

ANTIQUITIES ACT 1975

(As amended in 1992)

DEPARTMENT OF ARCHAEOLOGY & MUSEUMS GOVERNMENT OF PAKISTAN

ACT NO.VII OF 1976

An Act to repeal and re-enact the law relating to the preservation and protection of antiquities

Whereas it is expedient to repeal and re-enact the law relating to the preservation and protection of antiquities and to provide for matters connected therewith or ancillary thereto:

It is hereby enacted as follows:

1. SHORT TITLE, EXTENT AND COMMENCEMENT:

- (1) This act may be called the Antiquities Act, 1975.
- (2) It extends to the whole of Pakistan.
- (3) It shall come into force at once

2. DEFINITIONS:

In this Act unless there is anything repugnant in the subject or context:

- (a) “Advisory Committee” means the Advisory Committee constituted under section 3;
- * (b) “ancient” in relation to an antiquity, means an antiquity which has been in existence for a period of not less than seventy five years.
- (c) “antiquity” means.
 - (i) any ancient product of human activity, movable or immovable, illustrative of art, architecture, crafts, customs, literature, morals, politics, religion, warfare or science or of any aspect of civilization or culture.
 - (ii) any ancient object or site of historical, ethnographical, anthropological, military or scientific interest;
 - (iii) any national monument; and
 - (iv) any other object or class of such objects declared by the Federal Government, by notification in the official Gazette, to be an antiquity for the purposes of this Act;

*Clause (b) of section 2 amended vide Act No. XXI of 1992.

- (d) “Dealer” means a person engaged in the business of buying and selling antiquities; and “deals in antiquities” means to carry on such business;
- * (e) “Director General” means the Director General of Archaeology, Government of Pakistan, and includes an Officer authorised by him to exercise or perform all or any of the powers or functions of the Director General under this Act;
- (f) “export” means taking out of Pakistan by land, sea or air.
- (g) “immovable antiquity” means as antiquity of any of the following descriptions, namely;
 - (i) any archaeological deposit on land or under water;
 - (ii) any archaeological mound, tumulus, burial place or place of internment, or any ancient garden, structure, building, erection or other work of historical, archaeological, military or scientific interest;
 - (iii) any rock, cave or other natural object of historical, archaeological, artistic or scientific interest or containing sculpture, engraving, inscription or painting of such interest and includes:
 - (1) any gate, door, window, paneling, dado, ceiling inscription, wall-painting, wood work, metal work or sculpture or any other thing which is attached or fastened to an immovable antiquity.
 - (2) The remains of an immovable antiquity;
 - (3) The site of an immovable antiquity;
 - (4) such portions of land or water adjoining the site of an immovable antiquity as are reasonably required for fencing or covering or otherwise preserving such antiquity.
 - (5) the reasonable means of access to, and convenient inspection of an immovable antiquity; and
 - (6) any urban site, street, group of buildings or public square of special value which the Federal Government, being of the opinion that its preservation is a matter of public interest by reason of its arrangement, architecture or materials of construction, by notification in the official Gazette, declares to be an immovable antiquity for the purpose of this Act.;

*Clause (e) of section 2 amended vide Act No. XXI of 1992.

- (h) “national monuments” means any building, structure, erection, place of internment, garden, portion of land or any other place or thing of national importance as may be determined and notified as such from time to time by the Federal Government in consultation with Advisory Committee.
- (i) “owner” includes:
 - (i) any person legally competent to act on behalf of the owner, when by reason of infancy or other disability the owner is unable to act;
 - (ii) a joint owner invested with powers of management on behalf of himself and other joint owners and the successor in interest of such owner; and
 - (iii) any manager or trustee exercising the powers of management and the successor in office of such manager or trustee;
- (j) “protected antiquity” means an antiquity which is declared under section 10 to be protected antiquity; and
- (k) “rules” means rules made under this Act.

3. ADVISORY COMMITTEE:

*(1) For the purpose of this Act, the Federal Government shall by notification in the Official Gazette, constitute an Advisory Committee comprising of such members including one member each from the Senate and the National Assembly, as may be deemed necessary. The Chairman of the Advisory Committee shall be the member of Parliament.

(2) No act or proceeding of the Advisory Committee shall be deemed to be invalid by reason only of the existence of a vacancy in, or defect in the constitution of, the Committee

4. DISPUTE AS TO WHETHER ANY PRODUCT, ETC. IS AN ANTIQUITY:

If any question arises whether any product object or site is an antiquity with the meaning of this Act it shall be referred to the Federal Government which shall, after consultation with the Advisory Committee, decide the same; and the decision of the Federal Government shall be final.

5. CUSTODY, PRESERVATION, ETC., OF CERTAIN ANTIQUITIES:

(1) Where the Director General receives any information or otherwise has the knowledge of the discovery or existence of an antiquity of which there is no owner, he shall, after satisfying himself as to the correctness of the information or knowledge, take such steps as he may consider necessary for the custody, preservation and protection of the antiquity.

(2) Where the owner of an antiquity is not traceable the Director General may with the approval of the Federal Government, take such steps as he may consider necessary for the custody, preservation and protection of the antiquity.

* Sub-Section (1) of section 3 substituted vide Act No. XXI of 1992

***5A. ACCIDENTAL DISCOVERY OF ANTIQUITY TO BE REPORTED TO DIRECTOR GENERAL.**

(1) Whoever discovers, or finds accidentally, any movable antiquity shall inform the Director General within seven days of its being discovered or found and preserve it for the period specified in sub-section (2).

(2) If, within seven days of his being informed under sub-section (1) of the discovery of movable antiquity or of a moveable antiquity having been found, the Director General decides to take over the antiquity for purposes of custody, preservation and protection the person discovering or finding it shall hand it over to the Director General or a person authorized by him in writing.

** (3) Where the Director General decides to take over an antiquity he may pay to the person by whom it is handed over to him such cash reward as the Advisory Committee may deem fit.

(4) If any person who discovers or finds any movable antiquity contravenes the provisions of sub-section (1) or sub-section (2), he shall be punishable with imprisonment for a term which may extend to three years, or with fine or with both and the court convicting such person shall direct that the antiquity in respect of which such contravention has taken place shall stand forfeited to the Federal Government.

6. POWER OF ENTRY, INSPECTION ETC.:

(1) The Director General may, after giving reasonable notice enter into, inspect and examine any premises, place or area which or the sub-soil of which he may have reason to believe to be, or to contain an antiquity and may cause any site, building, object or any antiquity or the remains of any antiquity in such premises, place or area to be photographed copied or reproduced by any process suitable for the purpose.

(2) The owner or occupier of the premises, place or area shall afford all reasonable opportunity and assistance to the Director General for the purposes of sub-section (1).

(3) No photograph, copy of reproduction taken or made under or for the purpose of sub-section (1) shall be sold or offered for sale except by or with the consent of the owner of the object of which the photograph, copy or the reproduction has been taken or made.

(4) Where substantial damage is caused to any property as a result of the inspection under sub-section (1), the Director General shall pay to the owner thereof reasonable compensation for the damage.

7. ACQUISITION OF LAND CONTAINING ANTIQUITIES:

If the Federal Government has reasonable grounds to believe that any land contains any antiquity it may direct the Provincial Government to acquire such land or any part thereof; and the Provincial Government shall thereupon acquire such land or part under the Land Acquisition Act, 1894 (I of 1894), as for a public purpose.

*Section 5A inserted vide Ordinance NO. XLII of 1978.

** Sub-section (3) of section 5A amended vide Act. No. XXI of 1992.

8. PURCHASE, TAKING LEASE, ETC., OF ANTIQUITY:

(1) The Director General may, with the previous sanction of the Federal Government, purchase, or take lease or accept a gift or bequest of, an antiquity.

(2) The Director General may receive voluntary contributions and donations for the acquisition, preservation or restoration of antiquities and may make suitable arrangements for the management and application of the fund created by such contributions and donations:

Provided that a contribution or donation made for any specified purpose shall not be applied to any purpose other than that for which it has been made.

9. RIGHT OF PRE-EMPTION IN CASE OF A SALE OF ANTIQUITY:

(1) Where the Director General receives any information or otherwise has the knowledge that any antiquity or any immovable property containing an antiquity is offered for sale or is about to be sold, he may, with the approval of the Federal Government, exercise the right of pre-emption with respect to such antiquity or property and, if he intends to exercise the right, shall give to the person competent to sell a notice in writing accordingly.

(2) If the Director General does not exercise with respect to any antiquity or property the right of pre-emption within a period of three months from the date of notice given under sub-section (1), the antiquity or property may be sold to any person after the expiry of the said period and a notice of such sale shall be given to the Director General.

(3) Save as provided in sub-section (2), no antiquity or property in respect of which a notice under sub-section (1) has been given shall be sold to any person.

(4) All sales in contravention of sub-section (3) shall be void and the antiquity or property so sold shall be forfeited to the Federal Government.

10. DECLARATION OF PROTECTED ANTIQUITIES:

(1) The Federal Government may, by notification in the official Gazette, declare any antiquity to be a protected antiquity for the purposes of this Act.

(2) A copy of a notification under sub-section (1) shall be served on the owner of the antiquity and in the case of an immovable antiquity, shall also be fixed up in a conspicuous place of or near the antiquity.

(3) A notification under sub-section (1) shall, unless it is cancelled by the Federal Government, be conclusive evidence of the fact that the antiquity to which it relates is a protected antiquity for the purpose of this Act.

(4) Antiquities declared to be protected antiquities under the Antiquities Act, 1968 (XIV of 1968), and ancient monuments deemed to be protected antiquities for the purpose of that Act, shall be deemed to be protected antiquities for the purpose of this Act.

11. REPRESENTATION AGAINST DECLARATION OF PROTECTED ANTIQUITIES:

(1) The owner of an antiquity to which a notification under section 10 relates, or any person having any right or interest in the antiquity, may, within three months of the service of a copy of the notification, make a representation in writing to the Federal Government against the notification.

(2) Upon the receipt of a representation under sub-section (1) against a notification, the Federal Government after giving the person an opportunity of being heard and after consultation with the Advisory Committee, may, if it is satisfied that there are good and sufficient reasons for objection to the notification, cancel it.

12. THE GUARDIANSHIP OF ANTIQUITY BY AGREEMENT:

(1) The owner of any immovable antiquity or protected antiquity may, by an agreement in writing constitute the Director General, the guardian of such antiquity and the Director General may with the previous sanction of the Federal Government accept such guardianship.

(2) Where the Director General has accepted the guardianship of an antiquity in pursuance of an agreement under sub-section (1), the owner shall, except as expressly provided in this Act and in the agreement have the same right, title and interest in and to the antiquity as if the Director General had not been constituted the guardian thereof.

(3) An agreement under this section in relation to an antiquity may provide for all or any of the following matters namely:

- (a) the maintenance of the antiquity;
- (b) the custody of the antiquity and the duties of any person who may be employed to watch it;
- (c) the restrictions upon the right of the owner to alienate, destroy, remove, alter or deface the antiquity or to build on or near the site of the antiquity;
- (d) the facilities of access to be allowed to the public;
- (e) the facilities to be allowed to persons deputed by the owner or the Director General for inspection and maintenance of the antiquity;
- (f) the expenses to be incurred in connection with the preservation of the antiquity and payment of such expenses if incurred by the owner;
- (g) compensation to be paid for any loss sustained by the owner or occupier or any other person as a result of the enforcement or observance of the agreement; and
- (h) any other matter connected with the custody, management and preservation of the antiquity;

(4) The terms of an agreement under this section may be altered from time to time with the sanction of the Federal Government and with the consent of the owner.

(5) An agreement under this section in relation to an antiquity may be terminated upon six month's notice in writing given by the Director General with the previous sanction of the Federal Government, to the owner or by the owner to the Director General.

13. PURCHASERS AT CERTAIN SALES AND PERSON CLAIMING THROUGH OWNER BOUND BY AGREEMENT ENTERED INTO BY OWNER;

Notwithstanding anything contained in any other law for the time being in force, every person, who, at a sale for the recovery of arrears of land revenue or any other public demand,

purchases any land or property, or any right or interest in land or property, which contains, or in which is situated an antiquity in respect of which an agreement under section 12 subsists, and every person claiming any title to any antiquity from through or under an owner who entered into such agreement, shall be bound by such agreement.

***13A. OWNERSHIP OF BURIED ANTIQUITIES;**

Notwithstanding anything contained in any other law for the time being in force, the ownership of all buried antiquities shall vest in the Federal Government.

14. APPLICATION OF ENDOWMENT FOR MAINTENANCE AND PRESERVATION OF ANTIQUITY;

(1) Where any endowment has been created for the maintenance and preservation of any protected antiquity, for or that purpose among others, and the owner or other person competent in this behalf fails in the proper application of such endowment and, when proposed to him by the Director General, refuses or fails to enter into an agreement under section 12, the Director General may for the proper application of such endowment or part thereof, institute a suit in the Court of the District Judge, or, where the estimated cost of maintaining and preserving the antiquity does not exceed one thousand rupees, make an application to the District Judge.

(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 the decree of a Civil Court.

***15. COMPULSORY ACQUISITION OF PROTECTED IMMOVABLE ANTIQUITY:**

(1) If the Federal Government apprehends that a protected immovable antiquity is in danger of being destroyed, injured or allowed to fall into decay, it may, direct the Provincial Government to acquire such antiquity or any part thereof; and the Provincial Government shall thereupon acquire such antiquity or part under the Land Acquisition Act, 1894 (I of 1894), as for a public purpose.

(2) The power of compulsory acquisition under sub-section (1) shall not be exercised in the case of---

- (a) any antiquity which or any part of which is periodically used for religious observances; or
- (b) any antiquity which is the subject of a subsisting agreement under section 12.

16. COMPULSORY ACQUISITION OF MOVABLE ANTIQUITIES:

(1) If the Federal Government is of the opinion that any movable antiquity should, by reason of its cultural, historical or archaeological importance, be acquired for the purpose of preservation, the Federal Government may, by order in writing addressed to the owner, acquire such antiquity:

*Inserted vide Act No. XXI 1992

*Sub-Section (1) clause (b) of sub-section (2) amended and clause (c) omitted vide Act No. VI of 1977

Provided that the power to acquire under this sub-section shall not extend to-----

- (a) Any image or symbol in actual use for the purpose of any religious observance; or
- (b) Anything which the owner desired to retain on any reasonable ground personal to himself or to any of his ancestors or to any member of his family.

(2) When an order under sub-section (1) has been served upon the owner, the antiquity to which the order relates shall immediately vest in the Federal Government free from all encumbrances and the owner shall be entitled to compensation, the amount of which shall be determined in the manner, and in accordance with the principles, hereinafter set out that is to say,---

- (a) where the amount of compensation can be fixed by agreement, it shall be paid in accordance with such agreement.
- (b) where no such agreement can be reached, the Federal Government shall appoint as arbitrator a person who has been, or is qualified for appointment as, a Judge of a High Court;
- (c) at the commencement of the proceedings before the arbitrator, the Federal Government and the person to be compensated shall state what in their respective opinions is a fair amount of compensation;
- (d) the arbitrator in making his award shall have regard to the price which the antiquity is likely to fetch on a sale in open market between a buyer and a seller independent of each other;
- (e) an appeal shall lie the High Court against any award of an arbitrator except in case where the amount thereof does not exceed an amount prescribed in this behalf by rules; and
- (f) save as provided in this sub-section and in any rules make in this behalf nothing in any law for the time being in force shall apply to arbitrations under this sub-section.

17. PROTECTION OF PLACE OF WORSHIP FROM MISUSE, ETC.;

(1) A place of worship or shrine, being an antiquity maintained by the Federal Government shall not be used for any purpose inconsistent with its character.

(2) A place of worship or shrine in respect of which the Director General has accepted guardianship in pursuance of an agreement under section 12 shall, unless the agreement otherwise provides, be maintained by the person in whom it is vested or, if there is no such person by the Federal Government.

(3) Where any antiquity in respect of which the Federal Government has acquired any right under this Act or the Director General has accepted guardianship is periodically used for religious worship or observances by any community, the Director General shall provide for the protection of such antiquity from pollution or desecration---

- (a) By prohibiting the entry therein except in accordance with the conditions prescribed with the concurrence of the person in charge of the antiquity, of

any person not entitled so to enter by the religious usages of the community by which the antiquity is used; and

- (b) By taking with the concurrence of the person in charge of the antiquity such other action as he may think necessary for the purpose.

(4) Whoever contravenes the provisions of sub-section (3) shall be punishable with imprisonment for a term, which may extend to three months, or with fine, or with both.

18. RESTRICTION ON USE OF PROTECTED IMMOVABLE ANTIQUITY:

A protected immovable antiquity shall not be used for any purpose inconsistent with its character or for a purpose other than that directly related to its administration and preservation.

19. PROHIBITION OF DESTRUCTION, DAMAGE, ETC., OF PROTECTED ANTIQUITIES:

(1) No person shall, except for carrying out the purposes of this Act, destroy, break, damage, alter, injure, deface or mutilate or scribble, write or engage any inscription or sign on, any antiquity or take manure from any protected antiquity.

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

(3) The court trying an offence under sub-section (2) may direct that the whole or any part of the fine recovered shall be applied in defraying the expenses of restoring the antiquity to the condition in which it was before the commission of the offence.

20. RESTRICTION ON REPAIRS, RENOVATION, ETC., OF PROTECTED IMMOVABLE ANTIQUITY:

(1) The owner of a protected immovable antiquity shall not make any alteration or renovation in, or addition to, the antiquity:

Provided that he may, with the permission of the Director General make minor adjustment considered necessary for the day-to-day use of the antiquity.

Provided further that the work for which permission has been given shall be carried out under the supervision of the Director General or a person authorized by him in his behalf.

(2) Whoever contravenes the provisions of sub-session (1) shall be punishable with rigorous imprisonment for a term which may extend to one year, or with fine, or with both.

21. DIRECTION TO THE OWNER TO TAKE MEASURES FOR PRESERVATION OF ANTIQUITY:

(1) Where the Director General considers that any antiquity is not being preserved or conserved properly by its owner, the Director General may, by order in writing, direct the owner to take such measures for its proper preservation and conservation, and within such time, as may be specified in the order.

(2) If the owner fails to take the measures specified in the order referred to in sub-section (1), the Director General may take all such measures in respect of the antiquity and the expenses incurred for the purpose shall be recoverable from the owner as an arrear of land revenue.

22. EXECUTION OF DEVELOPMENT SCHEMES AND NEW CONSTRUCTIONS IN PROXIMITY TO IMMOVABLE ANTIQUITY.

Notwithstanding anything contained in any other law for the time being in force, no development plan or scheme or new construction on, or within a distance of two hundred feet of a protected immovable antiquity shall be undertaken or executed except with the approval of the Director General.

23. PROHIBITION OF BILL POSTING, NEON SIGNS, OTHER KINDS OF ADVERTISEMENT ETC.

(1) No person shall put any neon signs or other kinds of advertisement, including bill posting, commercial signs, poles or pylons, electricity or telephone cables and television aerials, on or near any protected immovable antiquity.

(2) Whoever contravenes the provision of sub-section (1) shall be punishable with rigorous imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both.

(3) The court trying an offence under sub-section (2) may direct that the whole or any part of the fine recovered shall be applied in defraying the expenses of restoring the antiquity to the condition in which it was before the commission of the offence.

24. PENALTY FOR COUNTERFEITING ETC., OF ANTIQUITY:

(1) Whoever counterfeits, or commits forgery in respect of any antiquity with intent to commit fraud or knowing it to be likely that fraud will thereby be committed or causes anything to appear like, or to be believed to be, and antiquity with intent to cause wrongful gain to one person or wrongful loss to another person shall be punishable with imprisonment for a term which may extend to six months or with fine, or with both.

(2) The court trying an offence under sub-section (1) may direct that anything the making or forging of which has constituted such offence shall stand forfeited to the Federal Government.

25. DEALING IN ANTIQUITIES:

(1) No person shall deal in antiquities except under, and in accordance with, a license granted by the Director General.

(2) Every dealer shall maintain a register in such manner and form as the Director General may prescribe from time to time.

(3) A license granted under sub-section (1) may be cancelled by the Director General for the breach of any condition of the license.

(4) The Director General may, with a view to securing compliance with the provisions of this section:-

- (a) Require any person dealing in antiquities to give such information in his possession with respect to any business carried on by him as the Director General may demand.
- (b) Inspect or cause to be inspected any book, register or other document belonging to or under the control of any person dealing in antiquities; and

- (c) Enter and search, or authorize any officer subordinate to him to enter and search any premises and seize, or authorize any such officer or a police officer, to seize, any antiquity in respect of which he has reason to believe that a contravention of any provision of this section or a breach of any condition of the license has been committed.

(5) Whoever contravenes the provisions of this section shall be punishable with rigorous imprisonment for a term, which may extend to three years or with fine or with both.

(6) The court trying an offence under sub-section (5) may direct that any antiquity in respect of which the offence has been committed shall stand forfeited to the Federal Government.

26. EXPORT OF ANTIQUITIES:

(1) No person shall export any antiquity except under a license to be granted by the Director General:

- (a) For the temporary export of antiquities for the purpose or exhibition, examination or treatment for preservation; or
- (b) In accordance with agreement with foreign licenses for archaeological exploration and excavation within the term of their license; or
- (c) For the export of antiquities which are not of a unique nature in exchange for antiquities of any foreign country.

(2) All antiquities the export of which is prohibited under sub-section (1) shall be deemed to be goods of which the export has been prohibited under section 16 of the Custom Act, 1969 (IV of 1969), and all the provisions of that Act shall have effect accordingly except that the antiquity in respect of which the provision of that Act have been contravened shall be confiscated where confiscation is authorized under that Act.

27. TRAFFIC IN MOVABLE ANTIQUITIES:

(1) If the Federal Government apprehends that movable antiquities in any place in Pakistan are being sold or removed to the detriment of Pakistan, it may by notification in the official Gazette, prohibit or restrict the movement of any such antiquity or any class of such antiquities for such period and between such places in Pakistan as may be specified in the notification, except with, and in accordance with the terms of, the written permission of the Director General.

(2) Whoever contravenes the provisions of a notification under sub-section (1) shall be punishable with rigorous imprisonment for a term, which may extend to three years, or with both.

(3) The court trying an offence under sub-section (2) may direct that any antiquity in respect of which the offence has been committed shall stand forfeited to the Federal Government.

28. REGULATION OF MINING, QUARRYING, ETC.:

(1) If the Federal Government is of the opinion that for the purpose of protecting or preserving any immovable antiquity it is necessary so to do, it may, by notification in the official Gazette, prohibit or restrict, within such area as may be specified therein, mining, quarrying, excavating, blasting and other operations of like nature, or the movement of

heavy vehicles, except under and in accordance with the terms of a license granted by the Director General and rules, if any made in his behalf.

(2) Any owner or occupier of land who sustain any loss by reason of any prohibition or restriction by a notification under sub-section (1) shall be paid reasonable compensation for such loss.

(3) Whoever contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term, which may extend to one year, or with fine, or with both.

29. PROHIBITION OF ARCHAEOLOGICAL EXCAVATION OR EXPLORATION WITHOUT LICENSE.

(1) No person shall make on any land any excavation or exploration for archaeological purpose, or unearth or make any digging in any land or site for taking out antiquities, except under and in accordance with a license granted by the Director General.

(2) A license under sub-section (1) in respect of any land shall not be granted to any person other than the owner of the land except in accordance with the term of an agreement with the owner, and any such agreement may provide for:

- (a) The restriction of the owner's rights in respect of the use and occupation of such land;
- (b) The compensation or any other consideration to be paid to the owner; and
- (c) Any other matter connected with the use of the land for the purpose of such excavation.

(3) A license under sub-section (1) shall not be refused to an owner if he undertakes to carry on the excavation in such manner that it will not result in the loss of archaeological or historical material, which in the national interest should be preserved.

(4) Whoever contravenes the provision of sub-section (1) shall be punishable with imprisonment for a term, which may extend to three years, or with fine, or with both.

(5) The court trying an offence under sub-section (4) direct that any object found in the course of an excavation, exploration, unearthing or digging constituting such offence shall stand forfeited to the Federal Government.

30. PROHIBITION OF MAKING COPIES OF PROTECTED ANTIQUITIES WITHOUT LICENSE:

No person shall for any commercial purpose, make a cinematograph film of any protected antiquity or any part thereof except under, and in accordance with a license granted by the Director General.

31. RIGHT OF ACCESS TO PROTECTED IMMOVABLE ANTIQUITIES:

Subject to the provision of this Act and the rules, the public shall have a right of access to any immovable protected antiquity maintained by the Federal Government under this Act.

32. PENALTY:

A contravention of any provision of this Act or the rules shall, where no punishment has been specifically provided be punishable with rigorous imprisonment for term which may extend to six months, or with fine which may extend to five thousand rupees, or with both.

***33 JURISDICTION TO TRY OFFENCES:**

No court inferior to that of a Magistrate of the first class shall take cognizance of or try an offence punishable under this Act.

34. POWER TO ARREST WITHOUT WARRANT:

** (1) The Director General or any officer duly empowered by him in his behalf may arrest without warrant any person against whom there is reasonable ground to believe that he has committed an offence under section 5-A, 19, 25, 26, 27 and 29.

(2) Subject to sub-section (3), every person arrested under sub-section (1) shall be taken forthwith to the officer-in-charge of the nearest police station.

* Substituted vide Act No. XXI of 1992.

** Sub-section (1) of section 34 amended vide Ordinance No. XLII of 1978.

(3) The Director General or the officer arresting any person, or the officer-in-charge of a police station to whom any person is taken under sub-section (2) shall either admit him to bail to appear before the Magistrate having jurisdiction or have him taken in custody before such Magistrate.

35. CONFISCATED ANTIQUITIES TO BE MADE OVER TO DIRECTOR GENERAL:

Any antiquity, which is confiscated or forfeited under this Act, shall be made over to the Director General for custody, preservation and protection.

36. INDEMNITY:

No suit, prosecution or other legal proceeding shall lie against Government or any person for any thing which is in good faith done or intended to be done under this Act.

37. POWER TO MAKE RULES:

(1) The Federal Government may, after 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-----

- (a) The form and the conditions of any license granted under this Act.
- (b) Regulation of admission of the public to any immovable protected antiquity.
- (c) The levy of fees for the grant of any license under this Act and for admission of the public to an immovable protected antiquity.

- (d) The procedure to be followed in arbitrations, the principles to be followed in apportioning to costs for proceedings before the arbitrator and on appeal and the maximum amount of any award against which no appeal shall lie, under sub-section (2) of section 16;
- (e) Such other matter as are or may be required for carrying into effect the provision of this Act.

* (3) Rules made under this section may provide that the contravention of any of the provision thereof or of any condition of a license granted under this Act shall be punishable with fine, which may extend to two hundred thousand rupees.

38. REPEAL:

The Antiquities Act, 1968 (XIV of 1968), and the Antiquities Ordinance, 1975 (XX of 1975) are hereby repealed.

* Sub-section (3) of section 37 amended vide Act No. XXI of 1992.

ARCHAEOLOGICAL EXCAVATION AND EXPLORATION RULES 1978

(Islamabad, November 27, 1978 and October 29, 1989)

NOTIFICATION

S.R.O. 378/(1)78 – The following Archaeological Excavation and Exploration Rules (1978) are published hereby (draft of these Rules have been previously published as require by sub-section (1) of section 37 of the Antiquities Act, 1975 (VII of 1976) in exercise of the powers conferred by section 37 of the Antiquities Act, 1975 (VII of 1976) and in supersession of the Archaeological Excavation Rules, 1969.

RULES

1. These rules may be called the Archaeological Excavation and Exploration Rules, 1978.
2. (1) In these rules, unless there is anything repugnant in the subject or context:
 - (a) “Act” means the Antiquities Act, 1975 (VII of 1976).
 - (b) “Excavation” means any research aimed at the discovery of an antiquity, whether such research involves digging of the ground or is carried out on the bed or in the sub-soil of inland or territorial waters of Pakistan;
 - (c) “Exploration” means any field investigation, without digging; or surface, aerial or underwater operations aimed at the discovery, survey or recording of an antiquity;
 - (d) “Land” means the land, or the portion of portions thereof, on or in which excavation or exploration is made or the work connected therewith is carried out, and included bed or sub-soil underwater.
 - (e) “Leader” Leader of the team;
 - (f) “License” means a license issued under these rules, and “Licensee” shall be construed accordingly;
 - (g) “Season of work” means the particular period of a year during which a licensee may carryout the work of excavation and exploration;
 - (h) “Section” means section of the Act; and
 - (i) “Team” means the team or experts mentioned in clause (b) of rule 3.

(2) All words and expressions not defined in these rules, but defined in the Act, shall have the same meaning as are assigned to them in the Act.
3. (1) Every application for the grant of license shall be addressed to the Director General in Form A annexed to these rules and must be submitted at least six months before the proposed date of commencement of the work relating to excavation or exploration; and *inter alia*, the following information, namely :-
 - (a) The proposed project with aims and objects in view and its modus operandi.

- (b) The names of the experts of the team and its leader to be engaged for the project, with their complete bio data.
- (c) Description of the land, with its sketch plan, on which excavation is proposed to be carried out and, in case of exploration, the specific area proposed to be explored.
- (d) Source from which the proposed project will be financed.
- (e) The date on which the project will be completed.

(2) The team shall include at least two persons from amongst archaeologists, anthropologists, geologists, zoologists, palaeo-botanists, paleontologists and geomorphologists, one architect or draftsman, one photographer and one chemist or restorer.

(3) Subject to the provision of section 29, the Director General, may, on receipt of an application, either grant or refuse a license.

Provided that no license shall be granted unless:-

- (i) The Director General is satisfied about the professional competence of experts included in the team of the organization, institution or individual applying for the grant of the license; and
- (ii) The application has completed the excavation or exploration in terms of a license previously granted to him.

4. A license shall be granted in the "Form A", annexed to these rules on payment of a fee of ten thousand rupees and after a sum twenty thousand rupees has been deposited with the Director General as security money which shall be refunded to the licensee on submission of the final report under rule 11.

4A. The licensee shall be bound to accept at least one nominee of the Department of Archaeology for training in the relevant field of archaeological, excavation or exploration. If in the opinion of the Director General the licensee is not imparting proper training to the nominee of the said Department, the Director General may cancel the license.

5. (1) A license may be granted for such period not exceeding three years as the Director General may think fit:

Provided that the Director General may, on an application made to him, extend the said period if he is satisfied that the work had to be suspended for some unforeseen reason.

(2) A license shall not be transferable.

(3) The Director General may suspend or cancel a license at any time if he is of the opinion that the results of the excavation or exploration are not satisfactory, or for a breach of any of the conditions of the license by the licensee, considered sufficient by the Director General.

(4) A licensee whose license has been suspended or cancelled under sub-rule (3) may, within thirty days of such suspension or cancellation, appeal of the Federal Government.

6. (1) Without prejudice to the provisions of rule 14 the Federal Government may require a licensee to pay:-

- (a) The value of any antiquity found in the land and lost or destroyed while in the custody of the licensee, his servant or agent;
- (b) Such compensation or any other consideration as is payable to the owner of the land under sub-section (2) of section 29; and
- (c) The cost incurred by the Government in acquiring the land under federal section 7.

7. All excavation and exploration shall be carried out under the general superintendence of the Director General.

8. All excavation or exploration, and all object discovered or collected in the course thereof, shall be open to inspection at any time by the Director General, or by any person authorized by him in this behalf, and Director General, or such person may take such record of any antiquities, make such notes, drawings or impressions on paper or plaster, or take such photographs of the land or any antiquities recovered there from, as he may think necessary.

9. Every license shall be subject to the following conditions, namely:-

- (a) The licensee shall not commence excavation or exploration unless a copy of the agreement entered by him with the owner of the land under section 29, has been deposited with the Director General.
- (aa) The licensee shall confine himself to excavation or exploration as specified in the license granted to him;
- (b) The licensee shall inform, in writing, the Director General and the owner of the land to be excavated or explored at least fifteen days in advance of the date on which he intends to commence the work. The licensee shall confine himself to excavation or exploration as specified in the license granted to him;
- (c) The excavation or exploration shall be conducted by the team under the direct supervision of its *leader* who shall be present during the aforesaid operations for not less than three/fourths of the period of each season of work.
- (d) No buildings or significant archaeological remains found in the course of excavation or exploration shall be destroyed, dismantled, removed or disturbed, save with the previous permission, in writing, of the Director General or an Officer authorized by him;

- (e) The Director General shall appoint one or more representatives who shall supervise the work of excavation or exploration, make necessary record of the antiquities discovered during the course of excavation or exploration and keep all the antiquities in his or their safe custody. The licensee shall provide assistance to the representative for the proper discharge of his duties;
- (ee) The licensee may retrieve an antiquity discovered by him from the custody of the representative appointed under clause (e) for the purpose of study or research but not for the purpose of any kind of display or publicity except with the permission, in writing, of the Director General.
- (f) The licensee shall not mutilate, discolor, disfigure, remove, dismantle or damage any antiquity found in the course of excavation or exploration.
- (g) The licensee shall not subject any antiquity discovered during the excavation or exploration to any chemical or electrolytic process of cleaning without the written permission of the Director General.
- (h) The licensee shall provide, on or near the place of excavation, a suitable accommodation for storage of antiquities while the excavation is in progress.
- (i) On the conclusion of each season of work, all movable antiquities unearthed, found or gathered in the course of excavation or exploration shall be shifted to a place determined by the Director General, and the expenses of such shifting shall be borne by the licensee.
- (j) The licensee shall be responsible for the care of all antiquities, movable or immovable, found in the course of excavation or exploration and shall, if required by the Director General, maintain a guard over them at his own expense.
- (k) The licensee shall work in a skilful and workmen-like manner in accordance with the approved scientific principles, and shall preserve all other archaeological remains which may be found or discovered, in the course of excavation or exploration and are not ones in which the licensee is mainly interested.
- (l) Full descriptive, graphic and photographic records shall be taken by the licensee of all archaeological remains or layers which are to be removed.
- (m) The licensee shall take necessary measures for safeguarding and preserving the site under excavation or exploration during and between seasons of work and, if he fails to do so, shall pay all expenses incurred by the Director General on any such measure taken by him.

- (n) The licensee shall not abandon the land for more than one season of work.
- (o) Within four months after the end of each season of work, the licensee shall furnish to the Director General a preliminary report in English, in duplicate, on the work done, complete with drawings, plans, photographs and inventory of the finds, for publication, and shall deposit with the Director General all plans, drawings, negatives, colour slides and transparencies and significant photographs made in the course of or after the excavation or exploration;
- (p) The licensee shall, before leaving Pakistan, furnish to the Director General a list of all Antiquities purchased by him and the source from which they were purchased.

10. The decision whether to preserve the archaeological remains in site or to fill in the excavated land shall be made by the Director General and,

- (a) If it is decided to preserve the archaeological remains in site such expenses for the preservation of such remains as may be determined by the Director General shall be shared by the licensee and the Federal Government equally; and
- (b) If it is decided to fill in the land, all expenses incurred on such filling shall be borne by the licensee.

11. The licensee shall, within five years of the expiration of the license or the completion or closure the work, whichever is earlier, publish a final report of the results of the excavation or exploration:

Provided that no such report shall be published before it has been submitted to the Director General.

12. The Director General shall not, without the consent of the licensee, publish the final report of the results of the work of excavation or exploration undertaken by the licensee, unless the licensee fails to publish such report within the period, published a report which the Director General considers to be inadequate.

13. No photograph of any antiquity discovered in the course of excavation or exploration shall be allowed to be published in any manner unless the licensee has consented to its publication or the period specified in rule 11 has expired or the final report is published, whichever is earlier.

14. Antiquities found by a licensee in the course of excavation or exploration shall be disposed of by the Director General in the following manner, namely :-

- (a) Human relics of historical and religious importance, unique, rare and indispensable items and any other finds, which, in the opinion of the Director General are of national importance, shall remain the property of the Federal Government and shall be retained in Pakistan.

- (b) Subject to the provisions of clause (a) the licensee may be presented with some of the finds which the Director General may spare out of the collection made during the exploration; and
- (c) The finds presented under clause (b) shall be placed by the licensee in a public museum or scientific centre easily accessible to scholars, and if he fails to do so within a period of two years, the finds shall be returned to the Director General.
- (d) The antiquities presented to the licensee under clause (b) shall not be exchanged with or sold or disposed of, in any manner, or given on permanent or long term loan to any institution or country.

15. The Director General may, in exceptional circumstances to be recorded in writing an in case of Pakistani institutions, waive or relax any of the conditions of the license.

16. (1) Any person committing a breach of these rules shall, in addition to the forfeiture to the Federal Government of any antiquity found or collected during the unauthorized excavation or exploration and any equipment used in such operations, be punishable with fine which may extend to five hundred rupees.

(2) An licensee committing a breach of those rules or any of the condition of his license shall be punishable with fine which may extend to five hundred rupees and he shall be so punishable for any such breach committed by his servant or agent.

- (i) Any change in the composition of the mission/team will be intimated at least 4 months in advance.
- (ii) Date of commencement of subsequent seasons of work will be given 4 months in advance.

FORM 'B'

(See rule 4)

GOVERNMENT OF PAKISTAN
DEPARTMENT OF ARCHAEOLOGY AND MUSEUMS
LICENSE TO CARRY-OUT ARCHAEOLOGICAL EXCAVATION/
EXPLORATION

No: _____

Dated: _____

1. Name of the institution/mission.
2. Address.
3. (a) Name of the site/area.
(b) Specific area to be excavated or explored.
4. Composition of the team/mission.
5. The validity period of license.
6. The date of commencement of work in each season of work.

This license is granted subject to the provisions of section 29 of the Antiquities Act, 1975 (VII of 1976), and the Archaeological Excavation and Exploration Rules, 1978 with amendments of 1989 and additional conditions attached herewith.

Director General.

AGREEMENT

I hereby agree to follow the terms and conditions under Rules 4 to 16 of the Archaeological Excavation and Exploration Rules, 1978 as amended in 1989 and additional conditions attached herewith.

Signed in token of having accepted all the pertinent Rules.

Name and designation
Of the application: _____

Full Address: _____

Telephone: _____ Fax: _____

Dated: _____

Countersigned/attested by the Head of institution of the applicant.

Name and designation: _____

Full address: _____

Telephone: _____ Fax: _____

Dated: _____

ACQUISITION OF ANTIQUITIES RULES 1989

Islamabad, the 16th September, 1989

NOTIFICATIONS

S.R.O. 943 (I)/89 - In exercise of the powers conferred by section 37 of the Antiquities Act, 1975 (VII of 1976), the Federal Government is pleased to make the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:-

1. **Short title and commencement** – (1) These rules may be called the Acquisition of Antiquities Rules, 1989.

(2) The shall come into force at once.

2. **Definition** – In these rules, unless there is anything repugnant in the subject or context, ----

(a) "Chairman" means the Chairman of the Committee.

(b) "Committee" means the Acquisition Committee constituted under rule 3; and includes a Regional Sub-Committee.

(c) "Secretary" means the Secretary of the Committee.

3. **Constitution of the Acquisition Committee** – (1) The Federal Government shall, by notification in the Official Gazette, constitute the Acquisition Committee consisting of the members from amongst the eminent historians, archaeologists, linguists and specialists in numismatics, epigraphy, ethnography, calligraphy and paintings.

(1A) The Federal Government may constitute Regional Acquisition Sub-Committees to accelerate the work of the Acquisition Committee; and

(2) The Committee and a Regional Sub-Committee shall be constituted for a period of five years and it shall, unless sooner dissolved, stand dissolved on the expiration of the said period.

(3) The period of five years under sub-rule (2) shall be computed from the date of the notification issued under sub-rule(1).

(4) Fifty percent of the members shall constitute a quorum for a meeting of the Committee.

4. **Power of the Committee** – (1) The Committee shall have full powers to make recommendations for the purchase of an antiquity;

Provided that a Regional Sub-Committee shall have power to make recommendations for the purchase of an antiquity the value of which does not exceed five lacs of rupees.

(2) An owner of an antiquity may offer for sale an antiquity in the Form appended to these rules.

(3) All Antiquities intended to be purchased or offered for sale shall be referred to the Committee, after considering all relevant evidence and records, if any, shall make its recommendations to the Director General or, as the case may be, to the Federal Government in respect of the price of the antiquities.

(4) The Committee may recommend to purchase or not to purchase an antiquity referred to it for recommendations.

5. **Meetings of the Committee** – The Secretary, with the consent of the Chairman shall convene a meeting of the Committee at any required place and time in Pakistan.

6. **Preparation of minutes** - The Secretary shall prepare the minutes of the meeting of the Committee recording the recommendation and shall then place it before the Finance Sub-Committee for expenditure sanction. The Finance Sub-Committee shall consist of three members; the Director General of Archaeology and Museums, the Financial Advisor and the Joint Secretary, Culture Division.

7. **Payments** – Consequent upon the recommendations of the Committee and the issuance of the expenditure sanction, the payment shall be made to the owners generally through Pre-Audited cheque drawn on State Bank of Pakistan, Karachi from the personal ledger Account of the Director General of Archaeology and Museums.

(incorporates amendment dated 12 May 1990)

FORM
(See rule 4(2))

I _____ S/o _____

Resident of _____

Solemnly state that being the sole owner of the following material, I offer it for sale.

S.No.	Description	Value/demanded in rupees
--------------	--------------------	---------------------------------

1.

2.

3.

4.

5.

6.

Date: _____

Signature:

Name(Print):

National Identity Card No:

DECLARATION

1. I solemnly declare that the material so offered is my exclusive property and that I am the legal owner of the same.

2. I solemnly declare that I have offered the material for the first time and that I have not submitted it earlier for sale.

3. That I will abide by the decision of the Committee and that I will be entitled to get my material back in case I disagree with the decision of the Acquisition Committee.

Signature: _____

DEALING IN ANTIQUITIES RULES 1989

Islamabad, the 20th June, 1989

NOTIFICATIONS

S.R.O. 647(I)89 - In exercise of the powers conferred by section 37 of the Antiquities Act, 1975 (VII of 1976), the Federal Government is pleased to make the following rules, the same having been previously published as required by sub-section (I) of the section, namely :-

1. These rules may be called Dealing in Antiquities Rules 1989.
2. (I) In these rules, unless there is anything repugnant in the subject or context.
 - (a) "Act" means the Antiquities Act, 1975 (VII of 1976);
 - (b) "Form" means a form appended to these Rules; and
 - (c) "License" means a license for dealing in Antiquities granted under these Rules.
- (2) All words and expressions used by not defined in these Rules shall have the same meaning as are assigned to them in the Act.
3. Every application for a license for dealing in antiquities shall be made in Form I.
4. On receipt of an application for license, the Director may call for such additional information as he thinks fit and, if satisfied, may grant a license to the applicant in Form II:

Provided that no license shall be granted to a person who has been convicted of any offence punishable under the Act, or in any other case involving theft or smuggling of Antiquities.
5. The license granted under rule 4 shall be valid for a period not exceeding three years from the date of its issue.
6. The license granted under rule 4 shall be subject to the following conditions, namely :-
 - (a) the license shall not be transferable;
 - (b) the dealer shall display his license prominently at his licensed premises;
 - (c) a license shall be valid for one premises only;
 - (d) the dealer shall be required to maintain separate registers for the purchase and sale of Antiquities in Forms III and IV respectively;
 - (e) the dealer shall furnish to the Director monthly return of purchase and sale of antiquities in Forms V and VI. Respectively, within fifteen days

of the expiry of the month to which the return relates and shall also on demand and within such time as the Director may specify produce such record:

- (f) where a dealer intends to shift the place of his business to a new premises during the currency of his existing license, he shall intimate his intention of so doing to the Director at least thirty days before the date from which he proposes to shift the premises of his business specifying the address of the new premises and get his license suitably amended. The license shall thereupon be valid in relation to the new premises of his business.
- (g) the dealer shall permit on demand of the Director or any officer so authorized by him to inspect any book, register or other document and any antiquity belonging to or under the control of the dealer: and
- (h) the dealer shall inform all his customers that export of Antiquities outside Pakistan is completely banned except as provided in the Act the Export of Antiquities Rules, 1979.

7. The Director may suspend or cancel a license at any time for breach of any of the conditions of the license or upon commission of any offense punishable under the Act:

Provided that no license shall be cancelled unless the dealer has been given an opportunity to show cause against the cancellation.

8. Any dealer who contravenes any of the provisions of these Rules shall in addition to suspension or cancellation of his license under rule 7, be punishable with fine which may extend to five hundred rupees.

9. Any dealer aggrieved by an order of the Director under rule 7 may, within thirty days of such order, prefer an appeal to the Federal Government whose decision thereon shall be final.

10. A dealer whose license has been suspended or cancelled by the Director under rule 7 shall be required to give the details of antiquities in his custody in Form VII within fifteen days from the date of the suspension or cancellation of his license. In the event of the cancellation of a license the dealer shall not be entitled to claim refund of any sum paid in respect of the license.

FORM I

APPLICATION FOR THE GRANT OF LICENSE FOR DEALING IN ANTIQUITIES

(See rule 3)

1. Name of applicant.
2. Father's name.
3. National Identity Card Number, place and date of issue.
4. Location of business.
5. Experience in dealing in antiquities.
6. Whether the applicant was ever convicted of any offence punishable under the Antiquities Act, 1975 or in other case involving theft or smuggling of antiquities. If so, details thereof may be stated.
7. Class of antiquities in which the applicant intends to deal i.e. manuscripts, coins, sculpture, woodwork etc.
8. Details of antiquities at present held by the applicant.
9. Source of acquisition of antiquities mentioned at (8) above.
10. Certificate of financial soundness from the applicant's bankers.
11. Certificate of character and good reputation from members of National/Provisional Assembly/1st Class Magistrate etc.
12. Income Tax Registration Number.
13. Three recent photographs in passport size.

I here by declare that the above information is correct to the best of my knowledge and belief and undertake to observe the provision of the Antiquities Act, 1975 and the Dealing in Antiquities Rules, 1989.

Place.

Date.

Signature of the applicant.

Note:- In case the application is from a firm, its Registration Number and all its partners will be required to furnish their particulars against Col. 1, 2, 3, 10 and 11.

FORM II

License No.

Date of Issue

License for dealing in antiquities

(See rule 4)

NOT TRANSFERABLE

Whereas Mr./Ms. (son/daughter of) of (address) has applied for antiquities license for dealing in antiquities and has undertaken to abide by the provisions of the Antiquities Act, 1975 and the Dealing in Antiquities Rules, 1989.

I Director of Archaeology, therefore do hereby grant this license under the Dealing in Antiquities Rules 1989, to Mr./Ms..... for a period of three years, commencing from

Place

Signature.....

Name.....

Date

Director of Archaeology

FORM III

Register showing the purchase of antiquities.

[See rule 6 (d)]

Serial No.	Date of purchase	Description of antiquities	Material	Size	Approximate
1	2	3	4	5	6
Province of antiquity	Name and address of the person/firm from whom purchased.	Price	Photographs to be affixed against each entry.	(3"x3")	Remarks In case of foreign national, his nationality Number should be given.
7	8	9	10	11	

FORM IV
[See rule 6 (d)]

Register showing the sale of antiquities.

Serial No.	Date of purchase	Description of antiquities	Material	Size	Approximate
1	2	3	4	5	6
Province of antiquity	Name and address of the person/firm from whom purchased.	Price		Photographs (3"x3") to be affixed against each entry.	Remarks In case of foreign national, his nationality Number should be given.
7	8		9	10	11

FORM V
[See rule 6 (e)]

Name & address of the dealer.....
Monthly return of purchase of antiquities for the month of(Year).

1. Serial number of the register.
2. Description of antiquity purchased.
3. Purchase price.
4. Photograph (3" x 3") of the antiquity purchased.
5. Name and address of person from whom purchased.

Date

Signature of the dealer.

Place.

.....
In case the transaction has been made with antiquities foreign national, his nationality and passport No. should be stated.

FROM VI
[See rule 6 (e)]

Name and address of the dealer
 Monthly return of sales for the month of(Year).

1. Serial number of the register.
2. Description of antiquity purchased.
3. Purchase price.
4. Photograph (3" x 3") of the antiquity sold.
5. Name and address of person from whom purchased.

Date Signature of the dealer.

Place.

.....
 In case the transaction has been made with antiquities foreign national, his nationality and passport No. should be stated.

FROM VII
[See rule (10)]

Declaration of stock of antiquities by a dealer whose license has been suspended or cancelled.

Name and address of the dealer	Serial No. of the Register purchase.	Description of the of antiquity.	Material
1	2	3	4

Size	Approximate date of purchase.	Photographs (3" x 3") to be affixed against each entry.
5	6	7

Date Signature of the dealer.

Place.....

EXPORT OF ANTIQUITIES RULES, 1979

Islamabad the 19th August, 1979

S.R.O. 744 (i)79- The following Export of Antiquities Rules, 1979 are hereby published in exercise of the powers conferred by section 37 Antiquities Act 1975 (VII of 1976) and in supersession of the Export of Antiquities Rules, 1969.

RULES

1. These rules may be called the Export of Antiquities Rules, 1979.
2. (1) In these rules, unless there is any thing is any thing repugnant in the subject or context:-
 - (a) "Act" means the Antiquities Act, 1975 (VII of 1976);
 - (b) "export license" means an export license granted under rule 4;
 - (c) "form" means a form appended to these rules; and
 - (d) "section" means a section of the Act.

(2) All words and expressions used but not defined in these shall have the same meaning as are assigned to them in the act.
3. (1) Any person having in his possession any antiquity may, if he intends to export it, apply for the grant of an export license to the Director General:-
 - (a) in the case of temporary export of an antiquity for the purpose of exhibition, examination or treatment for presentation under clause (a) of sub-section (1)
 - (b) in the case of export of an antiquity in accordance with a agreement with a foreign licensee for archaeological exploration or excavation within the terms of his license under clause (b) of sub-section (I) of section 26, in form B; and
 - (c) in the case of export of an antiquity which is not unique in nature in exchange for an antiquity of any foreign country under clause (c) for sub-section (1) of section 26, in form C.

(2) An application made under sub-rule (1) shall be accompanied by a fee of fifty rupees and two sets of photographs of the antiquity to be exported:

Provided that no fee shall be payable in respect of an application made by a foreign licensee for the export of an antiquity in terms of clause (b) for sub-section (I) of section 26, or for the export of an antiquity by or on behalf of the Federal Government.

- (3) An application made under clause (a) of sub-rule (I) shall be accompanied by a bank guarantee for an amount equivalent to the values of the antiquity as a security for the return of that antiquity to Pakistan within the

period specified in sub-rule (I) of rule 7 unless extended by the Director General under the provision to that sub-rule.

Provided that if the Director General considers that the value of the antiquity has not been properly assessed, he shall re-assess it and ask the applicant to furnish a fresh bank guarantee for the value of the antiquity so re-assessed by him:

Provided further that no bank guarantee shall be required in the case of export of an antiquity by the Federal Government, a provincial Govt. or a Corporation set up by or under the authority of a Federal or provincial law.

4. On receipt of an application, the Director General may, before granting an export license, ask for such information as he thinks fit, and require a antiquity to be produced before him or before any person authorized by him for the purpose of inspection.

5. An export license shall be issued in form D, and shall be valid for a period of one month from the date of issue and may be renewed by the Director General.

6. An export license shall not be transferable.

7. (1) An antiquity exported temporarily for preservation under clause (a) of sub-section (I) of section 26 shall be returned to Pakistan within a period of six months from the date of its export:

Provided that the Director General may extend the period for the return of the antiquity to Pakistan by a period not exceeding six months.

(2) If the antiquity is not return to Pakistan within the period specified in sub-rue (I) or within the extended period under the provision to that sub-rule, the amount of the bank guarantee furnished by the holder of the export license shall stand forfeited to the Federal Government, and such holder shall also be liable to punishment under section 32..

8. The export of an antiquity in exchange for an antiquity of a foreign country shall be allowed only if the Director General is satisfied that:-

- (a) the antiquity being exported is not unique;
- (b) the antiquity being imported in exchange from a foreign country will be useful for the dissemination of knowledge in Pakistan; and
- (c) the exchange of antiquities has been approved by the Federal Government.

9. The holder of the export license shall, within fifteen days of the date of expiry of the export license, inform the Director General in writing whether the antiquity has been exported, and, if the antiquity has been exported, shall furnish documentary evidence in support of his statement.

10. If an officer of custom has any doubt as to whether any product object or thing which is being exported is an antiquity for the purpose of the Act, he may refer the

matter to the Director General with a full description of the product, object or thing, and shall produce it before the Director General or any person authorized by him, and the Director General shall communicate his decision to the officer of customs.

11. If the product, object or thing is, in the opinion of the Director General, an antiquity, he shall issue a certificate in form E.

12. If the owner of the product, object of thing is aggrieved by the decision of the Director General, he may request the Director General in writing to refer the matter to the Federal Government, and, on receiving such request, the Director General shall submit the case to the Federal Government for its decision under section 4.

ANTIQUITIES ACT, 1975 (VII OF 1976)

(See rule 3(1)(a))

FORM 'A'

Application for license for temporary export of an antiquity for the purpose of exhibition, examination or treatment for presentation under section 26(1) (a)-

1. Name and address of applicant (in block letters)
2. Name and address of the owner of the antiquity.
3. Name and address of the consignee (in block letters)
4. Full description of the antiquity.
5. Source from which the antiquity was obtained.
6. Value of the antiquity.
7. Name of the Bank and amount of bank guarantee (enclose bank guarantee in original)
8. Two sets of the photographs of the antiquity are enclosed.
9. Purpose for which it is desired to export the antiquity.
10. Date by which the antiquity will be returned to Pakistan.
11. Proposed date and method of export (if exported through agent, give name and address of agent).

I hereby certify that the information given in this application is correct.

Signature of applicant.....

Date.....

ANTIQUITIES ACT, 1975 (VII OF 1976)

(See rule 3(1)(b))

FORM 'B'

Application for license for export of an antiquity by a foreign licensee under section 26(1) (b)-

1. Name and address of foreign licensee (in block letters)
2. Name and address of the consignee (in block letters).
3. Proposed date and method of export (if exported through agent, give name and address of agent.)
4. Full description of the antiquity.
5. Place from which the antiquity was recovered.
6. Two sets of the photographs of the antiquity desired to be exported are enclosed.

I hereby certify that the information given in this application is correct.

Signature of applicant.....

Date.....

ANTIQUITIES ACT, 1975 (VII OF 1976)

(See rule 3(1)(c))

FORM 'C'

Application for license to export an antiquity in exchange of antiquity from a foreign country under section 26(1) (c)-

1. Name and address of applicant / institution (in block letters)
2. Name and address of the owner of the antiquity.
3. Name and address of the foreign institution receiving the antiquity.
4. Proposed date and method of export (if exported through agent, give name and address of the agent).
5. Full description of the antiquity in respect of which the application is made.
6. Two sets of the photographs of the antiquity desired to be exported are enclosed.
7. Full description of the antiquities to be received in exchange.
8. Two sets of the photographs of the antiquity to be in exchange are enclosed.
9. Whether exchange of antiquity-antiquities has been approved by the Federal Government? If so, enclose approval in original.

I hereby certify that the information given in this application to the best of my knowledge and belief is correct.

Signature of applicant.....

Date.....

ANTIQUITIES ACT, 1975 (VII OF 1976)

(See rule 5

FORM 'D'

License to export an antiquity / antiquities

No. of license..... Date of issue.....

This license is hereby granted to Mr.....
(here give name and address of the owner)

To export out of Pakistan (here describe the antiquity), which is an antiquity for the purpose of the Antiquity Act, 1975 (VII of 1976), through (here give the name and address of the agent) to the (name and address of the consignee and the country) under clause (a) (b) (c) of sub-rule (1) rule 3 of the export of antiquities rules, 1979.

This license is valid upto.....

Director General of Archaeology, Pakistan.

Date.....

Number of license.

ANTIQUITIES ACT, 1975 (VII OF 1976)

(See rule 17)

FORM 'E'

1. Name and address of the owner.
2. Full description of the product(s) / object(s) / thing(s).
3. Certified that the product(s) / object(s) / thing(s) described above is an antiquity / are antiquities for the purposes of the antiquities Act, 1975 (VII of 1975)

Director General of Archaeology, Pakistan.

**PROHIBITION FOR MOVEMENT OF ANTIQUITIES BETWEEN
SPECIFIED AREAS**

Islamabad, the 21st December, 1993.

NOTIFICATION

S.R.O. 1205(I)/93 – Whereas the Federal Government apprehends that moveable antiquities in the places in Pakistan specified in the table below are being sold or removed to the detriment of Pakistan;

Now, Therefore, in exercise of the powers conferred by sub-section (1) of section 27 of the Antiquities Act, 1975 (VII of 1976), the Federal Government is pleased to prohibit for a period of five years the movement of any antiquity between any place specified in the said table, except with, and in accordance with the terms of, the written permission of the Director General of Archaeology.

TABLE

1.	Haripur District	2.	Abbottabad District
3.	Peshawar District	4.	Mardan District
5.	Swat District	6.	Dir District
7.	Chitral District	8.	Gilgit and Hunza District
9.	Malakand Agency	10.	Rawalpindi District
11.	Taxila (District Rawalpindi) and all places within twenty miles thereof	12.	Sahiwal District
13.	Bahawalpur District	14.	Multan District
15.	Bahawalnagar District	16.	Rahim Yar Khan District
17.	Larkana District	18.	Karachi District
19.	Thatta District	20.	Hyderabad District
21.	Dadu District	22.	Tharparkar District
23.	Sanghar District	24.	Sukkur District
25.	Labsella District		

**IMMOVABLE ANTIQUITIES (MINING, QUARRYING AND
BLASTING IN RESTRICTED AREAS) RULES, 1979**

Islamabad the 29th August, 1979

NOTIFICATION

S.R.O. 791 (I)79 – The following immovable antiquities (Mining Quarrying and Blasting in Restricted Areas) Rules, 1979, are hereby published in exercise of the powers conferred by section 37 of the Antiquities, Act 1975, (VII of 1976) read with section 28 thereof.

Rules

1. These rules may be called the Immovable Antiquities (Mining, Quarrying and Blasting in Restricted Areas) Rules, 1979.
2. (I) In these rules, unless there is anything repugnant in the subject or context;-
 - (a) “Act” means the antiquities Act, 1975 (VII of 1976);
 - (b) “Form” means a form appended to these rules;
 - (c) “License” means a license issued under rule 7, and “License” shall be construed accordingly, and
 - (d) “restricted areas” means an area declared as such under section 28 of the Act for the purposes of mining, quarrying, blasting or other operations of a like nature.
3. Before declaring any area under section 28 of the Act within which mining, quarrying, blasting or other operations of a like nature are intended to be restricted, the Federal Government shall, by notification in the official Gazette, give notice of not less than ninety days of its intention to do so within the area so specified, and shall cause such notice to be affixed in a conspicuous place of or near the immovable antiquity which is desired to be protected or preserved.
4. After the expiry of the period of notice, and after considering any objection or suggestion, if any, received within the said period, the Federal Government may, by notification in the official Gazette, declare such area as is specified in the notice or any part thereof, to be a restricted area for the purpose of mining, quarrying blasting and other operations of a like nature.
5. No person shall undertake within a restricted area any work connected with mining, quarrying, blasting or other operations of a like nature without a license having been obtained from the Director.
6. Any person intending to undertake any such work as is referred to in rule 5 within antiquities restricted area shall make an application to the Director in form 'A' for antiquities license at least ninety days before the date on which such work is intended to commence, as shall pay antiquities non-refundable fee of five hundred rupees.

7. On receipt of an application, the Director may grant or refuse to grant antiquities license:

Provided that if the grant of license is refused, the Director shall record his reason for such refusal.

8. A license granted under rules 7 shall be in form 'B' and shall be subject to such conditions relating to the manner of carrying out the work of mining, quarrying, blasting or other operations of antiquities like nature as the Director may deem fit to impose for the purposes of the security and maintenance of, and access to, the immovable antiquity.

9. A license shall not be transferable.

10. A license shall be valid for such period as may be specified therein: Provided that the Director may renew antiquities license for such further period as he thinks fit.

11. The Director may suspend or cancel antiquities license at any time for antiquities breach of any of the conditions of the license:

12. Any person aggrieved by any order of the Director may within thirty days of such order, prefer an appeal to the Federal Government whose decision shall be final.

13. Any person who contravenes any of the provisions of these rules shall be punishable with fine which may extend to one thousand rupees.

FORM 'A'

(Application for license for mining, quarrying and ballasting operations within restricted area)
(See rule 6)

1. Name and address of the applicant.
2. Particulars of the immovable antiquity in respect of which the area declared as restricted area :-
 - (a) Name of antiquity.
 - (b) Site of antiquity.
 - (c) Locality.
 - (d) District.
3. Details of the works for which license is required. (In case of mining, enclose antiquities site plan in duplicate showing in red the outline within which the works are to be carried out, and the depth and number of blast holes to be fixed.
4. Purpose.
5. The date of commencement of the operations and their approximate duration.

I hereby declare that the above information is correct to the best of my knowledge and belief, and undertake to observe the provisions of the Antiquities Act,

1975, and the immovable Antiquities (Mining, Quarrying and Blasting in restricted areas) Rules, 1979.

Place _____

Signature of the applicant.

Date _____

FORM B
(LICENSE)
(See rule 7)

Whereas _____ of _____ has applied for a License for _____ within the area declared under Section 78 of the Antiquities Act, 1975, to be antiquities restricted area near or adjoining _____ at _____ site _____ locality, and the Immovable Antiquities (Mining, Quarrying and Blasting in Restricted Areas) Rules, 1979:

I, _____ the Director of Archaeology, do hereby grant this license under rule 6 of the said Rules, to the said _____ for _____ within the area indicated in red on the plan attached hereto.

This license is granted subject to the following conditions, namely:-

CONDITIONS

1. _____
2. _____
3. _____

Valid up to _____
Renewed up to _____
Place of Issue _____
Date _____

Signature of the Director General of Archaeology.

Seal _____

Signature of Deputy Secretary.

Seal _____

**ADMISSION OF PUBLIC INTO IMMOVABLE
ANTIQUITIES RULES 1982**

Islamabad, the 17th October, 1982

NOTIFICATIONS

S.R.O. 1048(1)/82 - The following rules for the regulations of admission of the public into immovable antiquities in exercise of the powers conferred by Section 37 of the Antiquities Act, 1975 (VII of 1976), are hereby published.

RULES

1. Short title, application and commencement – (1) These rules may be called the Admission of Public into Immovable Antiquities Rules, 1982.

- 2) They shall apply to all Immovable/Protected Antiquities Rules, 1982.
- 3) They shall come into force at once.

2. Definitions - In these rules, unless there is anything repugnant in the subject or context, -

- a) Directors means of the Director of Archaeology, Northern Circle of Archaeology, Old Fort, Lahore and Southern Circle of Archaeology, Pucca Fort, Hyderabad; and
- b) "Schedule" means antiquities Schedule to these rules.
- c) All words and expressions not defined in these rules, shall have the same meaning as are assigned to them in the Antiquities Act, 1975.

3. Visiting hours - The time for visiting the immovable antiquities shall be such as may be fixed and notified by the Director General through newspapers from time to time.

4. Tickets and fees for admission during visiting hours – No visitor shall be admitted into the *immovable antiquities* specified in Schedule, 'A' during visiting hours unless.

- c) he pays an admission fee of Rs.4.00 if he is above the age of twelve years.
- d) he pays an admission fee of Rs.2.00 if he is not above the age of twelve years; or
- e) he pays an admission fee of Rs.2.00 if he is an armed forces personnel in uniform;

Provided that a child under the age of five years shall be admitted free of admission fee if he is accompanied by his parent or guardian:

Provided further that nothing in this rule shall apply to ---

- a) a bona fide student either accompanied by antiquities teacher of his concerned educational institution or possessing antiquities letter issued by the Principal or the Head Master, as the case may be of the concerned educational institution;
- b) a member of ICOM and ICC Rome, Museums Association of Pakistan or Friends of Museums Association of Pakistan;
- c) a state guest, VIP or government functionary on duty;
- d) a serving or retired employee of the Ministry of Culture and Tourism or the Department of Archaeology; and
- e) a retired Federal Government servant: and

5. **Fee during special illumination** - Fee for admission to the Immovable Antiquity specified in Schedule "B" during special illumination, shall be the same as prescribed under rule 4.

6. **Admission ticket – (1)** The admission tickets shall be available for sale in the booking office at the place of entrance to the immovable antiquities.

- 2) Not more than fifty visitors shall be admitted into an immovable antiquity at once and the same time.
- 3) No tickets for admission shall be issued within the half an hour before the expiry of the visiting hours.
- 4) Every person shall produce the admission tickets at the gate to the attendant on duty before entering into immovable antiquity.
- 5) The admission tickets shall be available and valid only for the day of issue.
- 6) Refund of tickets once purchased shall not be allowed on any account.

7. **Visits to the places of worship or shrine** – Every visitor shall pay due respect to the places of worship or shrines and shall do nothing to pollute or desecrate them.

- 2) the places of worship and shrine shall not be used for any purpose incompatible with their religious character.
- 3) No person shall be allowed to enter into a place of worship or the main chambers of a shrine with his shoes on.

8. **Prohibition for admission of persons with infectious diseases --**

9. **Prohibition to walk over the walls or excavated remains or to disfigure the buildings etc. --** No person shall –

- a) Walk over the walls of the immovable antiquities; or
- b) touch or remove any objects of the immovable antiquities; or
- c) damage, alter, deface or imperil the immovable antiquities; or
- d) write names or scribble on the surface of the immovable antiquities.

10. **Prohibition to take arms or weapons, etc.** – No person, except official on duty, shall take any kind of arms or weapons, including air guns into the immovable antiquities.

11. **Prohibition to use loud speaker** – No person shall use loud speaker within the immovable antiquities.
12. **Prohibition to commit any nuisance** – No person shall commit any nuisance, insanitary or otherwise, inside the immovable antiquities.
13. **Prohibition to hawk** – No person shall within the immovable antiquities, hawk articles for sale or carry on trade of any description or tout or advertise on behalf of the shopkeepers or the firms.
14. **Prohibition to bathe, etc** – No person shall spit, bathe or wash clothes in the tank or channels with the immovable antiquities.
15. **Prohibition to take bicycles Vehicles, etc** – No bicycles, motor cycles and other vehicles shall be taken inside the immovable antiquities.
16. **Prohibition to take dogs etc** – No dogs or other animals shall be taken inside the immovable antiquities.
17. **Prohibition to hold picnics, etc.** – No picnic or other parties shall be held within the immovable antiquities without the previous permission, in writing of the Director concern.
18. **Prohibition to cook meals, etc.** – No persons shall cook meals or light fires within the immovable antiquities except with the permission of the Director concern.
19. **Prohibition to shoot cinematography films** - No person shall shoot any cinematograph except with the previous permission in writing in writing of the Director concern.
20. **Prohibition to enter excavated trenches** – No person shall enter the trenches when excavation work is in progress nor shall converse with the workmen, nor shall take photographs of immovable antiquities and sites under excavation.
21. **Prohibition to offer tips, etc.** – No person shall offer any tips or gratuity to the attendants or any other employees of the Department of Archaeology posted in immovable antiquities.
22. **Prohibition to hold functions** – No political speeches, political social, cultural and religious functions shall be held within the immovable antiquities:

“Provided that this rule shall not be applicable in respect of functions arranged by the Government in honour of foreign Heads of States or foreign dignitaries”.

23. **Closure of protected immovable antiquities** – The Director concerned may with the prior approval of the Director General close any immovable antiquity for public on account of the visit of foreign Heads of States, foreign dignitaries, VIPs or due to certain essential repair works.

24. **Prohibition of posting of bills, neon-signs and other kinds of advertisement** – No person shall put any neon-signs or other kind of advertisement including posting of bills within the immovable antiquities.

25. **Penalty for breach of rules** – Any person who commits a breach of any of these rules shall, without prejudice to any penalty or remedy provided by or under any other law, on conviction by a magistrate, be punishable with fine which may extended to five hundred rupees.

26. **Repeal** – The ancient Monuments preservation (Shalamar Gardens) Rules 1967 and the immovable Antiquities preservation (West Pakistan Rules, 1969 are hereby repeated).

SCHEDULE ‘A’

(See rule 4)

Immovable Antiquities where admission fee is available.

- i) Lahore Fort.
- ii) Jahangir’s Tomb, Noor Jahan’s Tomb and Asif Khan’s Tomb, Shahdara, District Lahore.
- iii) Hiran Minar and Tank, District Sheikhpura.
- iv) Excavated remains at Harappa, District Sahiwal.
- v) Excavated remains at Taxila, District Rawalpindi.
- vi) Mughal Gardens at Wah, District Rawalpindi.
- vii) Excavated remains at Moenjodaro, District Larkana.
- viii) Excavated remains at Takht-Bahi, District Mardan.
- ix) Excavated remains at Banbhore, District Thatta.
- x) Graveyard at Chaukhandi, District Karachi.
- xi) Kot Diji Fort, District Khairpur.

SCHEDULE ‘B’

(See rule-5)

Immovable Antiquities where admission will be through admission tickets during special illumination.

Shalamar Gardens, Lahore

Note:-- There will be no special illumination in the gardens from November to February (both the months inclusive)

**CINEMATOGRAPHICAL FILMING OF PROTECTED ANTIQUITIES
RULES 1980**

Islamabad, the 4th October, 1980

NOTIFICATION

S.R.O. 1037 (I)/80 – In exercise of the powers conferred by section 37 of the Antiquities Act, 1975 (VII of 1976) the Federal Government is pleased to make the following rules, the same having been previously published as required by sub-section (I) of the said section, namely:-

1. **Short title and commencement** – (I) These rules may be called the Cinematographically Filming of protected Antiquities Rules, 1980
(2) They shall come into force at once.
2. **Definitions** – In these rules, unless there is anything repugnant in the subject or context:-
 - (a) ‘Act’ means the Antiquities Act 1975 (VII of 1976);
 - (b) ‘Form’ means a form appended to these rules;
 - (c) ‘Liscence’ means a license issued under rule 4;
 - (d) ‘Liscence’ means a person to whom a license is issued ; and
 - (e) ‘Superintendent’ means the Superintendent of Archaeology.

3. Application for license – (I) Any person desiring to make a cinematograph film of any protected antiquity or any part thereof may apply for a license to the Director at least fifteen days before the date for filming such antiquity:

Provided that where a documentary film is made by the Department of Archaeology and Museums for the projection of cultural heritage or publicity of its activities, the Director may permit the making of film without a license.

(2) An application under sub-rule (1) shall be in Form ‘A’ and shall be accompanied by security deposit of two thousand rupees.

4. Grant of license – The Director may, on being satisfied that the applicant has complied with the provisions of rule 3, grant ham a license in Form ‘B’ on payment of the fee in advance at the following rates, namely:-

- (a) For first day (during opening hours of the antiquity.....
.....Rs.1,000 ; and For each subsequent day or part there an increase of Rs.200 over the of fee for the preceding day.

- (b) First night (between the closing and Rs.1,500, and the opening time of the antiquity). For each subsequent night or part thereof.

An increase of Rs.500 over the fee for the preceding night.

5. **Exemption from security and fee** – where a documentary film is made by the Federal Government or a Provincial Government through any of its Departments, agencies or filming units, the Director may, on an application made to him, exempt such Department, agency, or filming unit from depositing the security under rule 3 and the payment of fee under rule 4.

6. **Payment of other charges by the licensee** – (1) In addition to the fee prescribed in rule 4 a licensee shall be required to defray the following charges, namely:-

- (a) Wages of the attendants; and
- (b) cost of the police guards.

(2) The number and the wages of the attendants who will be on duty during the period of the filming operation shall be determined by the Superintendent.

(3) The licensee will arrange for the police guard from the local police station and the charges for such police guard will also be borne by the licensee.

7 **Condition of a license** – A license shall be non-transferable and the licensee shall.

- (a) be responsible for maintenance and upkeep of the antiquity during the filming operations;
- (b) pay such compensation for any damage or loss caused to the antiquity as assessed by the Director whose decision shall be final and in case any damage or loss is reported during the filming operation, the licensee shall not be permitted to proceed with the shooting of film unless the payment of compensation is made or is satisfied from the security deposit;
- (c) not bring any vehicle other than the equipment vehicles in such area or part of the area of the protected antiquity which is prohibited to vehicular traffic;
- (d) not do anything which may expose any part of the antiquity to any risk of damage or loss;
- (e) not make films of the scenes in, or near any tomb, mosque or temple situated in a protected antiquity;
- (f) place the generating plant for electric power, if any, at a safe distance from the antiquity;
- (g) mount the lamps on moveable stands and refrain from hanging such lamps against the walls of the antiquity.
- (h) not make films of such scenes which may be susceptible of offending religion of any sect or community;

- (i) take care that the flowers beds, shrubs and lawns in the grounds attached to the antiquity are not damaged; and
- (j) not himself or allow any person working with him to behave in a noisy or unseemly manner.

(2) A license issued under these rules shall be liable to cancellation without notice if any of the provisions of these rules or any other law or rules are not strictly complied with.

8. **Refund of security deposit** – The Security deposit referred to in rule 3 shall be refunded to the licensee after the completion of the filming operation.

Provided that, in case any damage or loss is caused to any antiquity, the cost of such damage or loss as assessed by the Director shall be deducted from such security deposit.

9. **Refund of fee** – Where a licensee desired for cancellation of the license issued under rule 4 or intends to discontinue the filming of protected antiquity the fee paid by him shall not be refunded unless he applied for cancellation of the license at least five days before the first day for which the license for filming was issued or before the day from which he intends to discontinue the filming.

10. **Facilities to the licensee** – All reasonable facilities shall be provided to the licensee for smooth conduct of filming of the protected antiquity:

Provided that the subordinate officials of the Archaeology Department shall not assist the licensee in detriment to their normal duties:

Provided further that ordinarily the protected antiquity shall not be closed to public during its filming by a licensee.

11. **Repeal** – The Cinematographical Filming of Protected Antiquities Rules, 1973 are hereby repealed.

FORM ‘A’

(See rule 5)

Application for license to make a cinematograph film of a protected antiquity.

- (1) Name and address of the applicant
(in block letters).....
- (2) The exact date and time for which permission is require.....
- (3) Full description of the protected antiquity of which the film is to be made.....
- (4) The portion or portions of the protect antiquity of which the film is to be made.....
- (5) Purpose of film whether commercial or otherwise.....

- (6) The number of equipment, vehicles which the applicant wishes to take to the antiquity.....
- (7) The route by which these vehicles will be taken to the site of the film making.....

I undertake to abide by the provisions of the Antiquities Act, 1975 (VII of 1976), and the Cinematographical Filming of Protected Antiquities Rules, 1980.

Dated.....

Signature of applicant

FORM 'B'
(See rule 4)

No. of license.....

- (1) Name and address of the applicant (in block letters).....
- (2) The exact date and time for which permission is granted.....
- (3) Purpose of film whether commercial or otherwise
- (4) The portion of portions of the protect antiquity of which the film is to be made.....
- (5) The number of equipment, vehicles which the applicant is allowed to take the antiquity.....
- (7) The route by which these vehicles will be taken to the site of the film making.....

Dated.....

(Director General of Archaeology Pakistan)