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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN
LAW AND PROSECUTION DEPARTMENT
GILGIT BALTISTAN SECRETARIAT

Gilgit, the 21st May, 2024

THE GILGIT-BALTISTAN ANTIQUITIES ACT, 2024

(ACT NO. II OF 2024)

AN

ACT

To protect, preserve, develop and maintain Antiquities in Gilgit-Baltistan

No. ALA-1(1)/2024-GBA.—WHEREAS, it is expedient to provide a law relating to the protection, preservation, development and maintenance of antiquities in Gilgit-Baltistan and to encourage research related to antiquities and for matters connected therewith or ancillary thereto:

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[8360 (2024)/Ex. Gaz.]

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It is hereby enacted as follows:—

CHAPTER-I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Gilgit-Baltistan Antiquities Act, 2024.

(2) It extends to the whole of Gilgit-Baltistan.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context—

(1) **"Advisory Committee"** means the Advisory Committee constituted under **Section-3** of this Act;

(2) **"Antiquity"** means any ancient product of human activity which has been in existence for a period of not less than one hundred years and includes—

a. immovable antiquities, movable antiquities, protected antiquities, important antiquities, buried antiquities, registered antiquities;

b. any building or site of cultural, historical, social, religious, architectural, ethnographical, anthropological, military or scientific interest;

c. any cultural property, tangible cultural properties and buried cultural properties, archaeological mounds, ancient burial sites and lands about which it could reasonably be believed to be containing cultural objects;

d. any national monument located in Gilgit-Baltistan defined by **section-2 (13);**

e. groups of historic and traditional buildings and cultural landscapes include groups of historic or traditional buildings of high value which form a certain integrity of the cultural landscape in combination with their surroundings or environment and landscapes that have evolved in association with the modes of life or livelihoods of the people and the

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geo-cultural features of the region and which are indispensable to understanding the lifestyles and livelihoods of the people in any particular area of Gilgit-Baltistan; and

f. any other object or class of such objects declared by Government through notification in the official Gazette, to be an antiquity for the purposes of this Act.

(3) **"Court"** means the Magistrate 1st Class.

(4) **"Cultural Property"** means a property which, on religious, spiritual, secular or material grounds, is specifically designated as being of importance for archaeology, prehistory, history, literature, art or science and may belong to any category *i.e.* rare collections and specimens of nature such as fauna, flora, minerals and anatomical property relating to the history of science and technology, military and social history to the life of national leaders, heroes, thinkers, scientists, artists and other notable personalities and events of national importance; products of archaeological excavations or archaeological discoveries; elements of artistic value, inscriptions, coins, currency notes and engraved seals; objects of ethnological interests, pictures, paintings and drawings produced entirely by hand; and original marks of statuary art and sculpture etc.

5. **"Custodian or custodian body"** means and include the following:

a. any person having been declared as such by the owner of the privately owned cultural property;

b. any person having actual possession of any cultural property and responsible for its protection, preservation, maintenance and upkeep;

c. board of any privately owned cultural property either constituted by the owner, Government or any institution of Government;

d. any person or body having been entrusted with custodianship of any privately owned cultural property by a Court;

(6) **"dealer"** means a person engaged in the business of buying and selling antiquities;

(7) **"Director"** means the Director of the Directorate of Archaeology and Museums Gilgit-Baltistan;

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(8) **"Directorate"** means the Directorate of Archaeology and Museums, Gilgit-Baltistan;

(9) **"Government"** means the Government of the Gilgit-Baltistan;

(10) **"immovable antiquity"** means an antiquity of any of the following descriptions, namely:

a. any archaeological deposit on land or under water;

b. any archaeological mound, burial place or place of internment, or any ancient garden, structure, building, erection or other work of historical, archaeological, architectural, social, religious, cultural, military or scientific interest;

c. 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:

i. 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.

ii. the remains of any immovable antiquity;

iii. the site of an immovable antiquity;

iv. such portions of land or water adjoining the site of an immovable antiquity are reasonably required for fencing or covering or otherwise preserving such antiquity.

v. the reasonable means of access to, and convenient inspection of an immovable antiquity; and

vi. any urban site, street, bazaar, cluster of buildings or public square or quarter and a neighborhood of special value which 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 declare to be an immovable antiquity for the purpose of this Act;

(11) **"Important antiquity"** means any antiquity that has been designated as such under **section-16** of this Act;

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(12) **"Local Government"** means the Local Government constituted by the Government of Gilgit-Baltistan.

(13) **"monuments"** include buildings, zones, clusters or other structures erection, tombs, tumulus or any other place of internment, sites of palaces, sites of forts or castles, monumental dwelling houses, and other sites, which possess a high historical, cultural, architectural, religious, artistic and/or scientific value; gardens, bridges, gorges, mountains, and other places of scenic beauty, which possess a high value from the point of view of art or visual appreciation; and animals(including their habitats, breeding places and summer and winter resorts), plants (including their habitats), and geological features and minerals (including the grounds where peculiar natural phenomena are seen), which possess a high scientific value;

(14) **"movable antiquity"** means an antiquity which can be moved from one place to another place;

(15) **"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 by the Federal Government under the Antiquities Act, 1975 or to be declared under this Act in consultation with the Advisory Committee;

(16) **"owner"** means the owner himself and includes:

a. any person legally competent to act on behalf of the owner, when by reason of infancy or disability the owner is unable to act;

b. a joint owner invested with powers of management on behalf of himself and other joint owners and successor in interest of such owner; and

c. any manager, custodian or trustee exercising the powers of management and the successor in office of such manager, custodian or trustee;

(17) **"protected antiquity"** means any immovable antiquity that has been designated as such under **section-14** of this Act;

(18) **"Province"** means Gilgit-Baltistan;

(19) **"registered antiquity"** means antiquity which has been registered under **section-41** of this Act;

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(20) **"rules"** means rules made under this Act; and

(21) **"tangible cultural properties"** include tangible cultural products which are of high historical or artistic value, such as buildings or structures, paintings and pictures, statues and sculptures, sculptured or dressed stone of all descriptions, crafts and applied arts, calligraphic works, classical books, ancient documents, rock paintings, rock carvings, inscriptions and epigraphs, archaeological artifacts and any other material remains of past human life or activities which possess a considerable archaeological, social, ethnological, historical, cultural, scientific, religious and artistic value (including land and other objects which are combined with them altogether to embody such value);

CHAPTER-II

ESTABLISHMENT OF DIFFERENT BODIES

3. **Advisory Committee.**—(1) Government shall constitute an Advisory Committee consisting of the following to perform such functions and exercise such powers as provided in this Act or the rules made there under:

a. Minister for Tourism, Sports, Archaeology, Museums and Culture, Gilgit-Baltistan, who shall also be its Chairperson;

b. Secretary Tourism, Sports, Archaeology, Museums, and Culture, Gilgit-Baltistan, Vice-Chairman

c. three eminent scholars, archaeologists or persons from Civil Society of Gilgit-Baltistan having thorough knowledge and expertise in antiquities and cultural objects, to be nominated by Government for a non-extendable period of three (03) years.

d. Director Archaeology, who shall also be the Secretary of the Advisory Committee;

(2) The Chairperson may co-opt any other person as member of the Advisory Committee for a meeting or for a specific period.

(3) Four members shall constitute the quorum for the meeting of the Advisory Committee.

(4) The Advisory Committee shall take decisions by the majority of its members present and voting, and in case of a tie, the person presiding over the meeting shall have a casting (deciding) vote.

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(5) The Chairperson or, in his absence, the Vice-Chairperson shall preside over a meeting of the Advisory Committee, and in case of absence of Chairperson and Vice-Chairperson a member nominated by the Chairperson shall preside over the meeting.

(6) Necessary rules shall be framed by the Government of Gilgit-Baltistan to regulate the function and working of the Advisory Committee and also devise methodology for working of the Committee and conducting its meetings.

(7) Notwithstanding any powers and functions of the Advisory Committee to be exercised or performed by it under this Act, Government shall consult the Advisory Committee, if any dispute or question arises about any product, object or site falling within the definition and meaning of antiquity, and the decision of Government in this regard shall be final.

(8) Appeal against any decision of the Advisory Committee shall be referred to Government and the Government may amend, modify, retain or reject the decision of the Advisory Committee.

4. **Establishment of Conservation Heritage Board.**—(1) For scientific conservation and seeking guidance of competent professionals regarding conservation, restoration, protection, promotion of cultural heritage of the Province, Government shall establish a Conservation Heritage Board.

(2) The Conservation Heritage Board shall be headed by the Director of Archaeology, Gilgit-Baltistan and such other members as Government may determine which shall include eminent archaeologists, architects, engineers, conservationists, historians, artists, managers of cultural heritage.

(3) The members of the Conservation Heritage Board shall be nominated by Government in the prescribed manner for a period of one year.

(4) The Conservation Heritage Board shall advise the Department of Archaeology on all major interventions in the built, cultural and archaeological heritage of the Province in light of the national and international best practices and shall also oversee that the execution of such interventions is undertaken according to the guidance provided by the Board.

(5) Government shall lay down rules for smooth and efficient functioning of the Conservation Heritage Board

5. **Establishment of Antiquities Trade Control Wings.**—(1) Government shall establish a wing within the Directorate of Archaeology, Gilgit-Baltistan for control of trade in antiquities in Gilgit-Baltistan.

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(2) Officers to be posted in the antiquities trade control wings shall be trained in the relevant laws and for checking, examining and controlling illicit trade and export of antiquities in coordination with the customs officers and shall be posted at important exit points in the Province specially at the airports, dry ports and land routes.

(3) The officers of the antiquities trade control wings shall be responsible for controlling illegal diggings at archaeological sites and monuments and encroachments within the vicinity of 200 feet on the protected, important and registered antiquities.

(4) In the performance of functions, the officers of the Antiquities Trade Control Wing shall be assisted by the police and District Administration. They shall be responsible for close liaison with other provinces to curb illegal trade of the antiquities from Gilgit-Baltistan.

6. **Establishment of Training Cell and Conservation Laboratory.**— (1) Government shall establish a Training Cell and Conservation Laboratory working under the Directorate of Archaeology, Gilgit-Baltistan for capacity building of professionals in the field of archaeology, museology, conservation, heritage management, cultural tourism and promotion of cultural heritage and to develop capacity of the Directorate to meet the growing challenges in these highly technical and specialized areas.

(2) The Training Cell and Conservation Laboratory shall provide facilities to the universities, other organizations and individuals interested in the culture of the Province against criteria and fee to be determined in the prescribed manner.

(3) These specialized bodies shall also provide facilities to other provinces on terms and conditions to be laid down in the rules made under this Act.

(4) Government may seek assistance from the Federal Government and also from foreign governments and organizations, through concerned ministries for the development and capacity building of the Training Cell and Conservation Laboratory.

7. **Establishment of Accreditation Centre for Archaeologists.**—(1) For the registration of the Archaeologists, Government shall establish an Accreditation Centre of Archaeologists by notification in the official Gazette.

(2) Soon after the notification under sub-section (1), every person having a Master's degree in Archaeology, Heritage Management and Conservation Studies, shall register itself with the Accreditation Center for Archaeology:

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(3) The Directorate shall register the persons having their master degree in Archaeology, Heritage Management and Conservation Studies as Archaeologists after such inquiry and scrutiny and on payment on such fee and in such a manner as may be prescribed.

CHAPTER-III

ANTIQUITIES AND RELATED ISSUES

8. **Custody, preservation, etc. of certain antiquities.**—Where the Director of Archaeology 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 with the approval of the Secretary Archaeology, as he may consider necessary for the custody, preservation and protection of the antiquity.

9. **Accidental discovery of antiquity to be reported to Director.**—(1) Whoever discovers, or finds accidentally, any movable antiquity, shall inform forthwith the Directorate within seven days of its being discovered or found.

(2) If, within seven days of his being informed under sub-section (1) the Director 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 or a person authorized by him in writing.

(3) Where the Director decides to take over an antiquity he may pay the person by whom it is handed over to him such cash reward as may be decided in consultation with the Advisory Committee.

(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 five (05) years, or with fine not less than 1.5 million rupees 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 Government.

10. **Power of entry, inspection etc.**—(1) The Director or any officer authorized by him with police assistance 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 for the purposes of sub-section (1) above.

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(3) No photograph, copy or 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 shall pay to the owner thereof reasonable compensation for the damage in consultation with the Advisory Committee.

11. **Acquisition of land containing antiquities.**—If the Director after conducting an inquiry, has reasonable grounds to believe that any land contains any antiquity, he may approach the Government to direct the Revenue Department to acquire such land or any part thereof and the Revenue Department shall thereupon acquire under relevant rules/regulations/laws, as for a public purpose.

12. **Purchase, taking lease, etc., of antiquity.**—The Director may in consultation with the Advisory Committee purchase or take on lease or accept a gift or bequest of an antiquity.

13. **Right of pre-emption in case of a sale of antiquity.**—(1) Where the Director 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 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 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.

(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 Government.

14. **Declaration of protected antiquities.**—(1) After consultation with Advisory Committee, Government may by a notification in the official Gazette declare any immovable property to be a protected antiquity for the purpose of this Act.

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(2) In case of a privately owned immovable property a copy of the notification under sub-section (1), shall be served on the owner and shall also be fixed upon a conspicuous place of or near such property.

(3) Action under sub-section (1), shall take effect from the date of its announcement in the official Gazette.

(4) Antiquities declared to be protected antiquities by the Federal Government under the Antiquities Act, 1975, shall be deemed to be protected antiquities for the purpose of this Act.

(5) When the declaration under this section has been made, the Director shall issue a certificate to this effect to the owner of the protected antiquity concerned.

(6) The Advisory Committee shall review the list of antiquities every year in December and make suitable recommendations to Government for declaration of any particular important antiquity as protected antiquity as provided in this section.

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

15. **Restriction on repairs, renovation, etc., of protected Antiquity.**—(1) The owner of a protected antiquity shall not make any alteration or renovation in, or addition to, the said protected antiquity:

(2) Provided that he may, with the permission of the Director make minor adjustments considered necessary for the day-to-day use of the protected antiquity:

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

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

16. **Declaration of an important antiquity.**—(1) Government may declare any immovable antiquity through a notification in the official Gazette to be an important antiquity for the purpose of this Act.

(2) In case of a privately owned antiquity a copy of the notification under sub-section (1), shall be served on the owner of the immovable antiquity

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and shall also be fixed up in a conspicuous place of or near the said important antiquity.

(3) The declaration under sub-sections (1) and (2), shall take effect from the day of its announcement in the official Gazette. However, it shall take effect for the owner of the important antiquity, as the case may be, from the time when the notification or notice reaches the said owner.

(4) When the declaration under this section has been made, the Director shall issue a certificate to this effect to the owner of the important antiquity concerned.

(5) Director shall maintain a record of all such antiquities declared to be important antiquities and place the same for review by the Advisory Committee. The Advisory Committee may recommend any of the important antiquity to be declared as a protected antiquity under **section-14** of this Act.

(6) The notification under sub-section (1), shall, unless it is cancelled by Government, be conclusive evidence of the fact that the antiquity has been declared as an important antiquity for the purpose of this Act.

17. **Prohibition of destruction, damage, etc. to protected antiquity or important antiquity.**—(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 pr ted antiquity or important antiquity.

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

(3) The Court trying an offence under this section 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.

18. **Representation against declaration of protected antiquities and important antiquities.**—(1) The owner of an antiquity to which a notification under **section-14** and **16** has been issued, or any other person having any right or interest in the antiquity may, within three months of the notification, make a representation in writing to Government against such notification.

(2) Upon the receipt of a representation tinder sub-section (1), Government after giving the person making it, an opportunity of being heard and after consultation with the Advisory Committee may, either accept or reject the

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representation and in case of acceptance of the representation, it is satisfied that there are good and sufficient reasons for objection to the notification, may cancel the notification.

19. **The guardianship of antiquity by Agreement.**—(1) The owner of an antiquity, may, by an Agreement in writing constitute the Director, the guardian of such antiquity on behalf of Government.

(2) Where the Director 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 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 restriction 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 to access to be allowed to the public;

e. the facilities to be allowed to persons deputed by the owner or the Director 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 in consultation with the Advisory Committee and with the consent of the owner.

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(5) An Agreement under this section, in relation to an antiquity may be terminated upon six months' notice in writing given by the Director in consultation with the Advisory Committee, to the owner or by the owner to the Director.

20. **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-19** subsists, and every person claiming any title to any' antiquity from, though, or under an owner who entered into such Agreement shall be bound by such Agreement.

21. **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 Government.

22. **Change of owner or custodian.**—(1) When the owner of any protected antiquity or important antiquity in private custody has been changed, the new owner shall report in writing, within thirty days, the change to the Directorate.

(2) When the owner of the protected antiquity or important antiquity has changed the custodian, he shall report in writing within thirty days the change to the Directorate, under joint signature with the newly appointed custodian.

(3) The owner or the custodian of any protected cultural antiquity or important antiquity shall when he or she has changed his or her name, title or address, report in writing within thirty days, the change to the Directorate.

23. **Destruction, damage, etc.**—(1) When whole or part of any protected antiquity or important antiquity has been destroyed, damaged, found missing or stolen, the owner shall report it in writing to the Director within seven days of the knowledge of the fact.

(2) The Director shall, inquire into the reasons of destruction or damage, as the case may be, and if it is proved after inquiry that the antiquity has been willfully damaged or destructed either by the owner or by any other person, the Director shall initiate action against such an owner or a person by lodging FIR in the concerned police station.

(3) Whoever willfully damages or destroys an antiquity shall be punished with imprisonment for a term which may extend to five years and a fine up to Rs.2.000 million, or both.

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24. **Direction to the owner to take measures for preservation of antiquity.**—(1) Where the Director considers that any antiquity is not being preserved or conserved properly by its owner, the Director 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 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 and cultural objects.

25. **Repair by the Directorate.**—(1) The Directorate either itself or? (or what/who?) may, in the following cases, undertake the repair of a protected antiquity or important antiquity or take preventive measures against their destruction, damage or theft:-

a. When the owner or the custodian does not comply with the order given in accordance with the provision of the preceding two sections; and

b. When, in cases where the property has been damaged or where it is in danger of destruction, damage or theft, it is deemed unadvisable to have the repair undertaken or preventive measures against destruction, damage or theft taken by the owner or the custodian.

26. **Report on repairs, etc. by owner.**—(1) In case any protected antiquity or important antiquity is to be repaired by its owner, custodian or its custodial body, he/she or it shall report it to the Director in writing. at least thirty days prior to the date on which such repair is to be started.

(2) In case the Director deems it necessary for the protection of the protected antiquity or important antiquity, he may provide technical guidance and advice in regard to the repair of the protected antiquity or important antiquity, as the case may be which has been reported under the preceding sub-section (1).

27. **Offer of sale to the state.**—(1) Any person who desires to dispose of any protected antiquity or important antiquity shall first offer the property for sale in writing to the Directorate, stating therein the estimated value of the protected antiquity or important antiquity at the current market rate along with circumstances necessitating the sale of the property to be listed in the written offer.

(2) When the Director has, within thirty days from the offer of sale filed under the provision of sub-section (1), given notice in writing that the Government shall buy the said antiquity, the owner shall not sell the property or transfer it to other person.

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(3) The Director shall immediately initiate action for acquisition of the aforesaid property through the concerned Administrative Department of the Government and in case no action has been taken by the Director for acquisition of the aforesaid property within ninety days, he shall inform the owner in writing that Government is no more interested in purchase of the property or seek more time for acquisition of the property which shall not be more than ninety days.

(4) If no action has been taken by the Director even on expiry of the extended period of ninety days, the owner shall be free to sell the property by simply intimating the Director in writing.

28. **Trust of custody or repair, or technical guidance.**—(1) The owner of the protected antiquity or important antiquity may entrust the Directorate with the custody or repair thereof on the conditions, as may be prescribed.

(2) The Director may, in case he deems it necessary for the preservation of the protected aforesaid property, advise its owner, presenting him/her conditions, to entrust the Directorate with the custody or repair of such antiquity.

(3) The owner, custodian, or custodial body of the aforesaid property may, request the Director for technical guidance respecting the custody or repair of the property concerned.

29. **Access to the public.**—(1) Access to the public of the protected antiquity or important antiquity shall be undertaken by its owner, the custodian or the custodial body, provided that the timings of such opening be decided by the owner, the custodian or the custodial body through mutual agreement by the Director with the owner.

(2) Notwithstanding the provision of the sub-section (1), a person or persons other than the owner, the custodian and the custodial body may throw open to public viewing, organized under the provisions of this Act, the protected antiquity or important antiquity which the owner, the custodian or the custodial body concerned agree to display.

(3) The custodial body may collect admission fees from the visitors in opening to the public the concerned property in its custody.

30. **Investigation for the purpose of preservation**.—(1) The Director may, when he deems it necessary, ask the owner, custodian or custodial body of protected antiquity to report on the existing state of such antiquity, or on the conditions of its custody, of its repairs or of the preservation of the integrity of its surroundings.

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(2) In any of the following cases, when the Director is unable to confirm the conditions of a particular protected antiquity or important antiquity in spite of all the information given in the report filed under the preceding sub-section (1), and when the reappears to be no alternative way for the confirmation thereof, he may appoint a person or persons to conduct an investigation, and cause them to enter the place where the said property exists and conduct an on-the-spot investigation in regard to the existing state of the property or the conditions of its custody, of its repairs or of the preservation of the integrity of its surroundings—

a. where application has been filed for the permission for alteration of the existing state of the protected antiquity or important antiquity or for the act affecting its preservation;

b. where the important antiquity has been damaged or where there has been a change in its existing state;

c. where there is a fear of destruction or damage of the protected antiquity; and

d. where there is necessity of revaluing the qualifications of aforesaid property because of special circumstances.

31. **Compulsory acquisition of protected immovable antiquity.**—(1) If Government after consulting the Advisory Committee apprehends that a privately owned protected immovable antiquity is in danger of being destroyed, injured or allowed to fall into decay it may direct the Revenue Department to acquire such antiquity or any part thereof; and the Revenue Department 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 observance; or

b. any antiquity, which is the subject of any subsisting agreement.

32. **Compulsory acquisition of movable antiquities.**—(1) If Government after consulting the Advisory Committee is of the opinion that any movable antiquity shall by reason of its cultural, historical or archaeological importance, be acquired for the purpose of preservation, Government may by order in writing addressed to the owner acquire such antiquity: Provided that the power to acquire under this section shall not extend to—

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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 Government free from all encumbrances and the owner shall be entitled to compensation.

(3) The amount of compensation shall be determined by the Advisory Committee after negotiations with the owner of the immovable antiquity. The compensation 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 made in accordance with such agreement.

b. where no such agreement can be reached, Government shall appoint as arbitrator having reasonable qualification in the relevant field.

c. at the commencement of the proceedings before the arbitrator, 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 Chief Court as Appellate Court GB against any award of an arbitrator; and

f. save as provided in this sub-section and in any rules made in this behalf nothing in any law for the time being in force shall apply to arbitrations under this sub-section.

33. **Protection of place of worship from misuse, etc.**—(1) A place of worship or shrine, being an antiquity maintained by Government shall not be used for any purpose inconsistent with its character.

(2) A place of worship or shrine under Government and declared an important cultural antiquity under the Antiquities Act, 1975 or the Gilgit-Baltistan Antiquities Act, 2021 or this Act shall for all practical purposes be

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under the Directorate including management, conservation, maintenance and promotion.

(3) A place of worship or shrine in respect of which the Directorate has accepted guardianship in pursuance of an Agreement under **section-19** shall, unless the agreement otherwise provides be maintained by the person in whom it is vested or, if there is no such person by Government.

(4) Whosoever contravenes the provisions of this Act, shall be punishable with imprisonment for a term, which may extend to one year, or with fine as may be deemed fit by the Court, or with both.

34. **Instruction respecting method of custody of protected antiquity or important Antiquities.**—(1) The Directorate may give necessary instructions to the owner of a protected antiquity or with respect to the custody thereof.

(2) The owner of a protected antiquity or important antiquity shall undertake the custody thereof, in accordance with this Act and instructions issued by the Directorate from time to time.

(3) The owner of such antiquity may appoint an appropriate person as custodian to be responsible on his behalf for the custody of the same antiquity or may appoint a custodial body for the purpose.

(4) When the owner of an antiquity has appointed a custodian or a custodial body in accordance with the provision of the preceding sub-section (3), such owner shall report in writing within thirty days to the Directorate; provided that this provision shall also apply to the cases where the custodian has been released of the responsibility.

35. **Changes of owner or custodian.**—(1) When the owner of a protected antiquity or important antiquity has been changed, the new owner shall report in writing within thirty days the changes to the Director, attaching to the report the certificate of designation issued to the former owner.

(2) The owner of such antiquity shall, when he/she has changed the custodian, report in writing within twenty days, the change to the Director, under joint signature with the newly appointed custodian.

(3) The owner or the custodian shall, when he/she has changed his/her name, title or address, report in writing within twenty days, the change to the Director. When the change has occurred in the name, title or address of the owner, he/she shall attach the certificate of designation to the report.

(4) The Director shall issue a fresh certificate of designation to the new owner after cancelling the earlier certificate of designation.

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36. **Change of location.**—When the location of any protected antiquity or important antiquity or any detachable part thereof is to be changed with special reference to the movable cultural property, the owner or the custodian or the custodial body shall report it in writing to the Director at least thirty days prior to the date on which the location is to be changed, attaching to the report the certificate of designation.

37. **Repair and treatment.**—(1) The repair or treatment of any protected antiquity or important antiquity, if needed, shall be conducted by its owner or the custodian or custodial body as the case may be. He/she shall, however undertake the repair or treatment in consultation with the Director.

(2) In cases where the owner or the custodian or custodial body is unable to bear the expenses required for the treatment or repair of such antiquity, or where there exist any other special circumstances, Government may grant a subsidy to the said owner so as to cover part of such expenses in consultation with the Advisory Committee.

(3) The Director may, if he/she deems it necessary, direct and supervise the treatment or repair of such property for which a subsidy is granted under sub-section (2).

38. **Order or advice on custody of an important cultural property in danger.**—(1) When the Government in consultation with the Advisory Committee concludes that any protected antiquity or important antiquity is in danger of destruction, damage or theft because of the incompetence of the person, who is in charge of its custody, or of the inappropriate method of custody, he may order or advise the owner of such property with respect to the measures necessary for its custody, such as the appointment or change of the person in charge of its custody, the improvement of the method of custody, the provision of fire prevention and other facilities for its preservation.

(2) The expenses required for such measures as may be taken in conformity with the order or advice given under sub-section (1), may be borne, in whole or in part, by Government.

39. **Access to the public by the Director.**—(1) The Directorate may direct the owner, the custodian or the custodial body of any movable antiquity to display the property for a specific term or period for public viewing to be held by the Directorate at specified museums or other institutions.

(2) The Director shall, when antiquities are displayed in accordance with sub-section (1), appoint from among the staff members of the Directorate a person or persons, who are to be responsible for the custody of such properties.

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(3) Expenses required for the display shall be defrayed from the budgetary allocation of the Directorate.

(4) Government may, in accordance with the standards prescribed in consultation with the Advisory Committee, give compensation to the owner, the custodian or the custodial body of the property which has been displayed.

40. **Succession to rights and obligations on change of owner, etc.**—In case the owner of a protected antiquity or an important antiquity has changed, the new owner shall with reference to the said antiquity succeed to the rights and obligations of the former owner as prescribed in the relevant rules, advices, instructions and other dispositions of Government and Director issued or made under this Act.

41. **Registration of antiquity.**—(1) The antiquities other than those declared as protected antiquities and important antiquities, Government may, in view of their importance and value, register them for investigation, preservation and utilization measures the Register of antiquities to be maintained by the Directorate.

(2) When undertaking registrations under sub-section (1), Government shall obtain the opinions of the Advisory Committee and the pertinent local bodies in advance.

(3) Other necessary matters related to the Register of antiquities shall be determined by the Director in consultation with the Advisory Committee.

(4) The Advisory Committee shall review the list of registered antiquities in the first week of January every year and where necessary recommend to declare any such registered property as an Important antiquity or a Protected Antiquity and the Director will initiate action accordingly.

42. **Announcement, notice and issuance of certificate of designation.**—(1) Registration under the provision of sub-section (1) of section 42 shall be made by an announcement in the official Gazette and also by the issuance of a notice thereof to the owner of the registered antiquity concerned.

(2) Registration under the provision of sub-section (1) of section 42 shall come into effect from the day of its announcement in the Official Gazette but for the purpose of the owner of a registered antiquity, it shall come into force when the notice reaches the said owner.

(3) When the registration under the provision of sub-section (1) of section 42 has been made, the Director shall issue a certificate of registration to the owner of the registered antiquity concerned.

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43. **Destruction or damage and treatment or repair of registered antiquity.**—(1)When the whole or part of an antiquity has been destroyed or damaged, the owner, the custodian or the custodial body shall, report it in writing to the Director within seven days of the knowledge of the fact.

(2) The treatment or repair of such antiquity shall be done by its owner, custodian or custodial body in consultation with the Director. However, where necessary, Government shall bear the whole or part of the expenditures to be incurred on such treatment or repair.

(3) The Director shall inquire into the reasons and causes of damage and if it was established in the inquiry that the owner or any other person has willfully damaged the registered antiquity, the Director shall lodge FIR against such owner or person.

(4) Whoever willfully destroys or damages the registered antiquity, shall be punished with imprisonment of a term not exceeding two years or fine not exceeding Rs. five hundred thousand, or both.

44. **Notifications, etc. on alterations to the existing state of a registered antiquity.**—(1) In case any person intends to alter the existing state of a registered antiquity, he shall, no later than thirty days prior to the intended date of effecting said alteration, report the intended changes to the Director. However, this shall not apply to cases where such act as altering the existing state is merely a maintenance measure or an emergency measure to be taken in the event of an unforeseen disaster, or to cases where the existing state must be altered in order to comply with orders under the provisions of other legal statutes.

(2) The scope of maintenance measures shall be determined by Director.

(3) When deemed to be necessary for the protection of a registered antiquity, the Director may give necessary instructions, advice, or demonstration concerning alterations to the existing state of the said property pertaining to the report of sub-section (1).

(4) Any alteration or addition without formal approval of the Director shall be considered violation of this section and shall be punishable under this Act for a prison term not exceeding two years or fine not exceeding Rs. five hundred thousand, or both.

45. **Technical guidance concerning custody or repair of registered antiquity.**—The owner, custodian or custodial body of a registered antiquity may ask the Director for technical guidance respecting the maintenance or repair of the property concerned and the Director shall provide the required assistance.

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46. **Public access of registered antiquity.**—(1) Opening and access to the public of the registered antiquity shall be undertaken by its owner, custodian or the custodial body, as the case may be.

(2) Notwithstanding the provision of the preceding sub-section (1), a party other than the owner, custodian and the custodial body may open to the public such antiquity with the agreement of the owner or the custodial body, if there is one.

(3) When deemed necessary in the utilization of a registered antiquity the Director may give necessary guidance or advice to the owner, custodian or custodial body of the said antiquity concerning its public opening or concerning its custody with respect to its public opening.

47. **Reporting on the existing state of a registered antiquity.**—When the Director deems it necessary, he may ask the owner, custodian or custodial body of a registered antiquity to report on the existing state of such antiquity, or on the state of its custody or state of preservation.

48. **Transfer of certificate of registration accompanying changes of ownership.**—(1) In case the owner of a registered antiquity has changed, the former owner shall deliver to the new owner the certificate of registration concerned simultaneously with the delivery of the said property.

(2) The new owner shall inform the Directorate about the change of ownership within fifteen days in writing attaching the certificate of registration that was issued to the original owner.

(3) The Director shall make necessary changes in relevant register where necessary and issue a new certificate to the new owner.

49. **Annulment.**—(1) In case a cultural property declared as a protected antiquity or important antiquity has lost its value as such or in case there is any other special reason, Government may annul the protection of such protected antiquity in consultation with the Advisory Committee.

(2) Before taking any decision as to the annulment of protection of such property, the Advisory Committee shall constitute a committee of experts in the prescribed manner, of the relevant fields to be tasked with thorough inspection of the property.

(3) The expert committee shall submit its report along with recommendations as it may deem fit to the Advisory Committee within fifteen days. The Advisory Committee shall discuss the report of the expert committee in presence of members of the committee of experts and formulate its own recommendations for decision by Government.

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(4) The annulment of protection under this section, shall be made by an announcement in the official Gazette and also by the issuance of a notice thereof to the owner of the protected antiquity or important antiquity concerned. The owner of such protected antiquity or important antiquity shall within thirty days return to the Director the certificate of such designation issued to the owner.

50. **Annulment of registrations of registered antiquity.**—(1) In case a registered antiquity has been designated as an important antiquity or protected antiquity under this Act, the Director shall annul that registration.

(2) In case a registered antiquity has lost its need of preservation and utilization or in case there is any other special reason, Government may annul that registration.

(3) In case of an annulment of registration under the provision of sub-sections (1) and (2), prompt announcement to that effect shall be made in the official Gazette and also notification shall be issued to the owner of the registered antiquity concerned.

(4) When the owner has received the notice under sub-section (3), he shall return to the Director the certificate of registration within thirty days.

51. **Retrieval of antiquities from abroad.**—(1) Government shall initiate urgent action for retrieval of antiquities smuggled out of Gilgit-Baltistan abroad, sold to any person, organization, museum, university or trust.

(2) Directorate shall register FIRs against known or unknown culprits involved or instrumental in the theft, smuggling, trafficking and sale of any antiquity or cultural objects.

(3) For retrieval of smuggled or sold antiquities diplomatic channels as well as assistance of foreign organizations shall be sought by seeking guidance from national and international laws concerning this issue.

(4) Government shall enter into mutual agreements with different governments through the Ministry of Foreign Affairs for return of the smuggled antiquities.

(5) Director shall prepare list of all such antiquities smuggled out of the Province and now on display in different museums abroad or in possession of private collectors or Auctioneers and collect information about their place of origin and other information necessary to prove that the antiquity actually belonged to the Province.

52. **Removal of encroachments from antiquities.**—(1) Government shall remove all encroachments built, erected, installed over or within the

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demarcated area of any protected antiquity, important antiquity or registered antiquity to save them from potential damage, within a distance of 200 feet.

(2) Government shall acquire the land necessary for protection and survival of the aforesaid property under the Land Acquisition Act, 1894.

(3) Government may pay compensation to the owners of houses etc. encroached upon such antiquities through a mechanism to be devised for the purpose in consultation with the Advisory Committee.

(4) Government shall, in the prescribed manner, provide for removal of encroachments from such antiquities in consultation with the Advisory Committee and publish the same in the official Gazette.

53. **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 under this Act.

CHAPTER-IV

DEVELOPMENT SCHEMES, NEW CONSTUCTION AND USE OF MOVABLE ANTIQUITIES

54. **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 accept with the approval of the Directorate.

55. **Execution of mega project.**—(1) No mega development project for residential purpose, commercial activities, industrial development, construction of dams, development of irrigation systems, drainage system and other activity in both public sector and private sector shall be undertaken before obtaining clearance from the Director.

(2) Before starting the project, the concerned authorities shall seek approval from Government.

(3) Government in consultation with the Advisory Committee shall decide to issue NOC, refuse NOC for reasons to be conveyed in writing, or propose further steps to the concerned authorities to be taken before NOC is issued.

(4) All expenditures on account of investigation, survey, research, etc. at the proposed site will be borne by the concerned government agency or the private party executing the project.

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(5) Activities under this section shall be regulated in such a manner as may be prescribed.

(6) Whosoever contravenes the provisions of this section shall be punishable with rigorous imprisonment up to five years or fine up to Rs. twenty-five lacs, or both.

(7) The Court trying the offence shall, if deem appropriate, stop the work at such site and direct the concerned project authorities to take such steps as may be considered appropriate for the protection, conservation, etc of antiquities within the project area.

56. **Report and instruction on excavation for construction works.**— (1) In case any site well-known to contain buried cultural property is to be dug up in the course of construction work or for purposes other than the investigation of the buried cultural property, the owner or for that matter any other person or organization intending to excavate such site, shall report it to the Director in writing at least sixty days prior to the day on which the said excavation is to be commenced.

(2) The Director may, when he deems it positively necessary for the protection of buried antiquities, give necessary instructions with regard to the excavation to be undertaken under supervision of an officer or a team of officers of the Directorate, or may prohibit the excavation or order its suspension or discontinuation for reasons to be conveyed in writing to the owner.

57. **Special provisions regarding excavation conducted by state organs etc.**—(1) In cases where a Government organization, including the local government departments intending to excavate a well-known archaeological or historical site for the purpose of construction work or for purposes other than the investigation of the buried antiquity, such organizations shall approach the Director for deputing a team of archaeologists for supervision of the excavations.

(2) The Director shall, accordingly, constitute a team of archaeologists for the purpose and the entire expenditures on account of investigation at such sites by the team of archaeologists shall be borne by the sponsoring organization of the work.

(3) The Director may, when he received a report from the team of archaeologists constituted for the purpose and found it positively necessary to do so for the protection of the buried antiquity, give notice to such organization, etc. to stop work on the site till completion of thorough investigations.

(4) The Director may either allow construction at the site after considering the final report on investigations at the site submitted by the team of

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archaeologists so constituted or refuse to allow construction at the site due to its archaeological importance and the concerned agency shall be informed accordingly.

58. **Restriction on use of protected immovable antiquity.**—(1) 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.

(2) Whosoever contravenes the provision of sub-section (1), shall be liable to imprisonment for a term not exceeding six months or to fine not exceeding rupees two hundred thousand.

(3) Government in consultation with the Advisory Committee may, allow any activity within such area of the protected antiquity or important antiquity which may not be detrimental to the aforesaid property, on terms and conditions to be specified separately, on payment as may be decided by the Advisory Committee. The revenue so earned shall be deposited in the account created under this Act.

CHAPTER-V

EXCAVATION OR EXPLORATION AND RELATED MATTERS

59. **Report, instruction and order on excavation for investigation.**—(1) No person shall make on any land any excavation or exploration for archaeological purpose, or unearth or dig~ in any land or site for taking out antiquities, except under and in accordance with a license granted by the Director.

(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 right 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

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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 five years, or with fine up to rupees one million or with both.

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

60. **Report on discovery of remains, order for suspension, etc.**—(1) When the owner or the occupant of the land has discovered any ancient burial, occupational or residential site and other remains or unearthed articles, he shall, without altering the existing state of such remains, report the fact without delay to the Director in writing. In case it is necessary to take emergency measures for the prevention of extraordinary disaster, he may alter the existing state of such remains within the normal limits of the emergency measures.

(2) In case the Director received the report under sub-section (1), and recognizes the reported remains important, and deems it necessary to conduct investigation for the purpose of their protection, he may order the owner or the occupant of the land to suspend or prohibit him to do excavation within a prescribed area.

(3) The Director shall, constitute a team of archaeologists for undertaking preliminary investigation at such a site within a period not exceeding three months and will decide about further course of action in light of findings of the team.

61. **Prohibition of archaeological excavation or exploration without license.**—(1) No person shall undertake on any land any excavation or exploration for archaeological purpose, or unearth or conduct any digging in any land or site for taking out antiquities, except under and in accordance with a license granted by the Director.

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

a. the applicant is qualified to carry out archaeological excavations or explorations;

b. the activity is undertaken for the purpose of furthering archaeological knowledge in the public interest;

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c. all antiquities found or unearthed during the process of archaeological excavations or archaeological explorations shall remain the property of Government;

d. the public sector universities may retain sizeable portion of the antiquities unearthed by them during archaeological excavations or archaeological explorations conducted under license granted by the Directorate through mutual agreement;

e. the restriction of the owner's rights in respect of the use and occupation of private land;

f. the compensation or any other consideration to be paid to the owner of private land containing cultural objects; and

g. 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 shall 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 ten years, or with fine up to Rs. forty-five hundred thousand, or with both.

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

62. **Regulation and issuance of licenses to foreign archaeological missions.**—(1) No Foreign Archaeological Mission or individual shall be issued a license for archaeological researches in the Province, except on fulfillment of the following conditions:

a. proper application addressed to the Director of Archaeology GB indicating the site or area proposed to be probed or explored;

b. justification for the proposed investigation and research;

c. name of Leader of the Mission, his complete bio-data including his educational qualification, professional qualification and experience, research already done or conducted by him or under his direct supervision, experience and knowledge about the particular period or era to which the site or area pertains, research articles and other

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publications and any other information that the Directorate may deem fit to be asked from the Leader of the Mission;

d. complete list of members of the proposed team including their educational qualifications, professional expertise, details of archaeological explorations or excavations already conducted, research publications, knowledge of the relevant field, period or era, with complete bio-data and any other information that the Directorate may deem fit to be provided;

e. details of funding including their source and flow;

f. period for which license is required;

g. schedule of activities including investigations;

h. arrangements for boarding and lodging during stay in Pakistan for the purpose;

i. transport and security arrangements by the Mission for its members;

j. proper and prior clearance from both Federal and Provincial security agencies concerned of all members of the Mission;

k. information and details about submission of preliminary reports on conclusion of a season's work to the Directorate;

l. details about publication of final report of the investigation with details of funding reserved for the purpose; and

m. any other information that the Directorate may deem fit.

(2) License shall be issued to the Mission only for one year on payment of Rs.2.5 million in advance along with the application.

(3) Subsequent extension in the license shall be allowed on payment of Rs.1.00 million per year.

(4) The license may be revoked, cancelled or withdrawn for any violation by the Mission or any of its members and the Mission or any member thereof can also be blacklisted for further stay in Pakistan for reasons to be conveyed to the Mission in writing.

(5) The activities of the Mission shall be regulated under such rules to be framed for the purpose by Government. Till such rules are finalized, the

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instructions or directions issued by the Director to the Mission shall be deemed to be rules for the aforesaid purpose.

(6) One or more departmental representatives shall be associated with the Mission, who shall take over the antiquities found or unearthed during explorations or excavations and keep them in safe custody.

(7) The Mission shall provide separate room to the departmental representative according to their status and shall also provide them other necessary facilities at its cost.

(8) The Mission shall also pay daily allowance to the departmental representative(s), which may be determined by Government from time to time.

CHAPTER-VI

PROHIBITIONS ETC.

63. **Prohibition on making copies of protected antiquities without license.**—(1) 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 in the prescribed manner, on payment of Rs. twenty-five thousand.

(2) Whoever contravenes the provision of sub-section (1), shall be punishable with imprisonment for a term, which may extend to two years, or with fine up to Rs. ten hundred thousand, or with both.

(3) The Court trying an offence under sub-section (2), may direct that any copy or film of the protected antiquity constituting such offence shall stand forfeited to Government.

64. **Prohibition on making copies of movable antiquities.**—(1) No person, shall for any commercial purpose, make copies of any movable antiquity or object except under, and in accordance with a license granted by the Director in the prescribed manner, on payment of rupees one million for a single movable antiquity.

(2) Such license holder shall be allowed to produce copies of any particular movable antiquity in specified number, which may not exceed five thousand copies. For preparing additional copies, the license holder shall deposit rupees one hundred thousand for one thousand copies.

(3) The license holder shall use different material for making copies other than the one used for the original antiquity to dispel the impression of being genuine.

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(4) The license holder shall maintain proper record or register of production and sale of the allowed copies of the antiquities and produce the same for inspection before the Director or his representative on demand.

(5) The license holder shall sell the copies at the points to be identified by the Director.

(6) Whoever contravenes the provision of this section, shall be punishable with imprisonment for a term, which may extend to two years, or with fine up to Rs.1.000 million, or with both.

(7) The Court trying an offence under sub-section (4), may direct that any copy or film of the protected antiquity constituting such offence shall stand forfeited to Government.

(8) The making of copies, their sale and other matters, shall be regulated in a manner as may be prescribed.

65. **Export of antiquities.**—(1) Export of antiquities shall be regulated under the relevant Federal laws in the same manner as provided in the said laws.

66. **Traffic in movable antiquities.**—(1) If Government apprehends that movable antiquities in any place in Province are being sold or removed to the detriment of the Province, 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 the province as may be specified in the notification, except with, and in accordance with the terms of the written permission of the Director.

(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 five years, with fine up to Rs.2.000 million 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 Directorate.

67. **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 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 five years or with fine up to Rs. 10.000 million, or with both.

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(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 sand forfeited to Government.

68. **Dealing in antiquities.**—(1) No person shall deal in sale and purchase of antiquities except in accordance with the provisions of this Act and the rules made there under.

(2) Whoever contravenes the provisions of this section shall be punishable with rigorous imprisonment for a term, which may extend to ten years or with fine not exceeding rupees seventy-five hundred thousand or with both.

(3) The Court trying an offence under sub-section (2) may direct that any antiquity in respect of which the offence.

69. **Regulation of mining, quarrying, etc.**—(1) Notwithstanding anything contained in any other law for the time being enforce, if Government is of the opinion that for the purpose of protecting or preserving any immovable antiquity it is necessary to prohibit or restrict, within such area as may he specified therein, mining, quarrying, excavating, blasting and other operations of alike nature, or the movement of heavy vehicles, may by notification in the official Gazette, prohibit or restrict all such actions except under and in accordance with the terms of a license granted by the Director and rules, if any made in this behalf.

(2) Any owner or occupant of land, who sustains any loss by reason of any prohibition or restriction by a notification under sub-section (1), shall be paid reasonable compensation for such loss in consultation with the Advisory Committee.

(3) Whoever contravenes the provisions of sub-section (1), shall be punishable with imprisonment for a term, which may extend to five years, or with fine upto Rs.2.5 million, or with both.

CHAPTER-VII
MISCELLANEOUS

70. **Exhibitions of cultural heritage abroad.**—(1) For the promotion of cultural heritage of Gilgit-Baltistan and to attract tourists from abroad, Government shall make all possible efforts, through diplomatic channels and the Ministry of Foreign Affairs to seek sponsors for exhibition of movable antiquities of the Province in major cities of different countries of the world.

(2) The terms and conditions including fee or compensation for exhibition shall be finalized through mutual agreements.

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(3) All the exhibits to be sent abroad for exhibition shall be in a good state of preservation and against proper security and insurance.

71. **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 a term which may extend to two years, or with fine upto rupees one million, or with both.

72. **Power to Arrest without Warrant.**—(1) A Magistrate (lst & 2nd Class) or a Police Officer not below the rank of Sub-Inspector may arrest without warrant any person against whom there is reasonable ground to believe that the has committed an offence under **Section-9, 17, 61, 63, 64, 66, 67, 68, 69**.

(2) Subject to sub-section (3), every person arrested under sub-section (1) shall be taken forth with to the officer Incharge of the nearest Police Station.

(3) The officer Incharge of Police station to whom any person is taken under sub-section (2) or the Magistrate making an arrest shall produce the arrestee to Sub-Divisional Magistrate for further trial under summary powers.

73. **Confiscated antiquities to be made over to Director.**—Any antiquity, which is confiscated or forfeited under this Act, shall be made over to the Directorate for custody, preservation and protection.

74. **Information to the public on archaeological or historical sites.**—The Department of Archaeology GB shall undertake the complete documentation and other measures needed to keep the public fully and correctly informed of the well-known archaeological or historical sites. For the purpose, the Directorate shall give guidance, advice or other necessary assistance regarding the measures to be taken by local bodies for documenting cultural heritage within their jurisdiction.

75. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against Government of GB or any person for anything which is in good faith done or intended to be done under this Act.

76. **Power to make rules.**—Government of GB may make rules for carrying out the purposes of this Act.

77. **Establishment of Private Museums.**—(1) Any private individual or group of people or organization intends to establish a Museum, can establish a museum with a unique name, with the approval of the Director.

(2) This Museum shall update the catalogue of Antiquities annually and shall inform the Director Archaeology.

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78. **Repeal of Grievance.**—If any grievances arises in giving effect to any of the provisions of this act, Government of Gilgit-Baltistan may make such orders, not inconsistent with the provisions of this act, as may appear to it to be necessary or expedient for removing such grievances, disposal of pending cases, constitution of Special Courts, or any other transitional provisions.

79. **Repeal.**—The Antiquity Act, 1975 is hereby repealed.

NAZIR AHMAD,
Speaker
Gilgit-Baltistan Assembly.

SYED MEHDI SHAH,
Governor
Gilgit-Baltistan.

SENATE SECRETARIAT

CORRIGENDA

Islamabad, the 12th August, 2024

[to the Gazette of Pakistan, Extraordinary, Part-I, dated, 17th April, 2024, containing the Islamabad University of Health Sciences and Emerging Technologies, Islamabad Act, 2024 (I of 2024)]

In the Islamabad University of Health Sciences and Emerging Technologies, Islamabad Act, 2024, at page 86 of the Gazette, sub-section (2) of section 1 of the Act may be read as "It shall extend to the whole of Pakistan".

[No. F.24(101)/2023-Legis.]

SYED HASNAIN HAIDER,
Secretary.

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