The Antiquities And Art Treasures Rules, 1973

UNION OF INDIA India

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Rule THE-ANTIQUITIES-AND-ART-TREASURES-RULES-1973 of 1973

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In exercise of the powers conferred by section 31 of the Antiquities and Art Treasures Act, 1972 (52 of 1972), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement .-(1) These rules may be called The Antiquities and Art Treasures Rules, 1973.

(2) They shall come into force in a State on the date on which the Act comes into force in that State.

2. Definitions .-(a) "Act" means the Antiquities and Art Treasures Act, 1972;

(b)"Form" means a form appended to these rules;(c)"licensee" means a holder of a license granted under the Act;(d)"section" means a section of the Act.[2-A. Reference to committee of experts for report as to artistic and aesthetic value of any human work of art.-Where having regard to the nature and other matters pertaining to any human work of art which the Central Government proposes to declare to be an art treasure under clause (b) of section 2 of the Act, the Central Government considers it necessary so to do, it may, by notification in the Official Gazette, constitute a committee consisting of not less than three persons having expert knowledge as to like works of art to consider and submit a report on the artistic and aesthetic value of the work of art so proposed to be declared.

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- -B. Notice for ascertaining whether the author of a work of art is alive .-(1) With a view to determining whether the author of any human work of art which the Central Government proposes to declare to be an art treasure under clause (b) of section 2 of the Act is alive, the Central Government may, by notification in the Official Gazette, give notice of its intention to make such declaration and require--(a)that in case the author thereof is alive, he shall, within two months from the date of publication of the notification in the Official Gazette, communicate the fact and his address to the Central Government;(b)that any other person knowing such author to have been alive [within thirty years, to make known to the Central Government within two months from the date of publication of the notification in the Official Gazette] the name of the author and the fact of the author being alive and his address or, as the case may be, the date on which the author was last seen alive and the last known address of the author.(2)A copy of a notice published under sub-rule (1) may also be published in any Indian or foreign newspaper or journal.]
- 3. Authority competent to issue permits under sub-section (2) of section 3.-The Director-General shall be authority competent to issue permit under section 3 for the export of any antiquity or art treasure.

Explanation .-For the purposes of rules, the expression "Director-General" means the Director-General, Archaeological Survey of India and includes an officer not below the rank of the Director, Archaeological Survey of India [duly authorised in this behalf by the Director-General.]

- 4. Form of application for license to carry on business or selling antiquities .-Every application for a license to carry on the business of selling or offering to sell antiquities, shall be made in Form I and shall be accompanied with a challan of [rupees two thousand] in token of having paid the fee for the license applied for.
- 5. Grant of license under sub-section (1) of section 8.-(1) On receipt of an application for license to carry-on the business of selling or offering to sell the antiquities, the licensing officer shall, in addition to considering the factors mentioned in a clauses (a), (b) and (c) of sub-section (1) of section 8 consider the bona fide intention of the applicant and if satisfied about such intention, may grant a license to the applicant in Form II.
- (2) [Every license granted under sub-rule (1), shall be valid for two years from the date of issue. This period of two years may be extended by one year by the licensing officer, if application for such extension is received by him at least two months before the date of expiry and [the licensee (i) has been submitting all the prescribed returns; (ii) has satisfactorily maintained all the prescribed records; and (iii) continues to comply with all the conditions laid down for the grant of

license]:][Provided that an application for extension under this sub-rule may be entertained by the licensing officer even up to one month before the date of expiry if he is satisfied that the delay in applying for extension was due to circumstances beyond the control of the applicant.] [Inserted by G.S.R. 56(E), dated 10.2.1981 (w.e.f. 10.2.1981).]

6. Conditions of license under rule 5.-Every license granted under rule 5 shall be subject to the following conditions, namely:--

(a) The license shall not be transferable: Provided that where a licensee transfers his business to another person the transferee may, on an application made in [Form I-A, be granted a fresh license, without payment of a license-fee, for the unexpired period of the license of the transferor, by the licensing officer, having regard to the factors mentioned in rule 5:[Provided further that in the case of the death of licensee, when the licensee is an individual, a fresh license for the unexpired period of the license can be granted in Form II-A, without payment of any fee, to the legal heir of the late licensee subject to the condition that an application in Form I-A is made by that heir to the licensing officer [within three months of the date of death of the licensee], and the licensing officer is satisfied with the factors mentioned in rule 5, in regard to the applicant.](b)[No licensee shall enter into partnership, or if the licensee is already a partnership firm, into further partnership, in regard to the business covered by the license: [Substituted by G.S.R. 564(E), dated 30.11.1978 (w.e.f. 30.11.1978). Provided that if the licensee wants to enter into partnership or further partnership, as the case may be, in regard to the business covered by the license, all the proposed partners including the existing one(s) may apply in Form I-A to the licensing officer and if the licensing officer is satisfied with all the facts mentioned in rule 5 in regard to all the proposed partner(s), he may issue a fresh license in Form II-A for the unexpired period of the license without payment of any fee.](c)Where a firm in respect of which a license is granted is dissolved every person who was a partner of that firm immediately before the dissolution shall, within ten days of such dissolution, send a report thereof to the licensing officer.(d)Where a licensee carries on his business at more than one place he shall obtain a separate license for each place.(e)[No licensee shall shift his business covered by the license to new premises during the currency of the license. However, if he wants to do so, he may apply in Form I-A to the licensing officer and if the licensing officer is satisfied with the fact mentioned in section 8(b) of the said Act, in regard to the proposed premises, he may modify the license accordingly. The modified license shall be valid in regard to the new premises only from the date of such modification.] [Inserted by G.S.R. 56(E), dated 10.2.1981 (w.e.f. 10.2.1981).](f)The licensee shall if so required by the licensing officer permit the licensing officer's photographer to take photographs of antiquities in the possession of the licensee.(g)the licensee shall cause his license to be prominently displayed at his licensed premises(h)the licensee shall submit to the licensing officer in Form III, a monthly return of sales and acquisition of antiquities, within fifteen days of the expiry of the month to which the return relates and shall also, on demand, within such time as the licensing officer may specify, produce such records;(i)Where a license is revoked or suspended under the Act, the licensee shall not be entitled to any compensation for such revocation or suspension, nor shall he be entitled to claim refund of any sum paid in respect of his license.(j)[In case of termination of a license through expiry/dissolution of partnership, the ex-holders of the license shall be allowed to antiquities in his/her/their possession on the date of termination to a licensee or recognised museum in India within six months of the date of termination of the license

provided the ex-holder of the license has/have properly declared his/her/their stock in Form V as laid down in conditions (k) and (m). [Inserted by G.S.R. 564(E), dated 30.11.1978 (w.e.f. 30.11.1978). [(k)] Two months before the date of expiry of a license, every licensee shall send to the licensing officer a declaration of stock in Form V and another declaration of stock in Form VI immediately after six months from the date of expiry. [Inserted by G.S.R. 564(E), dated 30.11.1978 (w.e.f. 30.11.1978).](1)In the case of revocation of a license for non-compliance with any condition for the grant of a license, an ex-licensee shall submit a declaration of stock in Form V to the licensing officer within fifteen days of revocation. (m) In the case of dissolution of a partnership firm, which holds a license, every partner in the firm shall immediately on dissolution, jointly, or severally, send to the licensing officer a declaration of stock in Form V and another declaration of stock, in Form VI immediately after six months from the date of dissolution.(n)A licensee who wants to surrender his license shall apply in Form X to the licensing officer. The application shall be accompanied by a declaration of stock in Form V. If the licensing officer is satisfied that there has been compliance with all the conditions of the license by the licensee, he may accept the surrender and the license shall be deemed to have terminated from the date of such acceptance. This shall not entitle the licensee to any compensation by way of refund of license fee in any form.(o)The licensee who has surrendered his license shall be allowed to sell the antiquities declared to another licensee or recognised museum in India up to six months from the date of acceptance of the surrender of his license provided that on the expiry of such six months, he shall send to the licensing officer a declaration of stock in Form VI.]

7. Renewal of license under sub-section (1) of section 9.-On an application made by the licensee for the renewal of the license and on payment of a fee of [rupees one thousand] the license may be renewed [for a further period of two years at one time] [Substituted by G.S.R. 564(E), dated 30.11.1978 (w.e.f. 30.11.1978).]:

[Provided that such application is received by the licensing officer at least two months before the date of expiry of the license and is accompanied by a declaration of stock in Form V.] [Inserted by G.S.R. 564(E), dated 30.11.1978 (w.e.f. 30.11.1978).]

8. Maintenance of records, photographs and register by licensee .-Every licensee shall maintain the following records, namely:--

(a) a register of antiquities [* * *] in Form IV separately for each category of antiquity for which he has been authorised to carryon business of selling or offering to sell; and(b)photo albums separately for each category of antiquities having clear photographs in at least post-card size, pasted in the album together with a loose photograph bearing the serial number of his register.

9. Form of [declaration under section 12 and rules 6 and 7] and period within which it shall be made

.-Every person whose license has been revoked under section 11 shall make before the licensing officer:--(a)a declaration in Form V, within fifteen days from the revocation of his license; and(b)a declaration in Form VI, immediately after a period of six months from the date of revocation of his license.

10. Amendment of license .-A license may be waived or amended by the licensing officer suo motu or on an application made in that behalf by the licensee:

Provided that no amendment or variation shall be made suo motu by the licensing officer unless the licensee has been given a reasonable opportunity of being heard in the matter.

- 11. Application for certificate of registration under section 16.-(1) Every application for a certificate of registration under section 16 shall be made in Form VII to the registering officer having jurisdiction over the area in which the applicant resides.
- (2) Every such application shall be accompanied by [three copies of photographs in post or quarter size] in sharp focus, of each antiquity in the applicants' possession, and if so required by the registering officer by an equal number of photographs of different sides, or facets of such antiquity.
- 12. Form of certificate of registration under section 16.-The certificate of registration under section 16 shall be granted in Form VIII.
- 13. Transfer of ownership .-When any person transfers the ownership control or possession of a registered antiquity to any other person, the transfer shall be intimated in Form IX by the transferor within fifteen days of the date of transfer to the registering officer having jurisdiction over the area where the transferor resides and also to the registering officer having jurisdiction over the areas where the transferor resides.
- 14. Appeal against a decision of the licensing officer or registering officer .-Any person aggrieved by a decision of a licensing officer under section 8 or section 9 or section 11 or by a decision of a registering officer under section 16 may, within thirty days from the date on which the decision is communicated prefer an appeal to the Director-General, Archaeological Survey of India.

15. [Director-General to sanction prosecution

.-The Director-General shall be the officer competent in terms of sub-section (1) of section 26 of the Act, to institute, or to sanction institution of, prosecution for offences under sub-section (1) of section 25 of the Act.]Note.-The declarations in Forms V and VI referred to in conditions (j) to (o) of rule 6 and sub-rule (b)of rule 9, shall be made either by registered post or in person.] [Inserted by G.S.R. 564(E), dated 30.11.1978 (w.e.f. 30.11.1978).]FORM IApplication For Licence To Carry On Business Of Selling Or Offering To Sell Antiquities(See Rule 4)

- 1. Name and address of applicant [Any change address has to be promptly (within a week shifting) intimated to the licensing officer.]
- 2. Name and address of firm including its branches or collaterals and other names (aliases) and addresses during the last 10 years. [To be attested by a gazette officer with seal of office.]
- 3. Names and addresses of partners, if any, including adult members of the family having an interest in, or share in, the business.
- 4. Addresses of showroom/sale premises.
- 5. Address of all godowns and depositaries including residential premises of the constituencies.
- 6. The period for which the applicant has been in business giving the details of the experience.
- 7. Whether the applicant/firm (including all constituents individually and jointly) was convicted of any offence punishable under the antiquities (antiquities, if so, details thereof may be stated.
- 8. Whether the applicant/firm (including all constituents individually or jointly) is a subject of prosecution/investigations/inquiry regarding the infringement/inquiry regarding the infringement of the antiquities (export control) Act. 1947 or the thereof antiquities or art treasure.
- 9. Whether all stock upto the date of application has been entered in the applicant's register.

- 10. The village, town or city, including district and State, where the applicant intends to carry on the business.
- 11. Nature i.e. details of the varieties of antiquities in which the applicant wishes to deal in, such as stone sculptures, metal works, wood, works, coins, paintings, jewellery and the like.
- 12. Category-wise list of all objects on hand claimed by the applicants to be antiquities including these, which have been registered with registering officer.
- 13. Proof of deposition of licence fee, i.e. treasury challan of Rs. 100/-payable into the Account no. bearing no. Dated to be attached.
- 14. I declare that the above information is correct and complete to the best of my knowledge and belief. I/We also undertake to observe the previsions of the Antiquities and Art Treasures Act, 1972, and the rules made there under.

I also enclose an attested [To be attested by a gazette officer with seal of office.] copy of the Income
Tax Certificate for the preceding year () and the
Registration No. of the business establishment. I also undertake to intimate any change of address
or acquisition of new godown within a week [Any change address has to be promptly (within a week
shifting) intimated to the licensing officer.]. I also undertake to maintain such record, photographs
and registers and furnish at my expense periodical returns with such particulars and photographs
and register maintain in this connection for the inspection of the Licensing Officer, or any other
gazetted officer of Government authorized in writing by the licensing officer in this behalf. Seal of the
OrganizationPlaceDateName and Signature of the
applicant[FORM I-A] [Inserted by G.S.R. 564(E), dated 30-11-1978 (w.e.f. 30-11-1978) and as
corrected by G.S.R. 207, dated 2-2-1979.]Application For Grant Of A Fresh Licence Carrying On
Business Of Selling Or Offering To Seal Antiquities In Lieu Of One, The Holder Of Which Has Died,
Or The Holder (S) Of Which Has/have Transferred His/their Business To Other (S) Or The Holder
(S) Of Which Propose (S) To Enter Into Partnership/further Partnership(See rule 6)

- 1. Name and address of applicant(s)
- 2. Name and address of firm including its branches or collaterals and other name (aliases) and addresses during the last 10 years.

3. Name and addresses of partners, if any, including adult members of the family having an interest in or share in the business.

Note.-In case this application is in consequence of proposed entry into, or proposed enlargement of the existing partnership, the required details should be applied separately for the existing holders and the proposed partners.

- 4. Address of showroom/sale premises.
- 5. Address of all godowns and repositories including residential premises of the constituents.
- 6. The period for which the applicant has been in business giving the details of the experience.
- 7. Whether the applicant/firm (including all constituents individually and jointly) was convicted of any offence punishable under the antiquities (antiquities, if so, details thereof may be stated.
- 8. Whether the applicant/firm (including all constituents individually or jointly) is a subject of prosecution/investigations/inquiry regarding the infringement of the antiquities (export control) Act. 1947 or the thereof antiquities or art treasure.
- 9. Whether all stock upto the date of application has been entered in the applicant's register.
- 10. The village, town or city, including district and State, where the applicant intends to carry on the business.
- 11. Nature i.e. details of the varieties of antiquities in which the applicant wishes to deal in, such as stone sculptures, metal works, wood, works, coins, paintings, jewellery and the like.
- 12. Category-wise list of all objects on hand claimed by the applicants to be antiquities including these, which have been registered with registering officer.

13. Particulars of the licence in lieu of which a fresh licence is need.

a) Nob) Datec) Name(s) of the licencesd) Period with dates for which issued/renewed.

14. The circumstances in consequence of which this application has been made.

(Death of the licences/transfer of business/entry into partnership/enlargement of the existing partnership). Proof must be furnished.

15. I/We declare that the above information is correct and complete to the

there under. I also enclose an attested [To be attested by a gazette officer with seal of office.] copy of the Income Tax Certificate for the preceding year

business establishment. I also undertake to intimate any change of address or acquisition of new godown within a week [Any change address has to be promptly intimated to the licensing officer.]. I/we also undertake to maintain

previsions of the Antiquities and Art Treasures Act, 1972, and the rules made

) and the Registration No. of the

best of my knowledge and belief. I/We also undertake to observe the

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such record, photographs and registers and furnish at my expense periodical returns with such particulars and photographs and register maintain in this connection for the inspection of the Licensing Officer, or any other gazetted officer of Government authorized in writing by the licensing officer in this behalf.
Seal of the OrganizationPlaceDate:
5 of the Antiquities and Art Treasures Rules, 1973

Antiquities, In Lieu Of One The Holder Of Which I			•	
Transferred Propose(S) Or The Holder(S) To Enter				eas
the holder(s) of licence no				
has/have transferred his/her/t partnership/further partnership. And whereas the particulars are given below, has/have applied for taforesaid for the un-expired period of the licence a Name:	heir business to heir/transferee he issue of a free foresaid. Name at the applicants Treasures Act, and lice ies and Art Treasured subject and the business with the business were as the subject and the business with the business	oother/ proposed proposed partnesh licence in liest in li	e(s) to enter in ers whose u of the licence ather's indertaken to es made there is hereby grant as for the perions of the said all only in the will be	this od Act,
(Licensee)	_			
Antiquities[See rule 6(h)]For the month of	•		Of flequisition	
1. Serial Number	(in the register)	(in the register)	
2. Description of object with a photograph. 2. Description of object with photograph. -	sold	ry of foreigners tiquity is sold heir addresses home and per should be Address of	Seal of Organization	the head of the organization
PlaceDateFORM IVRegister Of Ant sculptures / terracottas / metal / objects / objects / medals / coins / paintings / manuscripts and textil	of bone and ivo	-		
Identification Sl.No. of objects and Material Size Age description Approximate Age	te Date of Acquisition	Source of acquisition including the r of the person/f from Whom acquired with address	Mode o	

1 2	3	4	5	6	7			8
Price paid for acquisition	Registration D No. re	ate of egistration	Date of sale, if any	Name and address of person or firm to whom sold [In thecase of a foreigner his addresses in India and at home and passport number should also be recorded.]	Place	Reference to photo album No.	Photo No. and page	Photographs in 6 x 6 cm. size
9	10 11	_	12	13	14	15	16	17
(To be pasted in the register) [FORM V] [Substituted by GSR 564(E), dated 30.11.1978 (w.e.f. 30.11.1978) and as corrected by G.S.R. 207, dated 2-2-1979.]Declaration Of Stock(See conditions under rule 6(j), (k), (i), (m), (n) rule 7 (ii) and rule 9(a).Particulars of objects (category-wise) Sl.No. in the register Identification and description of the object (registered or unregistered) Material Approximate Size Age Date of registration if registration if registered								
1	2		3	4		5		6
I/We declare our stock of antiquities as here above on the date of the declaration. Seal of Organization Place								
Sl.No. in the register	Description of the objects with photographs	ne Name ar the licen firms to	ce/lice	encee Date of sale	Price a which sold	t Approxii Age	mate	(registration no. etc.) on the object in hand
1	2	3		4	5	6		7

- 1. Name of applicant (person or firm)
- 2. Address of applicant (person or firm)
- 3. Identification and description of object with

[three copies of photographs in post card or quarter size.] [Substituted by G.S.R. 564(E), dated 30-11-1978]

- 4. Material
- 5. Size
- 6. Approximate date
- 7. Source of acquisition
- 8. Where the applicant has come into ownership, control or possession of any antiquity which is already registered under the Act, registration number of such antiquity and the name of the registering officer, who had registered it.
- 9. Date of acquisition
- 10. Mode of acquisition
- 11. Price paid, if any
- 12. (a) Present location and

(b)condition of preservation and security

13. If the antiquity is already registered under the Act, whether its registration certificate has been attached

I declare that the above information is correct and complete to the best of my knowledge and belief. I also undertake to observe the provisions of the Antiquities and Art Treasures Act, 1972, and the

rules made thereunder.Se	al of the	
OrganisationPlace	Date	SignatureName of the applicant

- 1. If the application is on behalf of an organisation, the name thereof should be given
- 2. If the application is on behalf of an organisation, the signature should be that of the head of that .organisation.

FORM VIIICertifica	ate Of Registration Of Antiqu	ities(See rule 12)Whereas
•••••	resident of	has applied for registration of the
antiquity/antiquitie	es mentioned below, and has	undertaken to observe the provision of the
Antiquities and Art	Treasures Act, 1972, and the	rules made thereunder.(Place)I,
•••••	Registering officer	do hereby grant this certificate under
Section 16 of the sa	id Act to the said fo	r the object described below together with
authenticated phot	ographs.	

- 1. Name of objects
- 2. Material
- 3. Size (height and width)
- 4. Approximate date
- 5. Location

2. One copy shall be sent to registering officer concerned and the other two to the Director-General, Archaeological Survey of India, New Delhi, by registered post so as to reach then within ten days of transfer.

- 3. In case the object is an unregistered antiquity, each copy of this form shall be accompanied by a photograph (in sharp focus) of the object in post-card or quarter-size. If the sides of the object are decorated differently than the front, then photographs, as stated above, shall be sent in respect of each such side also in addition to the front side.
- 4. The responsibility of the above formalities rests with the seller/giver, if the object has been sold, gifted or donated; otherwise with the new owner of the object.

SECTION A (TO BE COMPLETED BY THE S	ELLER/GIVER)
1. Name of owner	
2. Address of owner	
3. Licence No[A	pplicable in the case of dealers only.]
4. Serial No. in register	
5. Serial No. in Album	
6. Name/Subject of object	
7. Nature (e.g. sculpture, painting, i	manuscript, coins, etc.)
8. Whether it is registered?	
If so -(i)Name and Station of registering offic	er(ii)Registration No.
9. Material	••••••
10. Size	••••••
11. Price offered	
PlaceDatesigned and SealSECTION B (TO BE COMPLE	Signature of ownerName (in block letters) as ETED BY THE NEW OWNER)

1. Name
2. Complete address
(i)Present(ii)Permanent
3. Mode of acquisition
(e.g. purchase, gift, inheritance, donation, etc.)
4. Present location of object
5. Safeguards for preservation and security of the object
6. Nationality [Applicable in the case of foreigners only.]
7. Passport No [Applicable in the case of foreigners only.]
8. Duration of stay in India [Applicable in the case o foreigners only.]
9. Purpose of visit
I hereby declare that the information given by my is correct and complete to the best of my knowledge and belief. I undertake to observe the provisions of the Antiquities and Art Treasures Act 1971, and the rules made thereunder as in force from time to time. I am aware that the object now acquired by me is an antiquity, that it cannot be taken or sent out of the territorial limits of India except on the authority of a permit issued by Director-General, Archaeological Survey of India and that any attempt to take or send out of India without such a valid permit is punishable under the law.Place
1. Name of the applicant
2. Present address of the applicant

3. Particulars of the licence to be surrendered:

(a)Number	(b)Date	(c)Name of the	
holder((d)Period with dates of validity.		
4. Reason for surr	endering the licence		
I/We hereby declare m	y/out intention of surrendering	g the licence aforesaid, of which I/V	Ve am/are
holder(s) and am/are a	ware that on the acceptance of	this surrender, I/We will not be en	titled to
any compensation by w	yay of refund of licence fee or in	any other form.I/We hereby attac	h a
declaration in Form V o	of the stock of antiquities held b	by me/us on the date of the declara	tion and
hereby undertake to su	bmit another declaration of Fo	rm VI immediately six months afte	r the date of

surrender.Place......Date......Signature and Name of

acceptance of this