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Passion Pays

Countering art counterfeits

Buying art from a reputed institution with an authenticity certificate can avert fiascos like the Bangalore auction

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Shock waves rippled through the Indian art circuit last month following allegations that a number of paintings scheduled to be auctioned at a special event organised by a Bangalore-based online art company were counterfeits.

The event, prosaically titled 'Significant Indian Paintings', was organised to celebrate the 100th anniversary of the enterprise that owns the auction firm, but had to be called off at short notice after allegations of foul play.

The bone of contention was a specific pen work by Rabindranath Tagore, *Nritya* (1933), a 9" x 5" coloured ink and nib work on paper pasted on board, priced at ₹16-20 lakh. While the auctioneers claimed that it was in fact an original acquired from a collector who had owned it since 2009, others, including representatives of Vishwa Bharati, Shantiniketan, which owns most of Tagore's legacy, asserted that the original was under lock and key at the institution.

Amidst the confusion, the MF Husain Foundation, a Mumbai-based special trust handling the sale, purchase and exhibition of the works of the recently deceased artist, also shot off a legal notice to the auctioneers alleging that Husain's work displayed on their website was also forged.

Not new

Counterfeiting is by no means a new phenomenon in the world of art and certainly not novel in the Indian art market. In early 2000, the fake art business in the



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country soared as a regrettable consequence of the sudden surge in demand. Speculation and reckless investment followed in the wake of the booming art market. Recession may have taken the edge off this thriving grey market, but recent developments prove that it hasn't disappeared from the scene. Common consensus holds that the works of Jamini Roy are the most forged among the 20th century Indian artists, but modernists such as Husain,

Souza and Raza are also counterfeited aplenty.

Tagore has recently emerged as a favourite with counterfeiters, specifically after a dozen of his paintings raked in a whopping \$2.36 million at a Sotheby's auction in London in June 2010. Since then, faked copies of his works emerged in 2011 at an exhibition, ironically commemorating the 150th birth anniversary of the bard, where a total of 18 works were alleged counterfeits.

Identifying art fakes is a tricky

affair, especially since artists go through a range of stylistic phases. The complications of showing the products of a stylistically unusual phase of an artist's life was emphasised by the head of the Kolkata art college, who, when indicted, insisted that the works displayed in her institution possibly belonged to a less known phase of Tagore's artistic experimentations.

That authentic look

While the concerned artist was not himself available for commenting on the accuracy of this speculation, many living artists, even Husain during his lifetime, have been known to often disown works once endorsed by them. This could be seen as unethical, except that sometimes, an artist who produces dozens of paintings a month may genuinely lose track of his work.

Such memory lapses are of obvious advantage to forgers, many of whom are gifted artists in their own right. A number of international art counterfeiters have gained considerable fame not only because of the art cons they have pulled off, but due to their outstanding artistic abilities. In India, a chunk of them are students sourced from art colleges by dealers and middle

men. Many of them are also photographers who have access either to the original works or high resolution, unedited images. These images are printed on to canvases of exactly the same dimensions as the original and then retouched adequately with paint to help seal its authentic look.

Finally, it is framed, handsomely, and if undetected, sold off promptly, preferably via the internet where actual physical examination of paint texture and brush strokes, the fingerprints, is unfeasible.

In the face of the current crisis, the Indian art fraternity has reiterated its longstanding demand for a regulatory body to deal with valuation and fraudulent practices. But until then, victims of art fraud must look to the national copyright laws for redress. In India, the enforcement of copyright is not dependant on registration and includes all artistic work – paintings, sculptures, drawings, engravings and photographs. The definition of the law, however, does not cover many contemporary artistic practices, including installations and mixed media works.

The writer is a Delhi-based art critic.



How forgers win

- Artists lose track of their work
- Copying original works
- Hiring talented artists

No cover for fakes

While art insurance covers risks like damage during transit, restoration and framing, it assumes collectors have established the legitimacy of a work. Hence, it does not cover authenticity claims

Be ultra cautious

Neophyte investors are often the most susceptible to swindlers. The primary means of avoiding deception while buying art is therefore to educate oneself rigorously with respect to the art being pursued for purchase.

Most experienced investors buy art directly from the artist or a gallery or an auction house, as this is the best way to avoid counterfeits. While no artists are likely to sell fake versions of their own works, established institutions are cautious about ensuring the

authenticity of the works they sell, simply to safeguard their status in the market.

Apart from this, insisting on authenticity certificates – a document stating the genuineness of the work signed by the artist himself, including an image of the work in question – is a must. Other evidence of the work's provenance – its detailed exhibition history, catalogues of shows it may have been displayed at, invoices of its former purchase (especially by the institution from which the piece

will be bought), photographs and correspondence with the artist regarding the work – are also essential to help establish its credibility. Those looking to insure their art acquisitions should also keep in mind that while art insurance covers risk like damage during transit, restoration and framing title, insurance typically assumes collectors have established the legitimacy of a work before seeking insurance. Like most investments, acquiring art is subject to risks, but taking informed decisions may help avoid the hazards it poses and focus instead on the many aesthetic joys it affords.