Mounds (2)	Binjor	Ganganagar
137.	Ancient Mounds	Baror	Ganganagar
138.	Ancient Mounds	Rang Mahal	Ganganagar
139.	Ancient Mounds	Tarkhanewala Dera	Ganganagar
District - Hanumangarh			
140.	Ancient Mounds	Badopal	Hanumangarh
141.	Ancient Mounds	Bhadraki	
142.	Ancient Mounds	Dhokal	Hanumangarh
143.	Fort Bhatner	Hanumangarh	Hanumangarh

144.	Ancient Mounds (3)	Kalibangan	Hanumangarh
145.	Ancient Mounds	Manak	Hanumangarh
146.	Ancient Mounds	Munda	Hanumangarh
147.	Ancient Mounds	Peer Sultan	Hanumangarh
148.	Ancient Mound	Pilibanga	Hanumangarh
District - Jaisalmer			
149.	Fort including ancient temples	Jaisalmer	Jaisalmer
150.	Ancient Site	Lodruva Patan	Jaisalmer
151.	Fort	Mandore	Jodhpur
District - Rajsamand			
152.	Fort of Kumbhalgarh as a whole	Kumbhalgarh	Rajsamand
153.	Ghat with inscriptions pavilions and toranas, (together with Adjacent area comprised in survey plot no. 344)	Nav Chowki/Rajsamand	Rajsamand
154.	Archaeological site and remains comprised in Survey plot no. 938, 941, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073 and 1074	Gilund (Bhagwan Pura)	Rajsamand
155.	Haladi Ghati	Haladi Ghati Dara	Rajsamand
156.	Badshahi Bagh	Shahi Bagh	Rajsamand
157.	Chetak Samadhi	Chetak Samadhi	Rajsamand
158.	Rakta Talai	Rakta Talai	Rajsamand
District - Udaipur			
159.	Ancient Ruins	Kalyanpur	Udaipur
160.	SasBahu Temples	Nagada	Udaipur
161.	Pratap Smarak	Chavand	Udaipur
162.	Mahal Known as Hawa Mahal	Veerpura (Jaisamand)	Udaipur
163.	Hawa Mahal known as Roothi Rani ka Mahal	Veerpura (Jaisamand)	Udaipur