

Fauzia Qureshi

CONSERVING PAKISTAN'S BUILT HERITAGE



A Pakistan
National
Conservation
Strategy
Sector Paper

12

CONSERVING PAKISTAN'S BUILT HERITAGE



Fauzia Qureshi



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Fauzia Qureshi

PREFACE



This monograph is one of the 29 sectoral and programme papers produced to support the preparation of the Pakistan National Conservation Strategy. The NCS is a comprehensive review of the state of the country's environment, and of government and corporate policies, the voluntary sector, community and individual practices, which support or hinder sustainable development. The objective of the NCS is to identify strategic initiatives to conserve the country's natural resources which are the base for lasting improvements in the quality of life.

Environmental impacts do not respect sectoral or administrative boundaries. Yet, conventional development planning is frequently focused on narrow performance criteria and associated financial requirements, ignoring huge costs on downstream ecosystems and economic activities dependent on them. These costs cannot be avoided and must be paid by society, the only questions are when and by which group.

To facilitate an understanding of such 'externalities', one of the first steps of the National Conservation Strategy was to undertake assessments of cross-sectoral impacts from the point of view of each major activity sector. In order to facilitate comparison, the reports were prepared according to common terms of reference. Subsequently, major programme areas that must be given priority in the transition to a sustainable society were identified. The list of economic, environment and programme areas is given overleaf.

A paper on each sector was produced by a well recognized expert supported by peer reviewers in related specialities. The key insights have been incorporated into the Strategy. Since the papers are the reference base of the strategy and contain special interest material, a decision was taken to publish them serially in the form of monographs. It is hoped they will be found useful by researchers of sustainable development in various facets of national life as well as by the interested lay reader.

The sectors are:

1. Economic sectors:

- Agriculture, forestry, livestock, fisheries.

-
- Mining, energy, industries, transport.
 - Human settlements and recreation.

2. Environmental impact sectors:

- Soil degradation, loss of biodiversity, and over harvesting of renewable resources.
- Municipal and industrial discharges, environmental health effects, and misuse of water resources.
- Destruction of cultural heritage.

3. Programme areas:

- Incorporation of environment in education, communication, and research; enforcement of laws and regulations; improved administration; use of economic instruments to align market forces with sustainability; promotion of conservation ethics.
- Programmes to promote population planning, women in development, and regional equity.
- Creation of grassroots institutions, with participative management.

SUMMARY



The report provides an overview of the state of heritage conservation in Pakistan and its potential. It highlights obstacles in undertaking work in this field and makes recommendations keeping these factors in view. The underlying emphasis is on:

- The government, to recognise heritage not only as individual monuments but entire environments that have evolved through complex processes of social, economic and political development.
- Development planning, which should regard heritage conservation as part and parcel of its work and not simply as an issue of structure and aesthetics.
- Programmes in various fields, from promotion and development of awareness to training programmes for professionals. Recommendations for administrative and legislative changes have been made, as have suggestions for tourism promotion. Brief concepts

for revenue generation have also been indicated.

Broad guidelines have been formulated for most of the programmes, but not the details; the latter cannot be developed without identification of the needs and priorities of a specific area or project. Programmes can only be successful if concepts are developed keeping in view the needs of people and market trends.

An outcome of this report is a list of detailed studies that need to be undertaken.

An indicative action plan has also been prepared, which can be initiated immediately. An Action Committee has been suggested to ensure implementation and to monitor progress. The Action Plan recommendations are phased: immediate, short-term and long-term. The immediate and short-term actions do not require substantial funding — what is needed is political will and motivation within the agencies dealing with Pakistan's heritage.

CONSERVING PAKISTAN'S BUILT HERITAGE



1. INTRODUCTION

Conservation can imply planned management of resources. In this case the resource is Pakistan's heritage, more specifically its buildings.

Heritage implies property or culture which is handed down from one generation of people to another. Included in this are assets produced entirely by people in natural settings or settings developed further by people. It includes heritage in its tangible form such as cities, towns, individual monuments, artifacts, jewellery and items of daily use; as well as heritage in its intangible form such as language and oral tradition. All these reflect the culture, norms, lifestyles and patterns of a particular civilization.

This paper concentrates on the built heritage which encompasses immovable property such as archaeological or historical sites, structures or other features of historic, scientific, artistic or architectural value. Part of this heritage is the ordinary dwellings of people in villages and towns, for vernacular architecture forms a physical environment of exceptional coherence, well adapted to the specific character of its society and the exigencies of nature.

The built heritage is an insight into the social,

political, economic and cultural circumstances which create a physical environment.

Today, Pakistan's built heritage is exposed to the risk of serious damage from rapid urbanization, industrialization, air pollution, ground vibrations, salinity and waterlogging and other environmental factors. Over the last 15 years, the growing number of new buildings of generally poor architectural quality, together with the difficulties of living in some modern urban developments, present the question of the conservation of the built heritage in new terms.

Conservation of heritage is normally perceived as an obligation unconnected with everyday life. This misconception needs to be corrected. Heritage conservation has other dimensions besides historical and cultural. It provides models of how people have adapted to the environment, of how local materials and construction techniques created buildings in harmony with the environment of a region. Hence it is important to conserve not just individual buildings for their noteworthy or outstanding architecture, but entire old districts or even towns as examples of the balance achieved by traditional architecture between people and their environment¹. Current restoration policies, instead of concentrating on a small number of technically sophisticated

operations, now aim to conserve a greater number of buildings (even those of secondary interest), so as to focus attention on architectural style rather than isolated features.

In Pakistan, conservation of the built heritage falls primarily within the realm of the Department of Archaeology, with the maintenance of shrines being undertaken by the Department of Auqaf, especially the Punjab Auqaf. It is only recently that plans to conserve old buildings are being integrated into development projects in urban areas. The Conservation Plan for the Walled City of Lahore is one such example.

Integrating environmental issues into development strategies has been initiated at the government level and the work being undertaken by the National Conservation Strategy Secretariat is a reflection of this. It is imperative that action is undertaken and that heritage conservation is seen in the perspective of sustainable development, a first move being made through the writing of this paper. It is hoped, however, that this awareness will be incorporated into the development process and not relegated to official files.

2. SCOPE OF STUDY

This study aims to identify and prioritise issues, and to recommend policies and programmes for conservation of the built heritage. Hence the objectives are:

1. To identify the constraints affecting major historical and cultural buildings.
2. Recommend policies to conserve the heritage from hazards such as environmental pollution and human activities.
3. Recommend suitable administrative and legislative changes for the protection of the built heritage.
4. Determine priorities and the interventions that need to be undertaken for heritage conservation and recommend projects for immediate implementation.
5. Determine revenue generating alternatives for sustainable development of the built heritage.

3. BACKGROUND AND CURRENT STATUS

BACKGROUND

In our country, heritage conservation has not been given any priority — efforts are very limited and isolated from general development activities. The whole concept has been viewed with the bias that it is not only anti-development but also resource-intensive — in other words, heritage conservation is an idea that underdeveloped countries like Pakistan cannot afford. Individual monuments are conserved to provide show-pieces for tourism; but efforts to make people aware of their responsibility towards the built heritage have been minimal.

Buildings and sites need to be thought of as assets and resources. They are reflections of the values and culture developed over the generations, a link through which people can relate to their ancestors. It is this sense of belonging and association that provides a person with a sense of identity, roots and destiny. This concept itself gives a value to heritage conservation, a value which is intangible and which cannot be defined in monetary terms. If this awareness is inculcated in people, then conservation will not need the kind of monetary resources that it is perceived to require. Old buildings will be taken care of by people in their day-to-day living and will, in turn, pay for themselves.

The resurgence of colonization in this part of the world in the last century, along with massive media exposure to western developments, has resulted in a certain discontinuity of cultural ties and an under-estimation of the value of one's own heritage. Since the industrial revolution occurred in the western world, there was a certain continuity in the resultant changes. It has not been so in developing countries, including Pakistan. Rapid industrialization has been far more chaotic primarily because of this historical discontinuity — we tend to copy everything western because of an adulation for everything 'modern'. "In the west,

westernization was a natural outcome of history. There was neither a discontinuity nor a conflict of values. In their cities the old was not destroyed because its symbolism was obsolete but more for economic motives and comparatively they destroyed less"².

Our built environment consists of areas rich in historic monuments and urban landscapes developed over the centuries. The latter continue to be inhabited and often are areas with the highest population density, providing housing to a large percentage of the urban population e.g., Lahore's Walled City houses 300,000 people which is 8-10% of the city's population; Gowalmandi, Krishan Nagar and the Civil Lines area house an equal amount. But 'modern' sets of demands and pressures are turning these areas into slums: 'development' in our historic zones is resulting in construction that totally disregards the original values that generated the spatial patterns of these areas. Besides housing, these areas provide recreational and educational facilities, fulfilling a number of social and religious needs. These facts have to be recognised. An effort has to be made to redirect policies and to develop these zones into healthy living environments that reflect our culture while providing all the modern amenities.

Our people still have strong cultural links with the past in their living habits and rituals. This is an asset, which can be directed towards developing a respect for the built heritage, a respect which will help in conservation work.

This leads to several questions which need to be answered here. What are the criteria for selecting buildings for conservation? In what priority should they be addressed? What are the causes underlying the deterioration of the built heritage? What are the constraints involved and what is the potential of conservation? How are government policies and development programmes adding to the deterioration and destruction of our heritage? What are the interventions that are needed, keeping resource constraints in view? (See Annex 1 for the terms used in conservation work).

THE CURRENT SITUATION

A major constraint in heritage conservation is the fact that this issue has not been given due recognition by the state. Buildings and sites have been the responsibility of the Departments of Archaeology and Auqaf. On the other hand, irrespective of the historical or cultural features of the area, land-use planning and the provision of utilities and services has been looked after by urban development authorities. There has been no co-ordination between the departments.

The Department of Archaeology functions under the jurisdiction of the Antiquities Act 1975. Nationally, it has primarily focused on the preservation and conservation of historical monuments and the maintenance of museums. Limited resources and staff shortages have limited the work of the department to major historical monuments and archaeological sites, with larger areas or districts being ignored in the process. The department has a list — of the built heritage under their protection — of 355, of which 243 are monuments and 112 sites. Of the 243 monuments, conservation work has been carried out on only 50; of the 112 sites, archaeological explorations and excavations have been conducted on only 33. Heritage conservation, as the state perceives it, is therefore limited to a total of 83 monuments and sites in all of Pakistan. (See Annexures 2, 3 and 4).

The Auqaf Department is responsible for looking after Muslim Waqf property, including repair and maintenance. A large number of mosques and shrines with historical and architectural merit have been listed by the department. The Punjab Auqaf Department has, in fact, a Directorate of Archaeology which looks after shrines and mosques. A large number of Hindu temples and evacuee property fall under the Auqaf's jurisdiction as well. Funds generated by the Auqaf and the sums allocated for the maintenance of shrines and mosques are phenomenally high in comparison to the Department of Archaeology's allocations.

Some noteworthy restoration and conservation projects have been undertaken by the Auqaf,

such as the shrine of Shah Rukn-e-Alam, Multan and Badshahi Masjid, Lahore. The success of these projects is, however, limited. Conservationists question the authenticity and historical basis of the work conducted; the development of the surrounding environment of these monuments also leaves much to be desired. Though these areas are beyond the jurisdiction of the Auqaf, co-ordination between the department and agencies such as the Multan Development Authority (MDA) and the Lahore Development Authority (LDA) would have certainly enhanced these sites. It would also have improved the living conditions of people residing in the vicinity of these sites, creating an environment conducive to the size and scale of the monuments.

Compared to the Muslim shrines and tombs, Hindu temples are not being given much attention and are in advanced stages of decay or misuse. In a list of 154 monuments prepared by the Punjab Auqaf, with estimates for preliminary preservation amounting to an average of Rs. 80,000 per monument, there is only one Hindu temple³.

The Evacuee Property Trust Board was formed by the government after Partition; its purpose was to assess and control property evacuated by Indian nationals. A large number of buildings under the Board are rented out at rates fixed at the time of Partition. The Rehabilitation Department allotted Hindu properties to refugees under claims filed at that time. All these properties are very dilapidated, because of poor maintenance and multiple ownership.

Organizations other than the government have started to play a part in heritage conservation. The Institute of Architects, the Lahore Conservation Society and the Anjuman-e-Mimaran have played a vital role in creating awareness about this subject. They have held workshops and seminars, establishing a case for heritage conservation through the media. The Punjab Special Premises Ordinance, 1985 — a follow-up of the Antiquities Act, to save buildings of historical, cultural or architectural merit built after 1857 — is an outcome of the pressure imposed by these institutions.

Over the last six to eight years, university departments have also participated by conducting research. Extensive work has been done at the architecture departments of the National College of Arts and the University of Engineering and Technology in Lahore, and the Dawood College of Engineering and Technology in Karachi. Numerous theses and study projects have been conducted not just on individual monuments, but on entire inner city zones.

This growing awareness has forced urban planning agencies to take more cognisance of the built heritage. The first detailed study of a large area, the Conservation Plan for the Walled City of Lahore, which is part of an urban development programme for Lahore has been undertaken. For this the Pakistan Environmental Planning and Architectural Consultants created an inventory of about 1,400 historic buildings in the Walled City that are to be preserved along with a number of specific conservation zones. This figure is itself an indication of the richness of our heritage found in one specific location, in contrast to the work conducted by the Department of Archaeology which lists only 400 monuments as needing 'protection'. Recognition that a conservation plan was needed for the Walled City of Lahore is the first step towards accepting that entire zones/areas be listed for conservation. It was only through World Bank funding that this first step was taken.

The Karachi Development Authority (KDA) has also prepared a list of 42 buildings, post-1857, of historic and cultural merit. Protection has been given to these under the Karachi Master Plan and KDA Act.

In Lahore, 62 post-1857 buildings have been listed under the Punjab Special Premises Ordinance, 1985. But no further implementation of this legislation has been undertaken since it was originally enacted.

Legislation

There are two laws in the country providing a legal framework for the protection of the built heritage.

- The Antiquities Act, 1975. (See Annex 5).
- The Punjab Special Premises Ordinance, 1985. (See Annex 6).

Other laws which may be invoked for protection include the Pakistan Environmental Protection Ordinance, 1983, the Land Acquisition Act, the Factories Act, 1934, and the charters under which the development agencies i.e., LDA, MDA, KDA, etc. and municipalities function. If implemented in their true spirit, these laws can provide protection not only to monuments but to entire precincts or districts.

Inadequate provisions in the laws are, however, allowing the built heritage to be disturbed. Since the Antiquities Act does not allow 'preservation districts' to be declared, indiscriminate blasting and quarrying for limestone in the Taxila Valley is threatening the structural stability of the Jaulian site, the Dharmajhika Great Temple and the Bhir Stupa.

On the other hand, poor implementation of the laws is also proving detrimental to the built heritage. The Antiquities Act very clearly spells out restrictions on the use, destruction, damage, repairs, renovations and preservation measures of the built heritage, but its application remains questionable. Similarly, an Advisory Committee — provided for under the Antiquities Act — whose role it is to oversee and advise the government on issues of heritage conservation, has yet to be constituted. Nor has a committee of experts, under the Punjab Special Premises Ordinance, been announced.

Implementation has been restricted due to a lack of resources, poor administrative facilities and co-ordination between various agencies responsible for protection. The entire responsibility has been retained by the government; the people have not been involved. The state draws up legislation and implementation is left solely to the local administration. The legislation puts no responsibility on the people, nor are there any means of doing so.

Making people aware of their responsibility is a very crucial element of heritage conservation. Once a move is made in this direction, the people themselves will learn about their priorities

and responsibilities.

Selection Criteria

There are no fixed criteria for grading buildings. The Department of Archaeology has listed 355 pre-1887 buildings, according to a definition in the Antiquities Act, 1975, along with a few national monuments. For the purpose of control, conservation and maintenance, these protected monuments have been classified as:

- Grade I: Monuments which ought to be in permanent good repair, due to their present condition or historical or archaeological value.
- Grade II: Monuments which can be, or should be, saved from further decay by measures such as the removal of vegetation, the drainage of water from the walls and the like.
- Grade III: Monuments which are impossible or uneconomical to preserve due to the advanced stage of decay or comparative unimportance.

Conservation criteria are based primarily on the condition in which a monument is found. Given the rate at which conservation efforts are progressing, our entire built heritage will soon fall into Grade III.

The consultants working on the Conservation Plan for the Walled City of Lahore developed their own criteria for the selection and grading of premises of historical, cultural and architectural value. The Walled City list is based, to a large degree, on the architectural qualities of the building under consideration.

The absence of suitable criteria results in piecemeal efforts at identifying buildings that would fall under the classification of 'heritage'.

Most conservation programmes undertaken by the Department of Archaeology are on the liking and convenience of the person preparing the programme. As a result important monuments and sites, and particularly those in remote areas, are neglected.

Also, there is no uniform system for prioritising

ing work at the local, provincial or national levels. Criteria must seek to achieve a balance between these various levels e.g., a monument having high priority for the people of a particular area, may be of little importance on the national scale.

4. PROBLEMS AFFECTING THE BUILT HERITAGE

Our built heritage is deteriorating naturally, but this deterioration is being accelerated by human activity. The reasons are deeply rooted in economic, social, educational, political and legislative issues. Past policies have focused on industrial and economic growth at the cost of the environment and the quality of life. Natural resources have been indiscriminately exploited, resulting in ecological imbalances that are having a detrimental effect on the built heritage. Similarly, irrigation systems, industrialization and urbanization have all taken their toll on the environment. The problems are:

- Neglect.
- Poor quality conservation work.
- Rapid urbanization.
- Environmental pollution.
- Natural disasters.

NEGLECT

Neglect is one of the primary reasons behind deterioration of buildings and sites, and is due to social, economic and political issues. Consciously or unconsciously, there may be neglect on part of an agency or the state itself. One factor is a lack of awareness; another, the economic priorities of the poor in Third World countries. Very often, the latter overrules the former.

Neglect of the built heritage allows decay. Structural deterioration through the accumulation of dust, dirt, vegetation and dampness sets in. Ultimately it results in the complete destruction of the structure. The causes of neglect and their impact on the built heritage can be analysed, and are given in the following sections.

Awareness

A lack of awareness is a critical constraint to heritage conservation, borne out by the meagre work carried out on a few historic buildings. This lack of awareness exists both at the government policy level and at the public level.

The Institute of Architects of Pakistan, Anjuman-e-Mimaran in Lahore and the Society for Preservation of the Muslim Heritage in Karachi are the few institutions creating awareness about, and conducting research on, the built heritage. The membership of these institutions is an indication of the limited numbers of professionals interested in this field. They consist primarily of architects and some concerned citizens, environmentalists, journalists and lawyers. The impact of these institutions is limited to the literate urban community. Awareness, however, has to be generated at all levels, and particularly at the grassroots level through primary education and use of the media. In a country with a literacy rate of less than 25%, mediums such as television and radio can produce the desired impact.

For the vast majority of the illiterate (and the literate) population, conservation of the heritage is perceived negatively, for their priorities are essentially those of food, shelter and clothing. However, integrating conservation into the development process may bring the realization that it may not only be economical to adopt conservation measures, but also practical and conducive to our cultural and social habits. A case in point is the development pattern of older city districts which are generally seen as unhealthy living areas for the poor. These areas have many assets in terms of ease of communication and social interaction, but they are being destroyed by a lack of utilities and the effects of development such as vehicular traffic and environmental pollution.

Education

There is a tremendous demand for trained personnel to deal with conservation, preservation and restoration work. Only four institutions in

Pakistan offer architectural training programmes, and there is only one Department of Archaeology in the country, the one at Peshawar University. The number of graduates amounts to an average of 150 per year. Moreover, the Department of Archaeology accepts only history, geography or geology graduates, not architects; any conservation effort needs the advice of architects. Thus a lack of trained professionals limits awareness campaigns, studies and research. Decision-makers, such as bureaucrats, are themselves unaware of the concept of heritage conservation — they are untrained, incompetent and not motivated. Heritage is conceived only in the form of select monuments and show-pieces for tourism. The conservation of heritage is much more and this broader vista has to become part of the thinking of decision-makers, politicians, professionals and the public.

Socio-Cultural Constraints

The creation of 'modern' facades and buildings in the name of development and progress, leads to the destruction of old buildings which were better adapted to the environment. There is a growing contempt for old technology, generated by a blind adulation of all things modern or western. The breakdown of the traditional extended family system is resulting in the destruction of havelis (large residences made up of several units). As professional guilds and co-operatives in localities disappear, so does the built heritage.

The development models of modern cities tend to segregate the rich from the poor. The rich live in new, modern and developed areas and the poor in deteriorating conditions in the inner city, which add to a contempt for everything old and increase aspirations towards things new.

Moreover, the concept of 'Islamisation' has led to the neglect of monuments which do not have a Muslim background. A case in point are the Hindu temples and evacuee property left behind by non-Muslim families. The refugees who came to Pakistan during Partition did not

have any prior association with the buildings and areas vacated by the outgoing refugees. The structures and spaces that people moved into did not evoke any sympathy from them, leading to further destruction.

Economic Constraints

The Department of Archaeology has limited resources, with a wide gap between demand and the allocation of funds. Of the Rs. 30 million allocated in 1987-88, 55% was meant for administration/establishment, 28% for miscellaneous expenditure and only 17% was utilised for the actual maintenance of historical monuments⁴. (See Annex 7).

The department earns substantial amounts from nominal entrance tickets and other miscellaneous charges. In 1986-87, Rs. 5 million was generated from this source which amounts to 16% of the total budget for that year. But these earnings were deposited in the central government treasury. Hence, the present system of revenue generation and collection provides no incentive to those involved in heritage conservation.

Provincial governments do not contribute financially to the archaeology department. Though the Punjab government has allocated a sum for the protection and preservation of historical monuments within its provincial limits, the department — which has the expertise to provide guidelines for conservation — has not been involved. An example of this is the work undertaken on Kamran's Baradari in Lahore. Since the funding came from the Punjab government, a protected monument under the jurisdiction of the department was 'renewed' by the Lahore Development Authority.

There are numerous monuments and preservation zones/districts all over the country which have not been listed, due to the department's resource constraints in terms of both money and expertise. Examples of this are the Makli Tombs and its environment and the entire Taxila excavations.

Funds allocated to the Department of

Archaeology are based on annual budget proposals and are lapsable. By the time a proposal is formulated, submitted and approved, the time left for actual implementation is very limited and the work is either left incomplete or is of poor quality.

Administrative Co-ordination

Effective co-ordination and administration is necessary for the conservation of monuments listed by various departments.

Urban development agencies do not co-ordinate with the department dealing with conservation when developing or upgrading inner city areas which contain a wealth of monuments and monument zones. A number of protected monuments with the Department of Archaeology are deteriorating and others have almost been obliterated because no action is being undertaken to evict encroachers despite repeated reminders to law enforcing agencies. Because of resource constraints, the department is unable to undertake any action except for the issuance of reminders to agencies responsible for this work. One example of the resulting neglect is the case of a retired police officer who has used the Delhi Gate, Lahore as his residence for the last 30-40 years. As it undertakes implementation of its conservation plan for Delhi Gate, the LDA now faces the problem of evicting an ex-police officer.

A large number of historic monuments fall under the jurisdiction of public sector agencies such as the provincial education, health and Auqaf departments or federal agencies like the Evacuee Property Trust Board. No attention is paid to these monuments, resulting in illegal squatters and encroachments. While implementing its conservation plan, the LDA has no control over buildings belonging to other agencies. Within its bureaucratic setting, it will not undertake any work unless vacant possession is ensured by the respective agencies. Although funds are available with the LDA, conservation work cannot be undertaken because of this lack of co-ordination between government agencies.

Co-ordination between the Tourism Depart-

ment — which undertakes development activities like the construction of motels, restaurants etc. in the vicinity of historical sites — and the Department of Archaeology is also negligible. Nor does the Tourism Development Corporation of Punjab or the Pakistan Tourism Development Corporation have heritage conservation specialists within the organizations. This results in careless and unco-ordinated development work, further endangering monuments. Also, administrators and managers working in these departments are totally oblivious of the concept of conservation. There must be administrative co-ordination at all levels, from the federal and provincial down to district and local levels, with responsibilities defined for each level. With the declaration of tourism as an industry and the announcement of a new tourism policy, development activities within this sector must also consider the positive and negative aspects that tourism brings in its wake.

POOR QUALITY CONSERVATION WORK

Lack of resources and technical knowledge about restoration results in poor quality conservation work: repair by untrained labour is carried out, unsuitable material that reacts adversely with the original structure is used, all causing further damage. At times over-restoration is undertaken in an attempt to create more than what was originally present. Shrines and mazars are prime targets for such restoration attempts. The work conducted in Ucch Sharif, Darah Din Panah, and Data Ganj Bakhsh display absolute insensitivity to the values of the original monument. Irreversible damage is also done when archaeologists unearth monuments or remove plaster as part of their work and then leave the sites exposed to rain and water.

Archaeological sites at Taxila, particularly the Dharmajhika and Jaulian sites have massive vegetation and drainage problems. Ugly roofs have been built to protect these remains. Monuments in the Swat Valley, specially the Butkara site dating back to the Greek period, have in situ stone sculptures which have been protected from

the rain by encasing them in glass; the resultant humidity is causing rapid deterioration.

RAPID URBANIZATION

Out of a total population of 84 million people according to the 1981 population census, 24 million (or 28%) live in urban areas. It is projected that by the year 2000 this percentage will double and almost 43% of the population will be urban⁵.

The causes of urbanization need not be listed here. However, it results in greater population densities per square kilometre, increase in traffic, and more pressure on municipal services particularly storm water drainage, sewerage and garbage disposal. All these factors threaten the built heritage in urban areas.

Some of the major conservation areas in Pakistan today form the centre of cities e.g., the walled cities of Lahore, Peshawar, Multan and Bahawalpur. These areas are suffering from all the negative effects of urbanization. Yet they hold some of the richest repositories of cultural value, some in an advanced state of decay. Overcrowding, structures with unclear titles or those housing tenants over extended periods of time is resulting in limited or no maintenance of buildings. Also, it is in these low-rent areas that illegal alternative manufacturing and small industries are set up, activities that further damage the buildings. Since it is primarily the urban poor that are residing in these places, and there is a lack of resources for the development of these areas compared to newer schemes, this inevitably leads to further deterioration.

The massive influx of refugees in 1947 played a critical role in the deterioration of areas. Large havelis, residences and commercial properties under the Rehabilitation Department, Evacuee Property Trust Board and Auqaf were either given out to multiple owners or on extremely low rents. The issues of ownership and rental increase have not been resolved by these departments and there are numerous court cases pending.

A primary threat to conservation in inner city

areas is the fact that land-use is not commensurate with land value. As land values increase in city centres the owners of old structures, originally used as residences, are pulling them down to build commercial plazas and revenue generating projects, destroying the original fabric of the environment.

POLLUTION

The built heritage is threatened by air pollution with the degree and type depending on climate, weather and topography. Wind direction and speed can transfer air pollutants from one area to another, while acid precipitation on structures increases with humidity.

Air is polluted primarily by automobile exhaust emissions and industrial waste products. Central city areas exist amidst clouds of smoke emitted by buses, trucks, rickshaws, motorcycles and cars. A number of organic compounds released in these fumes contain saturated and unsaturated hydrocarbons. This is deposited as soot, masking the facade of buildings in an ugly grey colour. Monuments in the proximity of large industrial areas — especially chemical fertilizer or cement factories, brick kilns, foundries etc. — suffer the ill effects of sulphur dioxide and other hazardous fumes. Brick (which is a primary building material) and marble (used profusely by the Mughals) deteriorate particularly fast because of the ensuing acid rain. Lime plaster and lime mortar are also affected and begin to disintegrate. Pieta dura, mosaic and fresco works are also affected by these pollutants, accelerating their deterioration. One example of air pollution is the damage done to the Quaid's Mazar in Karachi.

A larger population and intensive land-use have resulted in greater traffic in historic areas. Massive stone quarrying, blasting and trucking in Taxila Valley are damaging the fragile structures in its numerous valuable archaeological sites. The additional air pollution and raised noise levels is destroying the peace and solitude of these scenic areas. Intense traffic also disturbs traditional street life patterns. The construction of

roads does open up new areas, but unplanned development occurs in the absence of environmental impact studies. The Rohtas Fort was safe from encroachments till a road was built connecting it to the Grand Trunk Road.

NATURAL DISASTERS

The United Nations Environment Programme defines a natural disaster as "an extreme natural event which effects man and the environment causing physical, ecological and/or socio-economic damage"⁶. Some of these hazards have a direct impact on the built heritage. They are classified as:

- Flooding.
- Rain and storm.
- Climatic fluctuation.
- Earthquakes.
- Excessive growth of vegetation.

Flooding

Flooding ensues when water-bearing channels exceed their capacity. The incidence of flooding has increased over the years, primarily because of increased rain run-off due to deforestation and overgrazing. The construction of barrages, embankments and dams has resulted in greater silting of riverbeds, further increasing river channel overflows.

Flooding can partially damage monuments or completely obliterate them, as in the damage done to Kamran's Baradari, one of the oldest Mughal monuments in the country. In Lahore, flooding also threatens Jahangir's, Noor Jehan's and Asif Khan's mausoleums. Persistent flooding raises the water-table which causes dampness and damage to old structures. Underground water often contains salts which corrode structural materials, as at Mohenjodaro where enormous sums have been spent on protection, primarily from the rising water-table.

Rain and Storm

Heavy rains create damp conditions, causing

deterioration of mortar and masonry, woodwork and other structural components of buildings, affecting their strength and appearance. Salts and nitrates released through the dampness attack building materials, causing disfigurement and disintegration. The irrigation system in rural areas and inadequate drainage facilities in expanding urban communities has led to a rising water-table, which is the prime cause of damage to old structures. The Shekhupura Fort has undergone massive deterioration because of water penetration. Excessive water has badly affected parts of the Fort to the extent that the very foundations have been destroyed. The Fort is presently closed to the public as a safety measure. After summing up the costs implied in restoring the monument, a recommendation states that a part of it must be demolished so that funds can be invested in repair of certain sections and in a drainage scheme to prevent further erosion⁷. In the Doab areas of the Chenab and Ravi, the water-table has risen some 55 feet since the pre-irrigation period. This rise is due to expansion of the canal irrigation system, resulting in salinity and waterlogging, which directly affects foundations. In areas where there is no cultivation or vegetation, salinity also damages structures.

Climatic Fluctuation

Thermal variations stress structures as materials expand and contract. Once excavated, a number of archaeological finds are exposed to this factor.

Earthquakes

Earthquakes have caused serious damage to human settlements and there is an ever-present possibility of damage to historic monuments located in seismic zones. No contingency plans have been drawn up to protect monuments or their artifacts from such natural disasters. Priceless treasures have been totally obliterated in the past.

Excessive Growth of Vegetation

Due to lack of maintenance on part of the authorities in charge of conservation and a lack of awareness on part of the people, disputed properties with unclear titles are often overrun with vegetation. These weaken not just foundations, but entire structures. Depending on the extent of growth, dampness begins to settle in, resulting in further deterioration.

5. RESOLVING THE PROBLEMS

URBANIZATION

The rapid growth of cities, specially intermediate and major cities, has led to a breakdown of civic infrastructure. High population densities and intense pressure on municipal services in low income districts, particularly the historical inner city areas has been the result. One of the first steps is to develop strategies to reduce rural-urban migration e.g., by generating employment opportunities in rural areas and developing the agriculture sector.

Careful land-use planning can also help prevent further deterioration of buildings. Land-use patterns in most city centres have changed from residential/commercial to manufacturing, ranging from small-scale units to foundries. All these cause tremendous pollution and pressure on urban utilities and the infrastructure. Alternatives have to be developed to restore settlements to their original residential status and to move manufacturing/industrial units out. This will help create healthier living areas and reduce pressure on over-burdened services. The urban poor who reside in these localities need to have access to easy loans and grants to upgrade their environment. In the case of the Conservation Plan for the Walled City of Lahore, arrangements have been made with the House Building Finance Corporation to provide loans for home improvements. However, the response has been limited because the loans are not interest-free and upgrading houses is not income generative.

Studies have to be conducted to provide means of income generation on investment made by people in conservation.

Also, the ownership of units in older districts are under dispute with multiple owners and hereditary claims against them. The judicial system of the country is such that property cases often span 20 to 30 years, resulting in tremendous deterioration in buildings. The existing judicial infrastructure must be updated and the process of justice speeded up so that the backlog of ownership cases in the lower and higher courts is progressively reduced. Clear legal titles to buildings will improve conditions and increase the number of units available for rent or sale, thereby increasing the overall housing stock.

There are individual monuments of exceptional merit within preservation areas. These must be repaired and used, which will help in their maintenance, enhance their value and promote the right conservation policies such as the development of museums and libraries.

Alternative development programmes have to be initiated to reduce physical, social and economic disparities in cities. Progressive segregation between the rich and the poor in urban districts needs to be checked by increasing developmental activities in inner cities and low-income areas.

POLLUTION

All forms of development, particularly industrial, need to undergo environmental impact assessments at the planning stage. These assessments must consider and include the intangible worth of monuments or monument zones in the vicinity of the proposed development.

GENERATING REVENUE

The built heritage provides housing and recreational facilities besides fulfilling social and religious needs. The Badshahi Mosque and Lahore Fort are examples of such heritage. These monuments must be treated as assets and their maintenance must be self-financing to a

certain extent. Major monuments already have visitor appeal and are an informal means of educating the young and the old in history and culture. The direct costs of maintaining large monuments, such as the Shalimar Gardens, is very high and it would be fair to raise the entrance fee to these sites. The current fee of one or two rupees can easily be doubled at the least. Moreover, certain areas such as the Shish Mahal in the Lahore Fort can take limited wear and tear, and entry to these areas should be restricted by charging supplementary entrance fees. Numerous new areas such as the Turkish Baths and Royal Quarters of the Empresses in the Shalimar Gardens can be opened to visitors. Extra charges can be levied, provided these places are restored and used, possibly, as museums. This would help control traffic in sensitive areas, reduce the extent of wear and tear and generate additional income for conservation. Money thus generated must be invested back in the monument itself, rather than revert to the government treasury, as is the present practice. The Lahore Fort alone generated Rs. 0.5 million in 1988 but allocation for its maintenance was only Rs. 0.15 million⁹.

New uses for old structures have to be examined, as the conversion and restoration of an interior for an alternative use may justify the costs of renovation. The Institute for Conservation Training, run by the Archaeology department, in the Lahore Fort is a good example of a worthwhile activity in an important area. The Attock Fort is used by the army, but certain parts of it must be opened to the public. Haveli Nau Nehal Singh in the Walled City of Lahore has been converted into a school. The rent received from the Department of Education must be compatible with market rates. Certain parts of these buildings must be kept open for tourism and an entrance fee charged to generate additional revenue.

INCENTIVES FOR CONSERVATION

One successful approach to conservation has been the provision of monetary incentives

such as tax exemptions or low-interest long-term loans for restoration and improvement. In Pakistan, however, this would only apply to people in a tax bracket where such incentives are relevant. But since most areas in dire need of conservation house the poor, alternative means will have to be utilised. Individuals, societies and industrialists can be given tax incentives for 'sponsoring' a monument. This would help improve and maintain low income housing and create awareness among all classes. All public and private sector companies who use historical monuments or monument zones in their advertisements can be given special rebates to incorporate public service messages on conservation at the end of their advertisement. Popular sports stars and film/television personalities could be used to campaign against damage or defacement of monuments — e.g., Imran Khan could discourage children from playing cricket in gardens of historic merit.

Another method is available: outright grants or gifts for heritage conservation from the government. If this is done by the private sector — individuals, societies or foundations established specifically for the conservation of heritage — or organizations connected with the building industry, they should be given tax exemptions as well as recognition plaques.

Historical and cultural *son et lumiere* (sound and light) shows on site can generate further revenue and create awareness among the public. These shows could be operated by public or private agencies with the money being used for maintenance and repair, and the setting up of research institutions or craft schools/guilds to provide the necessary infrastructure for continued conservation efforts.

Hotel bed tax is yet another form of revenue generation. The tax must work on a sliding scale for three- to five-star hotels. It is, however, necessary that the sums generated from such tax levies be put into conservation efforts and not remitted to the central treasury.

The private sector must be involved in conservation projects. People living in inner city areas may be given alternative plots in the outer

zones, and their properties auctioned to developers who would be allowed to develop the buildings under a stringent framework specifying what can and cannot be done. An incentive for developers may be a 10-year exemption from provincial and federal taxes on these properties. Other incentives could include development rights in the areas to which people are moving.

A second form of development could be through the transfer of rights. In this method the owners of important buildings, unable to take full advantage of the potential of protected sites, can sell or transfer these rights to the owners of nearby properties. For example, if the owner of a double-storey historic building is not realising the full value of an investment and wishes to demolish the building and replace it with a four-storey structure, there is the alternative of selling the development rights of the two additional storeys at a fair market price. The air space above the historic building would be sold to developers who want to build more storeys than current zoning permits on their own lots. In this manner the owner of a historic building would be compensated and motivated to retain and restore the local landmark, while the developer to whom the development rights have been transferred would be able to take additional advantage of the site. In this system a development rights bank with a revolving fund could also be established, where unused rights would be deposited and later sold under the guidance of the city government⁹.

Another source of funds is a nominal levy of 0.05 to 0.10 paisa per square foot of built-up area in large-size residential and all commercial plots in the city. This amount could be collected by the development agencies approving plans and handed over to the agency responsible for the preservation and restoration of old buildings. This is likely to raise sufficient funds and develop a vested interest for the conservation of old buildings among the payers of the levy¹⁰.

LEGISLATION

Comprehensive legislation needs to be evolved, covering all aspects of the built

heritage. The legislation must provide adequate protection against human environmental disturbances. Rules for the administration of conservation zones and the induction of local persons into the government administrative set-up must be evolved. Local union council chairmen could be involved along with professionals from related fields such as architecture or planning. The legislation must address all urban development authorities, and land-use plans or construction permits should only be allowed if specific design criteria, respecting the history and culture of the area, have been carried out.

Under Article 3 of the Antiquities Act, provision has been made for an Advisory Committee consisting of the director-general of the archaeology department, one representative each of the education and tourism divisions, and three other nominees of the federal government with special knowledge of antiquities. The membership of the body should be amended to include representatives from other departments dealing with arts, crafts and culture — such as the Small Industries Corporation, Lok Virsa and the Arts Council — as well as people from areas where monuments are situated. Members of institutions such as the Institute of Architects, the Lahore Conservation Society and Anjuman-e-Mimaran also need to be consulted. Moreover, responsibilities need to be very clearly defined. The advisory committee under the Punjab Special Premises Ordinance needs to be similarly activated.

INCREASE IN TRAINED MANPOWER

Urban conservation teams should be trained. These should include architects as well as planners, sociologists, economists, historians and geologists. Joint programmes among institutions offering courses related to the built heritage, can help fuse different disciplines into a single cross-disciplinary programme. Moreover, the number of professional architects produced in the country needs to be increased.

Almost all the labourers and craftsmen working with the Department of Archaeology are daily wage earners, working for less than half the year

due to the present budgetary system of carry-over of funds. There is no incentive for a trained craftsman to continue working or for a new corps of craftsmen to be trained. Existing monuments and monument sites are ideal settings for craft training centres and schools. Vocational training institutes should have joint programmes with such centres. The latter could provide on-site training in small towns and areas with a large number of monuments such as Uchh, Taxila, Thatta, Dadu etc. rather than in the large cities. Besides utilising existing training institutions, specialist training courses and workshops related to heritage conservation and the environment need to be conducted. Research into ancient techniques of construction, materials, art and craft forms must be encouraged. Existing infrastructure facilities such as the Pakistan Council for Scientific and Industrial Research laboratories, the Building Research Laboratory, the Pakistan Agricultural Research Council and university research laboratories could be utilised prior to the setting up of new centres.

AWARENESS CAMPAIGN

An awareness campaign of what heritage conservation implies needs to be launched, using the mass media. Inculcating a sense of pride in the built heritage is an uphill task, considering that most people's priorities are food, shelter and clothing. However, habits such as littering and defacing monuments need to be targeted as being uncivic. Penalising powers must be relegated to the public and the local community. If people are given the authority to punish or penalise specific misdemeanours, a greater sense of responsibility and ethics may be generated. The responsibility should be shared by concerned citizens and the government rather than the latter only. A relevant example in this context is the Society for the Prevention of Cruelty to Animals which permits executive members of the society to penalise tonga drivers mistreating horses.

Campaigns must be conducted at the district level to identify buildings and sites as worth con-

serving. The adaptive re-use of buildings and the means to conserve them must be undertaken in consultation with the local population. A campaign to 'adopt a monument' addressing communities or private individuals will have the manifold benefits of generating awareness and funding, and promoting the maintenance of monuments.

It is important that the media be utilised to maximum benefit. The production of special programmes for raising awareness of Pakistan's built heritage and its relevance to the environment can be initiated. Both private and public sector companies must be made to realise the importance of spending a part of their advertising budgets on campaigns with public service messages aimed at raising awareness about the environment. These campaigns will also affect people in the decision-making process, who often only respond to public opinion. If awareness is inculcated, resource allocation and compatible use will follow.

CONSERVATION AS A MEANS OF EDUCATION

Most monuments, archaeological sites and monument zones in living cities can be utilised for cultural and historical education. It is important that guides and information be made available on-site to enhance this value. School children must be encouraged to visit historical sites as a compulsory part of the curriculum. A critical component here is education of the educated — after all it is the literate population that is responsible for the graffiti and defacement on our monuments. Civic sense can only be inculcated at the school-going level. Our politicians and bureaucrats also need to be educated for official vandalism must be stopped. Important monuments like the Lahore Fort and Shalimar Gardens are frequent venues for official functions and receptions. Shamianas (marquees) have done greater damage to these monuments than visiting tourists. Moreover, the garbage littering the grounds the morning after certainly gives the impression that these officials need civic education more than the common person.

TOURISM

Tourism, both domestic and foreign, is a primary source of income for the maintenance of monuments. It helps preserve rapidly disappearing skills in the arts and crafts and provides a source of employment for craftsmen, besides generating employment in allied fields. In 1988, global tourism had a turnover of \$1.3 trillion, making it the single largest industry after oil. It employs 101 million people globally and about 39 million people in Asia. Clearly, it is an area with phenomenal potential.

A study identifying possible tourist activities in different parts of the country stated that of a total of 45 specific destinations which could be visited for either "pleasure" or for "cultural/religious" reasons, 34 destinations were interesting or beautiful elements of Pakistan's cultural heritage¹¹. The built heritage can be a primary motive for tourism, indirectly providing an economic return on investment. Most returns generally go to hotel or restaurant owners. However, a percentage of revenue, through sightseeing charges, can be generated for the conservation of monuments.

The responsibility of the Tourism Department should extend to promoting and 'selling' the site and transporting tourists. It is then up to the Department of Archaeology to provide aesthetic satisfaction.

Promotion of tourism does lead to economic benefits, but its disadvantages must also be kept in view. Tourism affects the local lifestyles of a region and demands infrastructure which may destroy ecosystems and cause pollution. An environmental impact assessment study should form part of the overall development strategy, prior to the development of tourism infrastructure. Co-ordination between the departments of tourism, archaeology and other development agencies is an imperative.

A number of sites which have high visitor appeal such as Moenjodaro, Harappa, Taxila and Hunza, to name a few, do not have appropriate transport access, particularly flight services. These must be improved to encourage tourism.

6. POLICY RECOMMENDATIONS FOR HERITAGE CONSERVATION

All the recommendations outlined in this paper are primarily to:

- Create greater awareness and recognition of Pakistan's heritage.
- Integrate these themes into all development programmes.
- Conduct environmental impact assessments, with heritage conservation criteria, of all development activities.

Conservation efforts can only be realised if the public, decision-makers and politicians understand the necessity of preservation and conservation of the heritage. Public opinion has to be mobilised and generated in this direction at various levels.

The following policy recommendations deal with a wide array of related matters (see Figure 1):

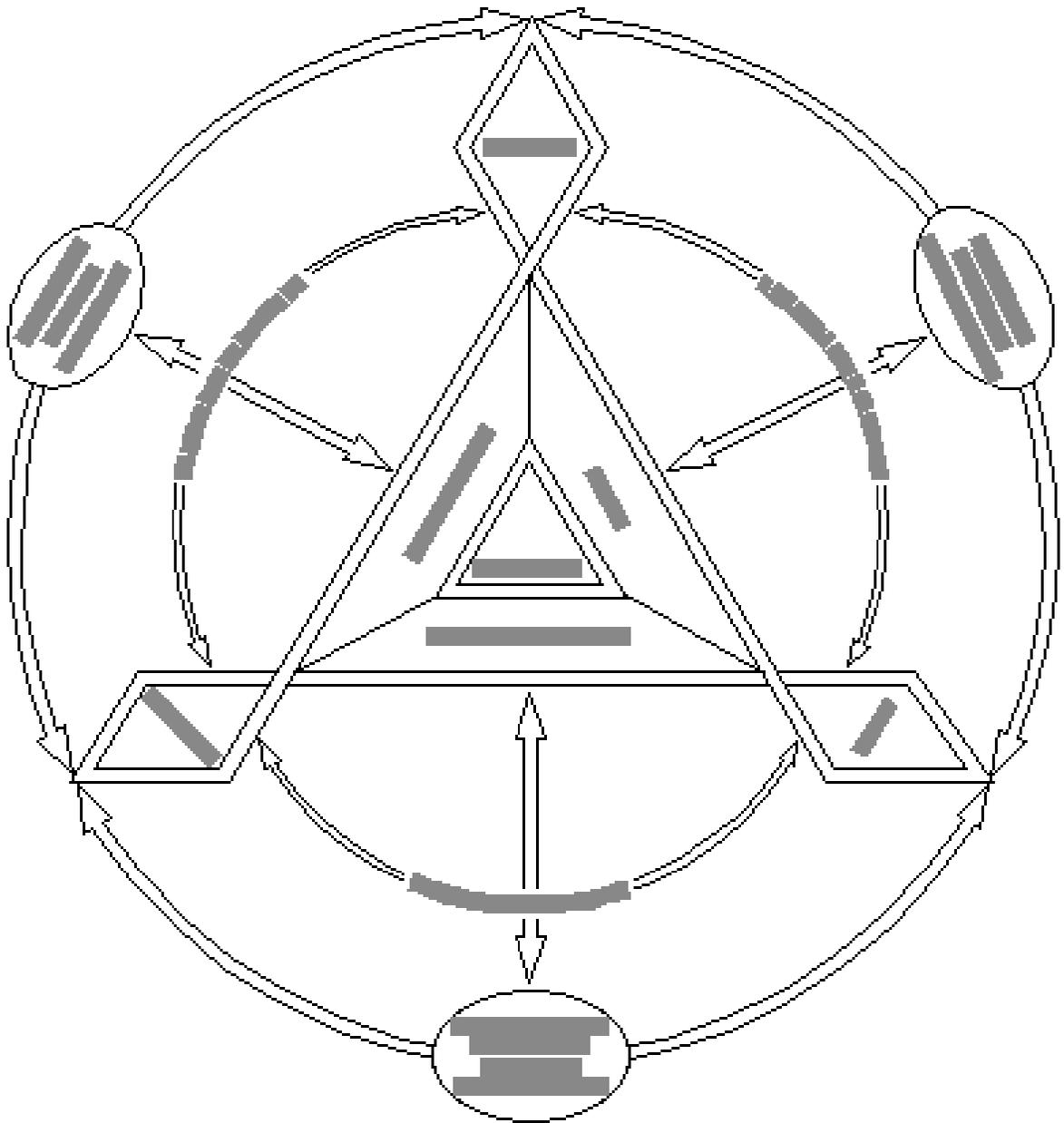
1. Promotion and development of awareness and its induction at the school level as well as for the general public.
2. Promotion of training programmes.
3. Developing an inventory and comprehensive documentation of the built heritage.
4. Co-ordination between various agencies, municipalities, universities, research and development organizations, archaeology, auqaf and tourism departments/corporations.
5. Legislation and administration.
6. Tourism promotion and development.
7. Economic instruments.

BUILDING AWARENESS

School Level

- School level curricula should include the importance and significance of our heritage and cover environmental issues and their impact on this heritage.
- Courses should be specially conducted for teacher trainers and curriculum developers

HERITAGE CONSERVATION PROCESS



so that heritage conservation can be integrated into teaching methods and curriculum development. It must be recognised that school teachers are primary disseminators of ethical values and they will play a vital role in awareness raising.

- Organised guided tours and talks on the heritage for schoolchildren.

Higher Education

- Lectures and joint courses/programmes to be developed between existing institutions offering courses in architecture, history, sociology, economics and planning, to bring different disciplines into a single training programme. Increased liaison between the Department of Archaeology and institutions of architecture and planning.

Decision-Makers

- Special courses and programmes on heritage at the Civil Services Academy, Staff College and the provincial National Institutes for Public Administration for decision-makers.

General Public

- Use TV and radio to project the value and importance of heritage through advertisements and programmes.
- Formal lectures, exhibitions, posters and postage stamps to be used as techniques for publicising heritage and encouraging public involvement; competitions and awards related directly or indirectly to heritage to be encouraged.
- Greater incentives for the development of independent organizations who endeavour to awaken public interest and stimulate citizens' participation in conservation activities.

TRAINING PROGRAMMES

- Traditional skills. Promotion of local craftsmen and artisans proficient in age-old build-

ing and decoration techniques by encouraging the formation of associations and guilds, holding exhibitions of their work and recognising their skills through awards. Holding workshops and training programmes to revive traditional building crafts and to encourage dialogue and teamwork between professionals, architects and artisans.

- Specialised training. There is a general shortage of suitably trained specialists for heritage conservation work. The total number of architects and planners need to be increased. Technical training must be emphasised by taking advantage of the facilities offered by the International Centre for the Conservation of Cultural Property, the United Nations Educational, Scientific and Cultural Organization and other international agencies, to build up a cadre of specialists to carry out conservation works.
- Training of trainers programmes.

AN INVENTORY OF THE BUILT HERITAGE

- An inventory of the built heritage will provide the foundation for a future conservation policy. Criteria for listing in the inventory has to be worked out at the national, provincial and local levels, and a merit rating system developed for project prioritization. The merit system may take uniqueness of the site, and its architectural and historical merit (socio-economic history, association with historic event/person, technical innovation etc.) into consideration.
- Prioritization would require a value to be assigned. A cadre of experts are required to assign these values, which will vary when looked at from a national, regional or local perspective. They will also vary according to the perceptions of the people, decision-makers and politicians.
- It is recommended that this task should initially focus on major cities such as Lahore, Multan, Karachi and Peshawar, utilising local

councillors, concerned citizens and professionals. A token grant may be assigned at the municipality level for the purpose of identifying and listing areas and monuments deemed culturally valuable. Existing universities and schools of architecture together with local municipalities, could be involved in conducting research and documenting the built heritage. National archives should be established where this information may be catalogued and stored.

- Besides involving institutions, a nationwide campaign inviting people to identify monuments/buildings in each area could be undertaken to add on to the inventory. The concept of identifying and listing urban centres, historic cities and preservation districts must be expedited.
- The years 1988-97 have been declared the World Decade for Cultural Development. An outline of activities to be incorporated in this decade will give special impetus to conservation policies.
- A National Heritage Trust should be established at the central level with local chapters at provincial and district levels to co-ordinate these tasks.

CO-ORDINATION

- Effective co-ordination and co-operation between the department of archaeology, tourism corporations, municipalities and research organizations is the key to maximising benefits.
- Utilising existing resources and infrastructure such as the PCSIR laboratories, the building research stations, university laboratories, PARC and many others for heritage research and the testing of materials. Architecture departments of various universities can be useful aids for documentation and research studies on various monuments and urban centres.
- Tourism corporations must co-ordinate with specialists in the archaeology department for developmental activities such as the construction of approach routes, cafeterias, rest-

houses, hotels etc.

- Law enforcing agencies must co-ordinate and co-operate to prevent encroachments and damage to listed monuments. Encroachments are violations of the Antiquities Act and are common features around protected monuments.
- Public sector agencies laying utility lines must co-ordinate with specialists engaged in conservation work, specially in inner city conservation zones, prior to undertaking any action.

LEGISLATION AND ADMINISTRATION

- The Antiquities Act needs to be amended to allow for the creation of conservation areas and districts to protect against environmental disturbances. Consideration has also to be given to the implementation of legislation: responsible agencies have not been successful and accountability should be diverted to the people through awareness campaigns and through instituting severe penalties for those who violate the law.
- Advisory committees have to be established at the federal and provincial level under the Antiquities Act, a task that must be undertaken immediately.
- Issues of heritage conservation should be propagated through the union council and district development programmes; environmental impact assessments of all development projects in heritage conservation areas should involve teams of architects and conservationists.
- Facade control legislation should be enacted for declared conservation districts.

TOURISM PROMOTION AND DEVELOPMENT

- Tourism development policies must look into the positive and negative impacts of tourism to reduce its disruptive impact and maximise its advantages.
- The infrastructure to encourage domestic and

international tourism must be developed. Building activity — specially in monument zones — must be carefully evaluated by experts prior to construction. Feasibility studies can be conducted to revitalise monuments and renovate them for present day use.

- Pilgrimage to various shrines is a very important facet of domestic tourism. It provides manifold benefits to the local population. Feasibility studies are recommended for the improvement of facilities in these areas.
- Promotional material, for example, travelling exhibitions, films, posters, literature etc. should be developed in co-ordination with transport agencies (railways and airlines), municipalities, development authorities, archaeology and auqaf departments. Specific programmes can be developed for distinctive cultures such as the Indus Valley, Gandhara, Hindu, Muslim, Mughal and Colonial.

ECONOMIC INSTRUMENTS (INCENTIVES AND PENALTIES)

- The recommendations mentioned do not require extensive funds. The infrastructure is already available, and only the approach of inducing heritage conservation as part and parcel of development activity needs to be adopted. Additional incentives can be given to private owners and tenants of historic buildings in the shape of low-interest long-term loans and tax exemptions. Tax incentives and waivers can be used as effective tools to encourage the use of buildings or the sponsorship of monuments by private sector industrialists, societies, groups, trusts and communities. Monuments which have popular tourist appeal generate their own funds and these must be utilised for the maintenance and preservation of these particular monuments rather than being deposited in the central treasury.
- The government and public bodies may have to set an initial example to be followed by the private sector. Awareness of conservation

and generation of funds must begin with public sector corporations and, possibly, outright grants by the government.

- Preservation and restoration is a highly specialised task that may require additional aid or grants for initial conservation and maintenance work, besides specialist interaction. Adaptive re-use of monuments may also be taken into consideration for the generation of funds.
- Severe penalties must be imposed on those destroying listed buildings or conservation areas. Modern advertisements, signs, hoardings, traffic violators etc. must be punishable as per existing legislation (Antiquities Act).
- Public sector agencies involved in laying utility lines (electricity, telephone, sewage etc.) must allocate specific budgets to deal with the constraints of historic areas. This will be necessary for undertaking works of a specialised nature such as underground cabling or designs for the laying of services.
- Outright grants should be made to owners in return for conservation efforts. The grants could cover payment for part of the work or for all the restoration. In the latter case, an additional incentive would be to announce the grant as part of an award e.g. Best Conservation Effort of the Year.
- Economic incentives must be given to craftsmen and technicians involved in conservation through loans and credit schemes.

7. ACTION PLAN

The recommendations outlined here are aimed at stimulating awareness of our built heritage as well as reviving respect for our cultural traditions. The proposed action plan is based on the premise that it must not be over-ambitious and that each phase must show visible results. For the plan to be successful it is important to select projects which have a good chance of being successful and which can positively contribute to society at large.

An Action Committee on heritage conserva-

tion must be formed immediately to oversee the recommendations suggested in the action plan. It must include persons from agencies dealing with cultural heritage such as the Department of Archaeology, Lok Virsa, the Small Industries Corporation, the Pakistan Tourism Development Corporation, the Tourism Development Corporation of Punjab, the Arts Council and the Institute of Architects as well as representatives from project areas where work is to be initiated.

The action committee should co-ordinate with all departments, agencies, and local councils as well as with NGOs such as the Lahore Conservation Society and the Anjuman-e-Mimaran to identify projects and priorities. It should hold workshops/seminars with members of these agencies to identify projects/areas in each district.

One important task of the action committee is to develop an independent, private or semi-private organization. This organization will be made up of a number of trustees, some annually appointed by the government, others elected from business organizations, along with concerned citizens from various walks of life such as industrialists and bankers. The trust should be officially recognised by the government through a grant of capital or land, to provide evidence of tangible government support for its work. Trustees from the government may be ministers, secretaries or directors of agencies concerned with the built heritage. Trustees elected from business organizations would have to contribute money to the trust. The executives of the trust including the secretary, resident architect and an accountant should be salaried persons. A nation-wide media campaign will help prepare the public to come forth to support an organization of this nature.

A series of detailed studies need to be undertaken for outlining feasible projects on heritage conservation. Given the premise that the government has limited funds available, it is imperative that options using private sector funding are given priority. Major responsibilities for implementation must be shouldered by NGOs and private entrepreneurs.

The studies that need to be immediately initiated are:

- Guidelines for formulating an inventory of buildings, conservation areas and gardens of historic significance.
- The establishment of a national register (inventory) and the development of criteria for the selection and grading of the built heritage.
- Development of a framework and guidelines for undertaking work on listed monuments by the public and private sectors.
- Feasibility studies on undertaking development plans/programmes in areas with limited infrastructure.
 1. A plan for the development of crafts, industries and tourism infrastructure at:
 - i. Derawar Fort, Cholistan.
 - ii. Tharparkar.
 - iii. Taxila region.
 2. A development plan for Uch Sharif incorporating conservation programmes and development of facilities for pilgrims and tourists.
- Feasibility studies for action plans in historic small towns such as Tulamba, Bhera and Thatta.
- Adaptive re-use of buildings for public use. The action committee should immediately select buildings of historical significance in each district and undertake studies on the adaptive re-use of these structures. The option of forming partnerships with private developers to finance these projects should be investigated and encouraged.

The action committee must decide, along with private developers, on the framework within which any alteration, demolition or use can be proposed for a building prior to undertaking any action. Examples of such buildings are Tollington Market in Lahore, the Hindu Gymkhana in Karachi, large havelis and residences in the Walled Cities. They could be converted into buildings for public use such as hotels, museums, crafts schools etc.

Besides this, a series of actions can be

immediately undertaken under a phased programme. These can be implemented by the concerned departments under whose jurisdiction the solution lies. All actions proposed must be preceded and followed up by an awareness campaign using the mass media. The action committee can ensure correct implementation and monitor progress.

HISTORIC CITY CENTRES

These include selected areas in all major cities of the country, such as the Walled Cities of Lahore, Peshawar, Multan, and areas such as Kharadar in Karachi. All these are high density, residential/commercial areas with rampant building violations, encroachments, unsanitary conditions, poor refuse collection, and haphazard, dangerous electric service line systems.

Immediate Action

- Small areas within these localities can be selected for immediate clean-up drives by the people, aided by the development agencies in charge of the areas.
- All encroachments to be removed in these areas. Shopkeepers and hawkers should be consulted to ascertain alternative locations or opportunities to conduct business prior to taking any such action.

Short-Term Action

- All building violations must be stringently controlled and building by-laws strictly observed.
- Areas selected must be such that they can be turned into pedestrian zones free of any vehicular traffic. Road surfaces should be paved to discourage the possibility of traffic.

Long-Term Action

- Within these areas, buildings belonging to the Auqaf or the Evacuee Property Trust

Board to be taken up as projects for public use. Short feasibility studies to be conducted prior to undertaking this exercise.

- Dangerous buildings to be demolished if they are not within the listing criteria and open spaces rescued for public use.
- Landscaping and tree plantation to be encouraged in these areas.

HISTORIC BUILDINGS UNDER USE BY PUBLIC SECTOR AGENCIES

A number of buildings which need to be listed are presently the responsibility of public sector agencies (federal and provincial). These buildings are owned by the Evacuee Property Trust or by the Auqaf and government departments. The latter have also rented private properties which may be buildings that need to be listed.

The PWD or the buildings department of the respective agency are in charge of the maintenance of these properties. Unfortunately, the buildings are maintained in very poor condition. Rampant changes and extensions are undertaken without any respect for the buildings' original character. The immediate environment of these structures is not maintained, encroachments are frequent, and boundary walls are plastered with billboards, posters and graffiti because of the total apathy on the part of users and the public towards these buildings.

Examples of buildings that would be taken up include the District Courts and State Bank Building, Lahore; Mereweather Tower, Karachi; a number of rest-houses built during the British period, schools e.g., Haveli Nau Nehal Singh under the Education Department, Tollington Market, Lahore and Empress Market, Karachi.

Immediate Action

As a first step, the buildings must be cleared of all encroachments and their immediate environs cleared. Encroachers should be involved in the decision-making process to determine alterna-

tives sites and opportunities. No additions or alterations must be permitted to the structure. All such buildings must be accessible to the public with a prominently displayed sign stating that they are listed buildings.

Short-Term Action

The PWD/buildings departments must create a conservation team to handle work on all buildings of merit/historical significance.

Documentation of the buildings must be undertaken in detail and displayed in a prominent location, preferably within the building.

Long-Term Action

Engineers and architects in all building departments must undergo a rigorous, short-term training programme in conservation methods at the Institute of Training established by the Department of Archaeology at the Lahore Fort.

UPGRADING AND CONSERVATION OF SHOPPING AREAS

Shopping areas such as Bohri Bazar (Karachi), Hussain Agahi (Multan) and Anarkali (Lahore) are popular with all categories of people. Most of these historic shopping areas are dirty and unhygienic and marred by a generally chaotic and dilapidated atmosphere. These areas have declined primarily due to traffic and encroachments by hawkers, resulting in poor pedestrian flow and movement. There is a general lack of public amenities such as toilets and car parking.

Immediate Action

These areas must be immediately cleared of all encroachments. The means to do so must be developed involving the people affected. Regular and thorough removal of garbage must be undertaken by the municipalities concerned.

Short-Term Action

Studies to be undertaken to pedestrianise the areas and create parking lots. Dangerous buildings to be acquired and open spaces developed for hawkers and public amenities. Night and Juma bazars will further revitalise these areas.

Long-Term Action

Studies to be undertaken for retaining the facades of buildings of merit and drawing up of a framework for the design of new buildings in the area.

FUND GENERATION FOR HERITAGE CONSERVATION

Means for revenue generation have been listed in detail in Section 5.

Immediate Action

The entry fees presently levied by the Department of Archaeology must be enhanced. Large monuments offering additional interior areas of interest — such as the Shish Mahal or museums within the Lahore Fort — should levy supplementary fees for these areas.

The money generated from the monuments must be spent on their maintenance and it is recommended that the central treasury match the funds generated by these monuments.

Short-Term Action

Establishment of a special fund by federal and provincial governments for conservation projects.

Long-Term Action

Tax exemptions to be given to developers and owners engaged in undertaking work in conservation districts.

RESEARCH AND EDUCATION

There is a general lack of research in this field and no research and documentation centres for heritage conservation.

Immediate Action

All existing work, research projects on conservation and documentation of buildings conducted in architectural institutions — the National College of Arts, Lahore, Dawood College of Engineering and Technology, Karachi, and the University of Engineering and Technology, Lahore — must be published. Selected studies/projects should be put on permanent display for the public at appropriate places.

Short-Term Action

Short courses in conservation to be initiated for engineers and architects employed in building departments at the federal and provincial level at venues such as the Staff College, National Institutes of Public Administration and the Institute of Training set up at the Lahore Fort.

Long-Term Action

- Establishment of a graduate programme in conservation studies affiliated with schools of architecture and other research centres.
- Research centres to be established at locations where groups of historic buildings of a particular period or type are found, e.g., Ghandharan culture, arts and crafts in Lahore city; Sultanate and pre-Sultanate architecture at Uch Sharif.

The objective of the research centres would be to promote conservation activity in the region. Implementation of conservation of monuments and documentation of sites and monuments can be undertaken at these centres. Museum/exhibition halls are proposed within these research centres, along with residential facilities for research scholars.

These research centres can be run by the

Department of Archaeology, within existing buildings in the area which need to be preserved but could be re-adapted for this use.

PROTECTED MONUMENTS WITH THE DEPARTMENT OF ARCHAEOLOGY

The Department of Archaeology has not been very effective in undertaking work on its protected monuments as indicated in Sections 3 and 4.

Immediate Action

Strict vigilance should be enforced to avoid encroachments in and around protected monuments as outlined in the Antiquities Act. Violators should be consulted for alternatives. The importance of the monument will determine the severity of action to be taken. The respective agencies under whose jurisdiction the issue lies must co-ordinate their action to implement the law.

Short-Term Action

- Advisory Committees as recommended by the Antiquities Act be immediately formed with membership proposed in Section 5.
- All annual funds allocated for repair and maintenance be made non-lapsable.

Long-Term Action

Declaration of protected zones around monuments and development of master plans for areas around monuments in co-ordination with other agencies.

LEGISLATION

The Antiquities Act needs to be amended.

- The Act defines "ancient" as "belonging or relating to any period prior to May, 1857". This date needs to be updated to include a number of buildings built during the British

- period.
- The Advisory Committee has yet to be consulted as given in the Antiquities Act. This must be done immediately and its membership amended.
- The Act must also be amended to include not just individual monuments but allow for the creation of conservation areas or entire zones.
- Facade control legislation needs to be enacted for conservation zones/districts.

ENDNOTES

1. UNESCO. 1982. World Conference on Cultural Policies — Problems and Prospects, 26 July - 6 August 1982, Mexico City. Paris: UNESCO.
2. Kuban, Dogan. N.d. Towards Better Protection of the Islamic Architecture Heritage. UNESCO, World Cultural Heritage and Information Bulletin 14.
3. List of Historical Monuments (Auqaf and Non-Auqaf), Directorate of Archaeology, Auqaf Department, Punjab.
4. Khan, Rashid Ahmed and Sanullah Muhammed Feroze Khan. 1988. Management Study of the Department of Archaeology and Museums. Islamabad: Operations and Maintenance Division, Government of Pakistan.
5. Pakistan Environmental Planning and Architectural Consultants. 1987. Management of Cities Policy. Islamabad: Environment and Urban Affairs Division, Ministry of Housing and Works.
6. UNEP. 1977.
7. Sanday, J. and J. Smyth. 1981. Conservation of the Culture Heritage with Special Reference to Tourism. Paris: UNESCO.
8. Khan, Rashid Ahmed and Sanullah Muhammed Feroze Khan. 1988.
9. Farah, Ali. 1983. Revitalization of Empress Market, Saddar, Karachi. Bachelor's Thesis, Department of Architecture, Dawood Engineering College of Technology, Karachi.
10. Jaffery, Zaigham. 1980. Historic Preservation Act for Karachi. Karachi: Sindh Design Bureau, Karachi Development Authority.
11. Sanday and Smyth. 1981.

TERMS USED IN CONSERVATION WORK



1. Cultural Heritage:
Cultural heritage as defined by the United Nations Educational, Scientific and Cultural Organization's Convention Concerning the Protection of the World Cultural and Natural Heritage:
 - a. Monuments:
Architectural works, works of monumental sculpture and painting, elements or structure of an archaeological nature, inscriptions, cave dwellings and combinations of features which are of outstanding universal value from the point of view of history, art or science.
 - b. Groups of Buildings:
Groups of separate or connected buildings which because of their architecture, their homogeneity or their place in the landscape are of outstanding universal value from the point of view of history, art or science.
 - c. Sites:
Works of man or combined works of nature and of man and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view.
2. Preservation:
Preservation of a monument implies undertaking all measures to retain the existing form, or the form that the monument is discovered in and undertake means to prevent any further decay or change in the monument. Whilst preserving a monument, to prevent further decay a certain amount of restoration work may be mandatory. Maintenance of a building/structure would fall under the definition of preservation.
3. Restoration:
Restoration implies reconstruction of specific form be it structural or art/craft oriented to as close as possible to its original form. Restoration of the built heritage demands a technical knowledge and knowhow of the structure, the building material utilized and craft techniques prior to undertaking this measure. Restoration is a delicate operation and is reserved for exceptional circumstances only to be undertaken by specialists. Its aim is to preserve and reveal the aesthetic and historical value of the

monument based on respect for original material and authentic documents.

Replacement of missing or decayed parts must integrate harmoniously with the whole but must be distinguishable on close inspection from the original so as not to falsify artistic or historical evidence.

National assets as well as living monuments demand restoration works upto a certain limit. The limits of restoration may be decided from monument to monument.

4. Recycling:

To find suitable uses which may help in the conservation of the built asset. This process may result in better maintenance of the structure or generate revenue which may be a useful input for conservation. Recycling may result in certain additions or alterations of the original form, thereby destroying the original character of the structure. Careful analysis has to be undertaken to understand the extent of change that a built form would be able to take. Moreover not all categories of the heritage can undergo recycling.

5. Enhancement:

Cities, villages and large sites which demand conservation for the sake of the special character that they possess, or the "group value"

that is associated with them, which demands more than mere selection of a few individual buildings for preservation, restoration, recycling. To undertake conservation of a large area, the approach has to be to protect and enhance the special character of the area. Enhancement of an area will require looking into land utilization patterns including traffic, landscaping, commerce etc.

6. Reproduction:

Reproduction entails copying an exact artifact, often in order to replace some missing or decayed part to maintain aesthetic harmony. If a valuable cultural property is being damaged irretrievably or is threatened by its environment, it may be moved to a more suitable environment. A reproduction is thus often substituted in order to maintain the unity of the site or building (B.M. Feilden).

7. Preservation District:

A preservation district is defined as a topographical area which is of special value because of its interest from any one or several of the following point of views: scientific, cultural, aesthetic, archaeological, historical, anthropological, and ethnological. A preservation district may incorporate part of a landscape, a human settlement or both.

PROTECTED SITES AND MONUMENTS BY DISTRICT AND CATEGORY



		ARCHAEOLOGY									
District	Archaeological Sites					Monuments					
	I	II	III	Total	%	I	II	III	Total	%	
Balochistan	Kachhi	–	1	–	1	5.6	–	–	–	–	–
	Kalat	–	1	–	1	5.6	–	–	–	–	–
	Kharan	1	1	–	2	11.1	3	1	–	4	44.4
	Loralai	–	–	3	3	16.7	–	–	–	–	–
	Nasirabad	–	1	–	1	5.6	–	–	–	–	–
	Quetta	–	–	10	10	55.6	–	–	–	–	–
	Lasbela	–	–	–	–	–	2	1	1	4	44.4
	Sibi	–	–	–	–	–	1	–	–	1	11.1
	Total	1	4	13	18		6	2	1	9	
%*	5.6	22.2	72.2		100	66.7	22.2	11.1		100	
NWFP	Abbottabad	3	1	14	18	37.5	1	1	–	2	15.4
	Bannu	–	2	2	4	8.3	–	–	–	–	–
	D.I. Khan	2	–	–	2	4.2	1	2	–	3	23.1
	Mansehra	1	1	–	2	4.2	1	1	–	2	15.4
	Mardan	2	4	7	13	27.1	2	1	–	3	23.1
	Peshawar	–	3	6	9	18.8	2	1	–	3	23.1
	Total	8	11	29	48	100	7	6	–	13	100
	%*	16.7	23	60.4	100		53.9	46.2	0	100	
Sindh	Badin	–	–	1	1	3.6	–	–	–	–	–
	Dadu	–	1	12	13	46.4	2	–	1	3	3.2
	Thatta	–	1	–	1	3.6	17	17	–	34	35.8
	Khairpur	1	–	1	2	7.1	–	1	–	1	1.1
	Larkana	1	2	1	4	14.3	1	2	–	3	3.2
	Nawabshah	–	1	–	1	3.6	3	–	–	3	3.2
	Sanghar	–	1	1	2	7.1	1	–	–	1	1.1
	Sukkur	–	–	1	1	3.6	1	2	–	3	3.2
	Tharparkar	–	–	3	3	10.7	1	19	5	25	26.3
	Hyderabad	–	–	–	–	–	10	5	1	16	16.8
	Karachi	–	–	–	–	–	4	1	1	6	6.3
	Total	2	6	20	28	100	40	47	8	95	100
%*	7.1	21.4	71.4	100		42.1	49.5	8.4	100		

District	ARCHAEOLOGY										AUQAF					
	Archaeological Sites					Monuments					Archaeological Sites/Monuments					
	I	II	III	Total	%	I	II	III	Total	%	A	B	C	D	Total	%
Punjab																
Attock	-	-	2	2	11.1	5	5	-	10	7.9	-	-	-	-	-	-
D.G. Khan	-	-	1	1	5.6	-	1	-	1	0.8	-	1	-	1	2	1.3
Faisalabad	-	-	1	1	5.6	-	-	-	-	-	-	-	-	-	-	-
Jhelum	-	1	-	1	5.6	2	5	1	8	6.4	-	-	4	2	9	5.8
Lahore	-	-	1	1	5.6	35	23	-	58	46.0	-	52	1	-	57	37.0
Multan	-	-	2	2	11.1	4	6	-	10	7.9	8	7	7	-	22	14.3
Rawalpindi	3	-	2	5	27.8	9	3	-	12	9.5	-	-	2	-	2	1.3
Sahiwal	1	-	-	1	5.6	1	1	-	2	1.6	-	-	-	-	1	0.7
Sargodha	-	-	2	2	11.1	-	2	-	2	1.6	-	1	-	-	1	0.7
Sheikhupura	-	-	1	1	5.6	4	3	-	7	5.6	-	1	1	-	2	1.3
Sialkot	-	-	1	1	5.6	-	-	-	-	-	2	3	1	-	6	3.9
Bahawalpur	-	-	-	-	-	5	-	-	5	4.0	-	5	2	-	14	9.1
Gujranwala	-	-	-	-	-	2	-	-	2	1.6	-	2	1	-	3	2.0
Gujrat	-	-	-	-	-	1	2	-	3	2.4	6	4	3	-	13	8.4
Jhang	-	-	-	-	-	2	-	-	2	1.6	3	3	2	-	8	5.2
Mianwali	-	-	-	-	-	-	1	1	2	1.6	-	-	-	-	-	-
Muzaffargarh	-	-	-	-	-	2	-	-	2	1.6	1	2	-	-	3	2.0
Khanewal	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	0.7
Khushab	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	0.7
Kasur	-	-	-	-	-	-	-	-	-	-	-	3	-	3	2.0	
R.Y. Khan	-	-	-	-	-	-	-	-	-	-	-	1	-	1	2	1.3
Ranjanpur	-	-	-	-	-	-	-	-	-	-	1	-	-	2	3	2.0
Vehari	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	0.7
Total	4	1	13	18	100	72	52	2	126	100	37	86	24	7	154	100
%	22.2	5.6	72.2	100		57.1	41.3	1.6	100		24.0	55.8	15.6	4.6	100	

Source: Directorate of Archaeology, Punjab Auqaf.

* Percentages have been rounded off.

MONUMENTS AND SITES: MAJOR RENOVATION WORK UNDERTAKEN



NORTHERN CIRCLE

1. Jehangir's tomb	Lahore
2. Noor Jahan's tomb	Lahore
3. Rohtas fort	Jhelum
4. Asif Khan's tomb	Lahore
5. Akbari sarai and mosque	Lahore
6. Lahore gate	Lahore
7. Allama Iqbal's residence	Lahore
8. Tomb of Shaikh Ali	Gujrat
9. Baoli at Jandiala Sher Khan	Sheikhupura
10. Mosque near Baoli and Jandiala Sher Khan	Distt. Sheikhupura
11. Special electrification work at Shalamar	Lahore
12. Lahore fort	Lahore
13. Hiran minar and tank	Sheikhupura
14. Fort	Sheikhupura
15. Jani Khan's tomb	
16. Harappa remains	Harappa
17. Bhati gate	Lahore

SOUTHERN CIRCLE

1. Ghulam Nabi Kalhora's tomb	Hyderabad
2. Kirar-ki-mosque	Nasarpur
3. Archaeological site	Mansura
4. Yar Muhammad Kalhora's tomb and adjacent mosque	Khudabad
5. Shah Baharo's tomb	Larkana

6. Naukot fort	Distt. Tharparkar
7. Mosque inside Kalan Kot fort	Thatta
8. Chaukandi tombs	Landhi, Karachi
9. Baloch tomb	Malir, Karachi
10. Nawab Amir Khan's mosque	Thatta
11. Building with two domes	Thatta
12. Fortification wall, Hyderabad Fort	Hyderabad
13. Mir's tomb	Hyderabad
14. Ghulam Shah Kalhora's tomb	Hyderabad
15. Kot Diji fort	Kot Diji
16. Umerkot fort	Umerkot
17. Makli monuments	Thatta

PESHAWAR SUB-REGION

1. Tombs	Lal Mohra Sharif
2. Sirkap site	Taxila
3. Chirtop site	Taxila
4. Mohra Moradu site	Taxila
5. Jaulian site	Taxila
6. Shingardar stupa	Swat
7. Butkara site	Swat
8. Udegram bazar	Swat
9. Gorkhatree	Peshawar
10. Boundary wall around museum	Swat
11. Jamal Garhi site	Distt. Mardan
12. Nimogram site	Swat
13. Mughal garden at Wah	Distt. Attock
14. Mankiyala Stupa	Distt. Rawalpindi

QUETTA SUB-REGION

1. Tomb of Muhammad Bin Qasim	Harun, Lasbela
2. Kharan fort	Kharan

Source: Khan, Ahmad Nabi. 1980. Archaeology in Pakistan — Administration, Legislation and Control. Islamabad: Department of Archaeology & Museums, Ministry of Culture, Sports and Tourism, Government of Pakistan.

SITES: EXPLORED OR EXCAVATED



EXPLORATION

1. Survey in Multan and Faisalabad districts, Punjab	1963
2. Survey in Sahiwal district, Punjab	1971
3. Survey in Attock and Rawalpindi districts, Punjab	1972
4. Extensive explorations in northern Balochistan (Zhob, Loralai, Quetta and Kalat districts)	1972
5. Extensive explorations in southern Sindh (Thatta and Hyderabad districts)	1972
6. Extensive explorations in Cholistan and Bahawalpur region (Bahawalnagar, Bahawalpur and Rahim Yar Khan districts) Punjab	1974-77
7. Explorations around Mian Ali Faqiran, district Sheikhupura, Punjab	1981-82

EXCAVATION

1. Mohenjodaro, Sindh	1950 & 1982
2. Bhambore, Sindh	1951, 1958-63
3. Naru Waru Dharo, Sindh	1955
4. Kot Dijji, Sindh	1955-56
5. Charsada, NWFP	1958
6. Lahore fort, Punjab	1959
7. Qutubuddin Aibak's tomb, Lahore, Punjab	1956
8. Talumba, Punjab	1963-64
9. Bagar, Punjab	1965
10. Harappa, Punjab	1966

11. Mansura, Sindh	1966-68, 1977-78 1985-86
12. Bhir mound, Punjab	1967
13. Pan Dheri, NWFP	1967
14. Nimogram, NWFP	1967-68
15. Manikyala, Punjab	1968
16. Sarai Kholā, Punjab	1968-72
17. Zarif Karuna, NWFP	1971
18. Satgarah, Punjab	1971
19. Jalilpur, Punjab	1976 & 1976
20. Jhukar, Sindh	1973-74
21. Jhang, Punjab	1974
22. Megaliths (Malir) Sindh	1975
23. Mian Ali Faqiran, Punjab	1978-81
24. Chinkolai, NWFP	1979-80
25. Hathial mound, Punjab	1980-82 & 1988
26. Haji Shah Morr, Punjab	1985-86

Source: Khan, Ahmad Nabi. 1980. *Archaeology in Pakistan — Administration, Legislation and Control*. Islamabad: Department of Archaeology & Museums, Ministry of Culture, Sports and Tourism, Government of Pakistan.

ANTIQUITIES ACT, 1975



ISLAMIC REPUBLIC OF PAKISTAN

ANTIQUITIES ACT 1975 (VII OF 1976)

DEPARTMENT OF ARCHAEOLOGY, MINISTRY OF EDUCATION &
PROVINCIAL CO-ORDINATION, KARACHI, 1976.

AN ACT

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

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

It is hereby enacted as follows:-

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

2. Definitions:

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

 - (a) "Advisory Committee" means the Advisory Committee constituted under section 3;
 - (b) "ancient" means belonging or relating to any period prior to May, 1857.
 - (c) "antiquity" means:-

- (i) any ancient product of human activity, movable or immovable, illustrative of art, architecture, craft, custom, literature, morals, politics, religion, warfare or science or of any aspect of civilization or culture,
 - (ii) any ancient object or site of historical, ethnographical, anthropological, military or scientific interest,
 - (iii) any national monument, and
 - (iv) any other object or class of such objects declared by the Federal Government, by notification in the official Gazette, to be an antiquity for the purposes of this Act;
- (d) "dealer" means a person engaged in the business of buying and selling antiquities; and "deal in antiquities" means to carry on such business;
- (e) "Director" means the Director of Archaeology, Government of Pakistan, and includes an Officer authorised by him to exercise or perform all or any of the powers or functions of the Director under this Act;
- (f) "export" means taking out of Pakistan by land, sea or air;
- (g) "immovable antiquity" means an antiquity of any of the following descriptions, namely:-
- (i) any archaeological deposit on land or under water,
 - (ii) any archaeological mound, tumulous, burial place or place of internment, or any ancient garden, structure, building, erection or other work of historical, archaeological, military or scientific interest,
 - (iii) any rock, cave or other natural object of historical, archaeological, artistic or scientific interest or containing sculpture, engraving, inscription or painting of such interest, and includes:
 - (1) any gate, door, window, paneling, dado, ceiling, inscription, wall-painting, wood work, metal work, or sculpture or any other thing which is attached or fastened to an immovable antiquity;
 - (2) the remains of an immovable antiquity;
 - (3) the site of an immovable antiquity;
 - (4) such portions of land or water adjoining the site of an immovable antiquity as are reasonably required for fencing or covering or otherwise preserving such antiquity;
 - (5) the reasonable means of access to, and convenient inspection of an immovable antiquity; and
 - (6) any urban site, street, group of buildings or public square of special value which the Federal Government, being of the opinion that its preservation is a matter of public interest by reason of its arrangement, architecture or materials of construction, by notification in the official Gazette, declares to be an immovable antiquity for the purposes of this Act;
- (h) "national monument" means any building, structure, erection, place of internment, garden, portion of land or any other place or thing of national importance as may be determined and notified as such from time to time by the Federal Government in consultation with Advisory Committee:
- (i) "owner" includes:
- (i) any person legally competent to act on behalf of the owner, when by reason of infancy or other disability the owner is unable to act;
 - (ii) a joint owner invested with powers of management on behalf of himself and other joint owners and the successor in interest of such owner; and
 - (iii) any manager or trustee exercising the powers of management and the successor in office of such manager or trustee;

- (j) "protected antiquity" means an antiquity which is declared under section 10 to be a protected antiquity; and
- (k) "rules" means rules made under this Act.

3. Advisory Committee:

(1) For the purposes of this Act, the Federal Government shall constitute an Advisory Committee consisting of the following members, namely:

- (a) the Director, who shall also be its Chairman;
- (b) one representative each of the Education Division and the Tourism Division;
- (c) three other persons having special knowledge of antiquities, to be nominated by the Federal Government.

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

4. Dispute as to whether any product, etc., is an antiquity:

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

5. Custody, preservation, etc., of certain antiquities:

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

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

6. Power of entry, inspection, etc.:

(1) The Director 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).

(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.

7. Acquisition of land containing antiquities:

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

8. Purchase, taking lease, etc., of antiquity:

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

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

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

9. Right of pre-emption in case of a sale of antiquity:

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

(2) If the Director 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 the Federal Government.

10. Declaration of protected antiquities:

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

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

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

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

11. Representation against declaration of protected antiquities:

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

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

12. The guardianship of antiquity by agreement:

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

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

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

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

13. Purchasers at certain sales and persons claiming through owner bound by agreement entered into by owner:

Notwithstanding anything contained in any other law for the time being in force, every person, who, at a sale for the recovery of arrears of land revenue or any other public demand, purchases any land or property, or any right or interest in land or property, which contains, or in which is situated an antiquity in respect of which an agreement under section 12 subsists, and every person claiming any title to any antiquity from, through or under an owner who entered into such agreement, shall be bound by such agreement.

14. Application of endowment for maintenance and preservation of antiquity:

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

(2) On the hearing of an application under sub-section (1), the District Judge may summon and examine the owner and any person whose evidence appears to him necessary, and may pass

an order for the proper application of the endowment or of any part thereof, and any such order may be executed as if it were the decree of a Civil Court.

15. Compulsory acquisition of protected immovable antiquity:

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

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

- (a) any antiquity which or any part of which is periodically used for religious observances; or
- (b) any antiquity which is the subject of a subsisting agreement under section 12; or
- (c) any other antiquity unless the owner or other person competent in this behalf has, when proposed to him by the Director, failed to enter into an agreement under section 12 within such period, not being less than six months, as the Director may fix.

16. Compulsory acquisition of movable antiquities:

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

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

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

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

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

17. Protection of place of worship from misuse, etc.:

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

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

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

(a) by prohibiting the entry therein, except in accordance with the conditions prescribed with the concurrence of the person in charge of the antiquity, of any person not entitled so to enter by the religious usages of the community by which the antiquity is used; and

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

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

18. Restriction on use of protected immovable antiquity:

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

19. Prohibition of destruction, damage etc., of protected antiquities:

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

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

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

20. Restriction on repairs, renovation, etc., of protected immovable antiquity:

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

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

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

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

21. Direction to the owner to take measures for preservation of antiquity:

(1) Where the Director 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.

22. Execution of development schemes and new constructions in proximity to immovable antiquity:

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

23. Prohibition of bill posting, neon signs, other kinds of advertisements etc.:

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

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

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

24. Penalty for counterfeiting etc., of antiquity:

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

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

25. Dealing in antiquities:

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

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

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

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

(a) require any person dealing in antiquities to give such information in his possession with respect to any business carried on by him as the Director may demand;

(b) inspect or cause to be inspected any book, register or other document belonging to or under the control of any person dealing in antiquities; and

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

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

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

26. Export of antiquities:

- (1) No person shall export any antiquity except under a license to be granted by the Director—
 - (a) for the temporary export of antiquities for the purpose of exhibition, examination or treatment for preservation; or
 - (b) in accordance with agreements with foreign licenses for archaeological exploration and excavations within the term of their licenses; or
 - (c) for the export of antiquities which are not of a unique nature in exchange for antiquities of any foreign country.

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

27. Traffic in movable antiquities:

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

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

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

28. Regulation of mining, quarrying, etc.:

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

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

29. Prohibition of archaeological excavation or exploration without license:

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

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

- (a) the restriction of the owner's rights in respect of the use and occupation of such land;
- (b) the compensation or any other consideration to be paid to the owner; and

(c) any other matter connected with the use of the land for the purpose of such excavation.

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

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

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

30. Prohibition of making copies of protected antiquities without license:

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

31. Right of access to protected immovable antiquities:

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

32. Penalty:

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

33. Jurisdiction to try offenses:

No court shall take cognizance of an offense punishable under this Act except upon a complaint in writing made by an officer generally or specially empowered in this behalf by the Federal Government and no court inferior to that of a magistrate of the first class shall try any such offense.

34. Power to arrest without warrant:

(1) The Director or any officer duly empowered by him in this behalf may arrest without warrant any person against whom reasonable suspicion exists of his having committed any offense under section 19, 25, 26, 27, or 29.

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

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

35. Confiscated antiquities to be made over to Director:

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

36. Indemnity:

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

37. Power to make rules:

(1) The Federal Government may, after previous publication, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for —

- (a) the form and the conditions of any license granted under this Act;
- (b) regulation of admission of the public to any immovable protected antiquity;
- (c) the levy of fees for the grant of any license under this Act and for admission of the public to an immovable protected antiquity;
- (d) the procedure to be followed in arbitrations, the principles to be followed in apportioning the costs of proceedings before the arbitrator and on appeal and the maximum amount of an award against which no appeal shall lie, under sub-section (2) of section 16;
- (e) such other matters as are or may be required for carrying into effect the provisions of this Act.

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

38. Repeal:

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

THE PUNJAB
SPECIAL PREMISES
ORDINANCE, 1985



EXTRAORDINARY ISSUE
THE PUNJAB GAZETTE
PUBLISHED BY AUTHORITY
LAHORE, WEDNESDAY, FEB. 27, 1985
GOVERNMENT OF THE PUNJAB

LAW DEPARTMENT

The 27th February, 1985

No. Legis. 3(34)/85 — The following Ordinance by the Governor of the Punjab is hereby published for general information:—

THE PUNJAB SPECIAL PREMISES (PRESERVATION)
ORDINANCE, 1985.

PUNJAB ORDINANCE NO. XXXIV OF 1985.

AN

ORDINANCE

to provide for the preservation of certain premises
in the Punjab.

Preamble

WHEREAS it is expedient to preserve certain premises of historical, cultural and architectural value in the Punjab and to control and regulate alterations therein and demolition and re-erection thereof and for matters ancillary thereto;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977 (CMLA Order No. 1 of 1977) and the Provisional Constitution Order, 1981 (CMLA Order No. 1 of 1988) the Governor of the Punjab is pleased to make and promulgate the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Punjab Special Premises (Preservation) Ordinance, 1985;
- (2) It shall extend to the whole of the Punjab;
- (3) It shall come into force at once.

2. In this Ordinance unless the subject or context otherwise requires —
 - (a) "Special Premises" means any premises of historical, cultural or architectural value declared as such by the Government by notification and includes the land externally appurtenant thereto and the outer walls thereof;
 - (b) "Committee" means a Committee constituted under section 3(1) of this Ordinance.

Constitution of Committees.

3. (1) The Government may by notification appoint one or more Committees for the purposes of this Ordinance which shall perform such functions as the Government may determine.
- (2) The Government or a Committee may appoint a Committee of Experts to advise the Government or a Committee with regard to matters relating to this Ordinance.

Ordinance to override other laws.

4. The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force.

Prohibition of destruction etc. of Special Premises.

5. No alteration in or renovation, demolition or re-erection of such portion of a Special Premises as is visible from outside or any part of such portion, shall be effected without the prior permission in writing of the Government or a Committee.

Restriction on sanctioning of plan.

6. No authority or local body shall approve any plan in relation to a Special Premises without the prior permission of the Government or a Committee and any such plan sanctioned before the coming into force of this Ordinance shall be of no effect unless approved by the Government or a Committee.

Prohibition of destruction etc. of Special Premises.

7. No person shall, except for carrying out the purposes of this Ordinance destroy, break, damage, injure, deface or mutilate or scribble or write or engrave any inscription or sign on, such portion of a Special Building as is mentioned in Section 5.

- | | |
|---|--|
| <p>8. (1) If such work as is mentioned in Section 5 has been carried out in relation to a Special Premises before the coming into force of this Ordinance or in contravention of sections 5, 7 or 8 the Government or a Committee may by order direct the owner thereof to restore it to its original position within such time as may be specified in the order.</p> <p>(2) If the owner fails to comply with the order the Government or a Committee may take all necessary measures to give effect to it and the expenses incurred for the purpose shall be recoverable from the owner as arrears of land revenue.</p> | <p>Direction for restoration of original position.</p> |
| <p>9. (1) Where the Government or a Committee considers that any Special Premises is not being preserved or conserved properly by its owner, the Government or a Committee may, by order in writing, direct the owner to take such measures for its proper preservation and conservation, and within such time and on such terms and conditions as may be specified in the order.</p> <p>(2) If the owner fails to take the measures specified in the order referred to in sub-section (1), the Government or a Committee may take all such measures in respect of the Special Premises and the expenses incurred for the purpose shall be recoverable from the owner as arrears of land revenue unless the Government directs otherwise.</p> | <p>Direction to the owner to take measures for preservation of Special Premises.</p> |
| <p>10. If the Government apprehends that a Special Premises is in danger of being destroyed, injured or allowed to fall into decay, it may, acquire it or a part thereof under the Land Acquisition Act, 1894 (I of 1894), as for a public purpose.</p> | <p>Compulsory acquisition of Special Premises.</p> |
| <p>11. No development plan or scheme or new construction on, or within a distance of two hundred feet of, a Special Premises shall be undertaken or executed except with the approval of the Government or a Committee.</p> | <p>Execution of development schemes and new construction in proximity to Special Premises.</p> |
| <p>12. No person shall put any neon signs or other kinds of advertisement, including hoardings, bill postings, commercial signs, poles or pylons, electricity or telephone cables and television aerials, on or near any Special Premises without the prior permission in writing of the Government or a Committee.</p> | <p>Prohibition of bill pasting, neon signs, other kinds of advertisements, etc.</p> |
| <p>13. The Government may receive voluntary contributions and donations for the acquisition, preservation or restoration of Special Premises and may make suitable arrangements for the management and application of the money so received.
Provided that a contribution or donation made for any specified pur-</p> | <p>Voluntary contributions.</p> |

pose shall not be applied to any purpose other than that for which it has been made.

Penalty.

14. (1) Whoever contravenes the provisions of this Ordinance or the rules shall be liable to imprisonment which may extend to one year or with fine or with both.
- (2) The court trying an offense under sub-section (1) may direct that the whole or any part of the fine recovered shall be applied for defraying the expenses of restoring the Special Premises to the condition in which it was before the commission of an offense relating thereto.

Jurisdiction to try offences.

15. No court shall take cognizance of an offense punishable under this Ordinance except upon a complaint in writing made by an officer generally or specially empowered in this behalf by the Government and no court inferior to that of a magistrate of the first class shall try any such offense.

Rules.

16. The Government may frame rules to carry out the purposes of this Ordinance.

Dated Lahore, the
25th February, 1985

LT. GEN. GHULAM JILANI KHAN
Governor of the Punjab

SH. MUHAMMAD ASADULLAH
Secretary to Government of the Punjab,
Law Department.

BUDGETARY ALLOCATIONS, 1982-1988



	YEAR					
	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88
	(million rupees)					
Budget estimates	28.0872	28.9645	39.8428	53.711	50.592	—
Budget allocation	18.75	20.989	26.016	26.824	33.360	30.639
Surrender due to economy cut/savings	1.312	2.009	3.9159	1.6853	3.31	—
Net allocation	17.438	18.241	22.1001	25.1387	30.05	—
Repair and maintenance of historical monuments/sites/gardens and civil buildings	4.3709	3.3736	5.114	6.773	6.5636	5.219
Establishment changes	8.0403	10.2204	10.78	11.2013	13.565	16.952
Miscellaneous expenditure	5.0268	4.647	6.2061	7.1643	9.9214	8.468
Percentage of allocation on:						
Repair and maintenance	25%	18%	23%	27%	22%	17%
Establishment charges	46%	57%	49%	45%	45%	55%
Miscellaneous expenditure	29%	25%	28%	28%	33%	28%

Source: Ministry of Sports, Culture & Tourism, Islamabad.

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CONSERVING PAKISTAN'S BUILT HERITAGE

SECTOR PAPER 12

FAUZIA
QURESHI

ABOUT THIS PAPER ...

This monograph is one of the 29 sectoral and programme papers produced to support the preparation of the Pakistan National Conservation Strategy. This Strategy identifies strategic initiatives to conserve and sustainably manage the country's natural resources for lasting improvements in people's quality of life.

"This report provides an overview of the state of heritage conservation in Pakistan and its potential. It highlights obstacles in undertaking work in this field and makes recommendations keeping these factors in view. The underlying emphasis is on: Development planning, which should regard heritage conservation as part and parcel of its work and not simply as an issue of structure and aesthetics."