

**The Goa Ancient Monuments and
Archaeological Sites & Remains Act, 1978 and
Rules, 1980 and
The Goa, Daman and Diu Treasure Trove
Rules, 1975**

The Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978

The Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (Act 1 of 1979) [25-1-1979] published in the Official Gazette Series I No. 47 dated 22-2-1979.
The Goa, Daman and Diu Treasure Trove Rules, 1975.
The Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Rules, 1980.

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GOVERNMENT OF GOA, DAMAN AND DIU**Law Department (Legal Advice)****Notification**

LD/Bill/13/78

The following Act which was passed by the Legislative Assembly and assented to by the President of India on 25-1-1979 is hereby published for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 12th February, 1979.

**The Goa, Daman and Diu Ancient Monuments and Archaeological
Sites and Remains Act, 1978**

(Act No. 1 of 1979) [25th January, 1979]

An Act to provide for the preservation of ancient monuments and archaeological sites and remains other than those declared by or under any law made by Parliament to be of national importance, for the regulation of archaeological excavations and for the protection of sculptures, carving and other like objects which are antiquities.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-ninth Year of the Republic of India as follows:—

CHAPTER I**Preliminary**

1. Short title, extent and commencement.— (1) This Act may be called the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force* on such date as the Government may, by notification, appoint.

2. Definitions.— In this Act, unless the context otherwise requires,—

(1) ‘ancient monument’ means any structure, erection or monument, or any tumulus or place of internment or any cave, rock sculpture, inscription or monolith which is of historical, archaeological or artistic interest and which has been in existence for not less than one hundred years, and includes,—

(i) the remains of an ancient monument,

* The Act came into force w.e.f. 1-2-1980 vide Notification No. 9-4-79-WET dated 1-2-1980 published in Official Gazette, Series I No. 45 dated 7-2-1980.

- (ii) the site of an ancient monument,
 - (iii) such portion of land adjoining the site of an ancient monument as may be required for fencing or covering in or otherwise preserving such monument, and
 - (iv) the means of access to, and from, and convenient inspection of, an ancient monument, but does not include any ancient monument declared by or under law made by Parliament to be of national importance;
- (2) ‘antiquity’ includes —
- (i) any coin, sculpture, manuscript, epigraph, or work of art or craftsmanship,
 - (ii) any article, object or thing detached from a building or cave,
 - (iii) any article, object or thing illustrative of science, art, crafts, literature, religion, customs, morals or politics in bygone ages,
 - (iv) any article, object or thing of historical interest, and
 - (v) any article, object or thing declared by the Government, by notification, to be an antiquity for the purposes of this Act,

which has been in existence for not less than one hundred years;

(3) ‘archaeological officer’ means an officer of the Government appointed for the purpose of exercising the powers conferred on, and performing the functions assigned to, an archaeological officer under this Act, and includes any other officer authorised by the Government to exercise or perform all or any of such powers and functions;

(4) ‘archaeological site and remains’ means any area which contains or is reasonably believed to contain ruins or relics of historical or archaeological importance which have been in existence for not less than one hundred years, and includes,—

- (i) such portion of land adjoining the area as may be required for fencing, or covering in, or otherwise preserving it, and
- (ii) the means of access to and from, and convenient inspection of, the area,

but does not include any archaeological sites or remains declared by or under law made by Parliament to be of national importance;

(5) ‘Director’ means the Director of Archives and Archaeology (Museum) appointed by the Government and includes any officer authorised by the Government to exercise the powers and perform the functions of the Director under this Act;

(6) ‘Government’ means the Government of the Union territory of Goa, Daman and Diu;

(7) ‘maintain’ with its grammatical variations and cognate expressions includes the fencing, covering in, repairing, restoring and cleaning of a protected monument, and the doing of any act which may be necessary for the purpose of preserving a protected monument or for securing convenient access thereto;

(8) ‘notification’ means a notification in the Official Gazette;

(9) 'owner' includes,—

(i) a joint owner, invested with powers of management on behalf of himself and other joint owners, and the successor in title of any such owner, and

(ii) any manager or trustee exercising powers of management and the successor-in-office of any such manager or trustee.

(10) 'prescribed' means prescribed by rules made under this Act,

(11) 'protected area' means any archaeological site and remains which is declared to be a protected area by or under this Act,

(12) 'protected monument' means an ancient monument which is declared to be a protected monument by or under this Act.

CHAPTER II

Protection of Ancient Monuments and Archaeological Sites and Remains

3. Power of Government to declare certain monuments, etc. to be protected monuments or areas.— (1) Where the Government is of opinion that any ancient monument or archaeological site and remains, which has not been declared by or under law made by Parliament to be of national importance, requires protection under this Act, it may, by notification, give two months' notice of its intention to declare such ancient monument or archaeological site and remains to be protected monument or a protected area, as the case may be, and a copy of every such notification shall be affixed in a conspicuous place near the monument or the site and remains, as the case may be.

(2) Any person interested in any such ancient and historical monument or archaeological site and remains may, within two months after the issue of the notification under sub-section (1), object to the declaration of the monument or the archaeological site and remains to be a protected monument or a protected area.

(3) On the expiry of the said period of two months the Government may, after considering the objections, if any, received by it, declare, by notification, the ancient monument or the archaeological site and remains, as the case may be, to be a protected monument or a protected area.

(4) A notification published under sub-section (3) shall, unless and until it is withdrawn, be conclusive evidence of the fact that the ancient monument or the archaeological site and remains, to which it relates, is a protected monument or a protected area for the purposes of this Act.

Chapter III

Protected Monuments

4. Acquisition of rights in a protected monument.— (1) The Director may, with the sanction of the Government, purchase or take a lease of, or accept a gift or bequest of, any protected monument.

(2) Where a protected monument is without an owner, the Director may, by notification, assume the guardianship thereof.

(3) The owner of any protected monument may, by written instrument, constitute the Director the guardian of the monument, and the Director may, with the sanction of the Government, accept such guardianship.

(4) When the Director has accepted the guardianship of a monument under sub-section (3) the owner shall, except as expressly provided in this Act, have the same estate, right, title and interest in and to the monument as if the Director had not been constituted a guardian thereof; and the provisions of this Act relating to agreements executed under section 5 shall apply to the written instrument executed under sub-section (3).

(5) Nothing in this section shall affect the use of any protected monument for customary religious observances.

5. Preservation of protected monument by agreement.— (1) The Director, when so directed by the Government shall propose to the owner of a protected monument to enter into an agreement with the Government within a specified period for the maintenance of the monument.

(2) Any agreement made under this section may provide for all or any of the following matters, namely:—

- (a) the maintenance of the monument;
- (b) the custody of the monument and the duties of any person who may be employed to watch it;
- (c) the restriction of the owner's right —
 - (i) to use the monument for any other purpose,
 - (ii) to charge any fee for entry into, or inspection of the monument,
 - (iii) to destroy, remove, alter or deface the monument, or
 - (iv) to build on or near the site of the monument;
- (d) the facilities of access to be permitted to the public or any section thereof or to archaeological officers or to persons deputed by the Government to inspect or maintain the monuments;
- (e) the notice to be given to the Government in case the land on which the monument is situated or any adjoining land is offered for sale by the owner, and the right to be reserved to the Government to purchase such land, or any specified portion of such land, at its face value;
- (f) the payment of any expenses incurred by the owner or by the Government in connection with the maintenance of the monument;
- (g) the proprietary or other rights which are to vest in the Government in respect of the monument when any expenses are incurred by the Government in connection with the maintenance of the monument;
- (h) the appointment of an authority to decide any dispute arising out of the agreement; and
- (i) any matter connected with the maintenance of the monument which is a proper subject of agreement between the owner and the Government.

(3) The Government or the owner may, at any time after the expiry of three years from the date of execution of any agreement under this section, terminate it on giving six months' notice in writing to the other party:

Provided that where the agreement is terminated by the owner, he shall pay to the Government the expenses if any, incurred by it on the maintenance of the monument during the five years immediately preceding the termination of the agreement or, if the agreement has been in force for a shorter period, during the period the agreement was in force.

(4) An agreement under this section shall be binding on any person claiming to be the owner of the monument to which it relates from, through or under a party by whom or on whose behalf the agreement was executed.

6. Person competent to exercise powers of owner under section 5 in respect of a protected monument, when owner is under disability or when it is a village property.— (1) If the owner of a protected monument is unable, by reason of minority or other disability, to act for himself, the person legally competent to act on his behalf may exercise the powers conferred upon the owner by section 5.

(2) Where a protected monument is a village property,—

(a) if such property vests in the Panchayat for the village, the Panchayat; or

(b) if such property does not vest in the Panchayat for the village, any village officer exercising the powers of management over such property,

may exercise the powers conferred upon an owner by section 5.

(3) Nothing in this section shall be deemed to empower any person, not being of same religion as the person on whose behalf he is acting, to make or execute an agreement relating to a protected monument which, or any part of which, is periodically used for the religious worship or observances of that religion.

7. Application of endowment to repair a protected monument.— (1) If any owner or other person competent to enter into an agreement under section 5 for the maintenance of a protected monument refuses or fails to enter into such an agreement and if any endowment has been created for the purpose of keeping such monument in repair, the Government may institute a suit in the court of the District Judge or, if the estimated cost of repairing the monument does not exceed one thousand rupees, may make an application to the District Judge, for the proper application of such endowment or part thereof.

(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 any part thereof, and any such order may be executed as if it were a decree of a civil court.

8. Failure or refusal to enter into an agreement.— (1) If any owner or other person competent to enter into an agreement under section 5 for the maintenance of a protected monument, refuses or fails to enter into such an agreement, the Government may make an order providing for all or any of the matters specified in sub-section (2) of section 5 and

such order shall be binding on the owner or such other person and on every person claiming title to the monument from, through or under, the owner or such other person.

(2) Where an order made under sub-section (1) provides that the monument shall be maintained by the owner or other person competent to enter into an agreement, all reasonable expenses for the maintenance of the monument shall be payable by the Government.

(3) No order under sub-section (1) shall be made unless the owner or other person has been given an opportunity of making a representation in writing against the proposed order.

9. Power to make order prohibiting contravention of agreement under section 5.— (1) If the Director apprehends that the owner or occupier of a protected monument intends to destroy, remove, alter, deface, imperil or misuse the monument or to build on or near the site thereof in contravention of the terms of an agreement executed under section 5, the Director may, after giving the owner or occupier an opportunity of making a representation in writing, make an order prohibiting any such contravention of the agreement:

Provided that no such opportunity may be given in any case where the Director, for reasons to be recorded, is satisfied that it is not expedient or practicable to do so.

(2) Any person aggrieved by an order made under sub-section (1) may appeal to the Government within such time and in such manner as may be prescribed and the decision of the Government shall be final.

10. Enforcement of agreement.— (1) If an owner or other person who is bound to maintain a monument by an agreement executed under section 5 refuses or fails, within such reasonable time as the Director may fix, to do any act which in the opinion of the Director is necessary for the maintenance of the monument the Director may authorise any person to do any such act, and the owner or other person shall be liable to pay the expenses of doing any such act or such portion of the expenses as the owner may be liable to pay under the agreement.

(2) If any dispute arises regarding the amount of expenses payable by the owner or other person under sub-section (1), it shall be referred to the Government whose decision on such reference shall be final.

11. Purchasers at certain sales and persons claiming through owner bound by instrument or agreement executed by owner.— Every person who purchases at a sale for arrears of land revenue or any other public demand, any land on which is situated a monument in relation to the guardianship of which an instrument has been executed by the owner for the time being under sub-section (3) of section 4 or in relation to the maintenance of which any agreement has been entered into by such owner under section 5 and every person claiming any title to the monument from, through or under an owner who executed such instrument or entered into such agreement shall be bound by such instrument or agreement, as the case may be.

12. Acquisition of protected monument.— If the Government apprehends that a protected monument is in danger of being destroyed, injured, misused or allowed to fall into decay, it may acquire the protected monument under the provisions of the Land

Acquisition Act, 1894 (Central Act 1 of 1894), as if the maintenance of the protected monument were a public purpose within the meaning of that Act.

13. Maintenance of certain protected monuments.— (1) The Government shall maintain every monument which has been acquired under section 12 or which has been purchased, taken on lease or accepted as a gift or bequest under sub-section (1) of section 4.

(2) When the Director has assumed the guardianship of a monument under section 4, he shall, for the purpose of maintaining such monument, have access to the monument at all reasonable times, by himself or by his agent, subordinates and workmen, for the purpose of inspecting the monument or for the purpose of bringing such materials and doing such acts as he may consider necessary or desirable for the maintenance thereof.

14. Voluntary contributions.— The Director may receive voluntary contribution towards the cost of maintaining a protected monument and may give such general or special directions as he considers necessary for the management and applications of the contributions so received by him:

Provided that no contribution received under this section shall be applied to any purpose other than the purpose for which it was contributed.

15. Protection of place of worship from misuse, pollution or desecration.— (1) A protected monument maintained by the Government under this Act which is a place of worship or shrine shall not be used for any purpose inconsistent with its character.

(2) Where the Government has acquired a protected monument under section 12 or where the Director has purchased or taken a lease or accepted a gift or bequest or assumed guardianship, of a protected monument under section 4, and, such monument or any part thereof is used for religious worship or observances by any community, the Director shall make due provisions for the protection of such a monument or part thereof from pollution or desecration,—

(a) by prohibiting the entry therein, except in accordance with the conditions prescribed with the concurrence of the person, if any, in religious charge of the said monument or part thereof, of any person who is not entitled to enter the said monument, by the religious usages of the community by which the monument or part thereof is used, or

(b) by taking such other action as he may think necessary in this behalf.

16. Relinquishment of Government rights in a monument.— With the sanction of the Government, the Director may,—

(a) where rights have been acquired by the Director in respect of any monument under this Act by virtue of any sale, lease, gift or will relinquish by notification the rights so acquired to the person who would for the time being be owner of the monument if such rights had not been so acquired; or

(b) relinquish any guardianship of a monument which he has assumed under this Act.

17. Right of access to protected monument.— Subject to any rules made under this Act, the public shall have a right of access to any protected monument.

CHAPTER IV

Protected Areas

18. Restriction on enjoyment of property rights in protected areas.— (1) No person, including the owner or occupier of a protected area, shall construct any building within the protected area or carry on any mining, quarrying, excavating, blasting or any operation of a like nature in such area or utilise such area or any part thereof in any other manner without the permission of the Government:

Provided that nothing in this sub-section shall be deemed to prohibit the use of any such area or part thereof for purposes of cultivation if such cultivation does not involve the digging of not more than one foot of soil from the surface.

(2) The Government may, by order, direct that any building constructed by the person within a protected area in contravention of the provisions of sub-section (1) shall be removed within a specified period and if the person refuses or fails to comply with the order, the Director may cause the building to be removed and the person shall be liable to pay the cost of such removal.

19. Power to acquire protected areas.— If the Government is of opinion that any protected area contains any ancient monument or antiquity of any interest and value to the public, it may acquire such area under the provisions of the Land Acquisition Act, 1894 (Central Act 1 of 1894), as if the acquisition were for a public purpose within the meaning of the Act.

CHAPTER V

Archaeological Excavations

20. Excavations in protected areas.— Subject to the provisions of section 24 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958) an archaeological officer or an officer authorised by him in this behalf or any person holding a licence granted in this behalf under this Act (hereinafter referred to as the licensee) may, after giving notice in writing to the Director and the owner, enter upon and make excavations in any protected area.

21. Excavations in area other than protected areas.— Subject to the provisions of section 22 and section 24 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958), where an archaeological officer has reason to believe that any area, not being a protected area, contains ruins or relics of historical or archaeological importance he or an officer authorised by him in this behalf may, after giving notice in writing to the Director and the owner, enter upon and make excavations in the area.

22. Compulsory acquisition of antiquities, etc. discovered during excavation operations.— (1) Where as a result of any excavations made in any area under section 20 or section 21 any antiquities are discovered, the archaeological officer or the licensee, as the case may be, shall,—

(a) as soon as practicable examine such antiquities and submit a report to the Government in such manner and containing such particulars as may be prescribed;

(b) at the conclusion of the excavation operations, give notice in writing to the owner of the land from which such antiquities have been discovered as to the nature of such antiquities.

(2) Until an order for the compulsory acquisition of any such antiquities is made under sub-section (3), the archaeological officer, the officer authorised by him or the licensee, as the case may be, shall keep them in such safe custody as he may deem fit.

(3) On receipt of report under sub-section (1), the Government may make an order for the compulsory acquisition of any such antiquities at their market value.

(4) Where an order for the compulsory acquisition of any antiquities is made under sub-section (3), such antiquities shall vest in the Government with effect from the date of the order.

23. Excavations, etc. for archaeological purpose.— (1) Save as otherwise provided in this Chapter, no archaeological officer or authority shall undertake or authorise any person to undertake any excavation or other like operation for any archaeological purpose in any area which is not a protected area except with the previous approval of the Government and in accordance with such rules or directions, if any, as the Government may make or give in this behalf.

(2) The provisions of sub-section (1) shall be subject to the provisions of section 24 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958).

CHAPTER VI

Protection of Antiquities

24. Chapter not to apply in case of certain antiquities or class of antiquities.— The provisions of this Chapter shall not apply in the case of antiquities or class of antiquities in respect of which a notification has been issued by the Central Government under sub-section (1) of section 25 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958).

25. Power of Government to control moving of antiquities.— (1) If the Government considers that any antiquities or class of antiquities ought not to be moved from the place where they are, without its sanction, the Government may by notification direct that any such antiquity or any class of such antiquities shall not be moved except with the written permission of the Director:

Provided that no notification under this sub-section shall be made in respect of any antiquity for the compulsory acquisition of which an order has been made by the Central Government under sub-section (1) of section 19 of the Antiquities and Art Treasures Act, 1972 (Central Act 52 of 1972).

(2) Every application for permission under sub-section (1) shall be in such form and contain such particulars as may be prescribed.

(3) Any person aggrieved by an order refusing permission may appeal to the Government whose decision shall be final.

26. Purchase of antiquities by Government.— (1) If the Government apprehends that any antiquity mentioned in a notification issued under sub-section (1) of section 25 is in danger of being destroyed, removed, injured, misused or allowed to fall into decay or is of opinion that, by reason of its historical or archaeological importance, it is desirable to preserve such antiquity in a public place, the Government may make an order for the compulsory acquisition of such antiquity at its market value and the Director shall thereupon give notice to the owner of the antiquity to be acquired.

(2) Where a notice of compulsory acquisition is issued under sub-section (1) in respect of any antiquity, such antiquity shall vest in the Government with effect from the date of the notice.

(3) The power of compulsory acquisition given by this section shall not extend to any image or symbol actually used for bonafide religious observances.

CHAPTER VII

Principles of Compensation

27. Compensation for loss or damage.— Any owner or occupier of land who has sustained any loss or damage or any diminution of profits from the land by reason of any entry on, or excavation in, such land or the exercise of any other power conferred by this Act, shall be paid compensation by the Government for such loss, damage or diminution of profits.

28. Assessment of market value of compensation.— (1) The market value of any property which the Government is empowered to acquire at such value under this Act, or the compensation to be paid by the Government in respect of anything done under this Act, shall, where any dispute arises in respect of such market value or compensation, be ascertained in the manner provided in sections 3, 5, 8 to 34, 45 to 47, 51 and 52 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), so far as they can be made applicable:

Provided that when making an enquiry under the said Land Acquisition Act, the Collector shall be assisted by two assessors, one of whom shall be a competent person nominated by the Government and one person nominated by the owner, or in case the owner fails to nominate an assessor within such time as may be fixed by the Collector in this behalf, by the Collector.

(2) Notwithstanding anything in sub-section (1) or in the Land Acquisition Act, 1894 (Central Act 1 of 1894), in determining the market value of any antiquity in respect of which an order for compulsory acquisition is made under sub-section (3) of section 22 or under sub-section (1) of section 26, any increase in the value of the antiquity by reason of its being of historical or archaeological importance shall not be taken into consideration.

CHAPTER VIII

Miscellaneous

29. Delegation.— The Government may by notification direct that the powers conferred on it by or under this Act, shall, subject to such conditions as may be specified

in the direction, be exercisable also by such officer or authority subordinate to the Government as may be specified in the direction.

30. Penalties.— (1) Whoever —

(i) destroys, removes, injures, alters, defaces, imperils, or misuses a protected monument, or

(ii) being the owner or occupier of a protected monument, contravenes an order made under sub-section (1) of section 8 or under sub-section (1) of section 9, or

(iii) removes from a protected monument any sculpture, carving, image, bas-relief, inscription or other like object, or

(iv) does any act in contravention of sub-section (1) of section 18,

shall be punishable with imprisonment which may extend to three months, or with fine which may extend to five thousand rupees, or with both.

(2) Any person who moves any antiquity in contravention of a notification issued under sub-section (1) of section 25 shall be punishable with fine which may extend to five thousand rupees, and the court convicting a person of such contravention may, by order, direct such person to restore the antiquity to the place from which it was moved.

31. Jurisdiction to try offences.— No Court inferior to that of a Judicial Magistrate of the First Class shall try any offence under this Act.

32. Certain offences to be cognisable.— Notwithstanding anything in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), an offence under clause (i) or clause (iii) of sub-section (1) of section 30 shall be deemed to be a cognisable offence within the meaning of that Code.

33. Recovery of amount due to the Government.— Any amount due to the Government from any person under this Act may, on a certificate by the Director or an archaeological officer authorised by him in this behalf, be recovered in the same manner as an arrear of land revenue.

34. Ancient monuments, etc. no longer requiring protection.— If the Government is of opinion that it is no longer necessary to protect any ancient monument or archaeological site and remains under the provisions of this Act, it may by notification declare that the ancient monument or archaeological site and remains, as the case may be, has ceased to be a protected monument or a protected area for the purposes of this Act.

35. Power to correct mistakes, etc.— Any clerical mistake, patent error or error arising from accidental slip or omission in the description of any ancient monument or archaeological site and remains declared to be a protected monument or a protected area, by or under this Act, may, at any time, be corrected by the Government by notification.

36. Protection of action taken under the Act.— No suit for compensation and no criminal proceeding shall lie against any public servant in respect of any act done or in good faith intended to be done in the exercise of any power conferred by this Act.

37. Power to make rules.— (1) The Government may, by notification and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the prohibition or regulation by licensing or otherwise of mining, quarrying, excavating, blasting or any operation of a like nature, near a protected monument or the construction of buildings on a land adjoining such monument and the removal of unauthorised buildings;

(b) the grant of licences and permission to make excavations for archaeological purposes in protected areas, the authorities by whom, and the restrictions and conditions subject to which such licences may be granted, the taking of securities from licensees and the fees that may be charged for such licences;

(c) the right of access of the public to a protected monument and the fee, if any, to be charged therefor;

(d) the form in which application for permission under section 18 or section 25 may be made and the particulars which they shall contain;

(e) the form and contents of the report of an archaeological officer, officer authorised by him or a licensee under clause (a) of sub-section (1) of section 22;

(f) the form and manner of preferring appeals under this Act, the fees to be paid therefor and the time within which they may be preferred;

(g) the manner of service of any order or notice under this Act;

(h) the manner in which excavations and other like operations for archaeological purposes may be carried on;

(i) any other matter which is to be or may be prescribed.

(3) Any rule made under this section may provide that a breach thereof shall be punishable,—

(i) in the case of a rule made with reference to clause (a) of sub-section (2) with imprisonment which may extend to three months or with fine which may extend to five thousand rupees, or with both;

(ii) in the case of a rule made with reference to clause (b) of sub-section (2), with fine which may extend to five thousand rupees;

(iii) in the case of a rule made with reference to clause (c) of sub-section (2), with fine which may extend to five thousand rupees.

(4) Every rule made under this section shall be laid as soon as may be after it is made before the Legislative Assembly of Goa, Daman and Diu, while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following the Assembly agrees in making any modification in the rule or the Assembly agrees that rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

38. Act not to apply to certain antiquities and ancient monuments and archaeological sites and remains.— (1) Nothing in this Act shall apply to any antiquity to which the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958) and the Antiquities and Art Treasures Act, 1972 (Central Act 52 of 1972), apply.

(2) Where any ancient monument or any archaeological site and remains which is a protected monument or protected area, by or under the provisions of this Act, is declared at any time by or under any law made by Parliament to be of national importance, the provisions of this Act shall cease to apply to such monument or area; and accordingly, it shall cease to be a protected monument or protected area for the purposes of this Act.

Secretariat,
Panaji,
7th February, 1979.

K. C. D. GANGWANI
Secretary to the Government
of Goa, Daman and Diu
Law Department (Legal Advice)

Works, Education and Tourism Department**Notification**

9-4-79-WET

Whereas certain draft rules which the Government of Goa, Daman and Diu proposes to make in exercise of the powers conferred by sub-section (1) of section 37 of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (1 of 1979) were pre-published as required by the said sub-section of section 37 of the said Act, at pages 276 to 283 of the Official Gazette, Series I, No. 28, dated 11th October, 1979 under Notification No. 9-4-79-WET, dated 14th September, 1979 of the Works, Education and Tourism Department, Government of Goa, Daman and Diu, Secretariat, Panaji, inviting objections and suggestions from any person likely to be affected thereby within thirty days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 11th October, 1979;

And whereas no objections and suggestions are received from the public on the said draft;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 37 of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (1 of 1979), and all other powers enabling it in that behalf, the Government of Goa, Daman and Diu hereby makes the following rules, namely:—

CHAPTER I**Preliminary**

1. Short title, extent and commencement.— (1) These rules may be called the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Rules, 1980.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise requires,—

(a) “Act” means the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (1 of 1979);

(b) “Construction” means the construction of any structure and includes additions to, or alterations of, an existing building;

(c) “Copying” together with its grammatical variations and cognate expressions, means the preparation of copies by drawing, or by photography or by mould or by squeezing, and includes the preparations of a cinematographic film with the aid of a hand camera which is capable of taking films of not more than eight millimetres and which does not require the use of a stand or involve any special previous arrangements;

(d) “Filming” together with its grammatical variations and cognate expressions, means the preparation of a cinematographic film with the aid of a camera which is

capable of taking films of more than eight millimetres and which requires the use of a stand or involves other special previous arrangements;

(e) “form” means a form set out in the Third Schedule;

(f) “Mining operation” means any operation for the purpose of searching for or obtaining minerals and includes quarrying, excavating, blasting and any operation of a like nature;

(g) “Prohibited area” or “regulated area” means an area near or adjoining a protected monument which the Government may by notification so declare;

(h) “Schedule” means a schedule appended to these rules;

(i) “Section” means a section of the Act;

(j) Words and expressions used but not defined in these rules shall have the same meanings as assigned to them in the Act.

CHAPTER II

Access to protected monuments

3. Monuments governed by agreement.— (1) Access to protected monuments in respect of which an agreement has been entered into between the owner and the Government under section 6, or in respect of which an order has been made by the Government under section 9, shall be governed by the provisions of the agreement or, as the case may be, the order; and nothing in rules 4, 5, 6 or 7 shall be construed as affecting any such agreement or order.

(2) A copy of the relevant provisions of every such agreement or order shall be exhibited in a conspicuous part of the monument concerned.

4. Parts of monuments not open.— The Director may, by order, direct that any specified part of a protected monument shall not be open, permanently or for a specified period, to any person other than an Archaeological Officer, his agents, subordinates and workmen and any other Government servant on duty at such part.

5. Monuments when kept open.— (1) Protected monuments which are intended to be kept open during any specified hours shall be notified by the Director in the Official Gazette in the manner as set out in the First Schedule; protected monuments for which neither rule 3 nor rule 4 applies shall remain open from sunrise to sunset:

Provided that, an Archaeological Officer may, by notice to be exhibited in a conspicuous part of the monument, direct that a protected monument or part thereof shall be closed temporarily for such periods as may be specified in the notice.

(2) Nothing in this rule or in rule 6 shall apply to an Archaeological Officer, his agents, subordinates and workmen or to any other Government Servant on duty at a protected monument.

6. Entrance Fee. — The Protected Monuments or any part thereof entry into which can be had only on payment of fee shall be notified by the Government in the Official Gazette in the manner as set out in the Second Schedule; and no person above the age of

fifteen years shall enter any such protected monument or part thereof except on payment of a fee of fifty paise:

Provided that, the Director may, by order direct that on such occasion and for such period as may be specified in the order, no fee shall be charged for entry into a protected monument or part thereof.

7. Holding of meeting, etc. in monuments.— (1) No protected monument shall be used for the purpose of holding any meeting, reception, party conference or entertainment, except under and in accordance with a permission in writing granted by the Government.

(2) Nothing in sub-rule (1) shall apply to any meeting, reception, party, conference or entertainment which is held in pursuance of a recognised religious usage or custom.

8. Prohibition of certain acts within monuments.— No person shall within a protected monument.—

(a) do any act which causes or is likely to cause damage or injury to any part of the monument; or

(b) discharge any fire-arms; or

(c) cook or consume food except in areas, if any permitted to be used for that purpose by the Director or an Archaeological Officer; or

(d) hawk or sell any goods or wares or canvass any customer for such goods or wares or display any advertisement in any form or show visitors round for monetary consideration, except under the authority of, or under and in accordance with the conditions of a licence granted by an Archaeological Officer; or

(e) beg for alms; or

(f) violate any practice, usage or custom applicable to, or observed in, the monument; or

(g) bring, for any purpose other than the maintenance of the monument—

(i) any animal or

(ii) any vehicle except in areas reserved for the parking thereof.

9. Penalty.— Whoever—

(i) unlawfully enters any protected monument or part thereof at a time when, under these rules, it is not open to the public, or

(ii) unlawfully enters any protected monument in respect of which an order has been made under rule 4 or a notification has been issued under rule 5, or

(iii) contravenes any of the provisions of rule 6 or rule 7 or rule 8, shall on conviction, be punished with fine which may extend to five hundred rupees.

CHAPTER III

Construction, Mining, Excavation and any other operation in protected areas

10. Application for permission under section 18(1) for construction or carrying on mining operations.— Every application for permission of the Government under sub-section (1) of section 18 shall be made in Form I, at least three months before the date of commencement of the construction or, as the case may be mining operation for which the permission is required.

11. Licence required for excavation.— Subject to the provision of section 24 of the Ancient Monuments and Archaeological Sites and Remains Act (Central Act 24 of 1958), no person other than an Archaeological Officer or an Officer authorised by him in this behalf shall enter upon and make excavations for archaeological purposes in any protected area, except under and in accordance with the terms and conditions of a licence granted under rule 13.

12. Application for excavation licence.— Every application for a licence under rule 13 shall be made in Form II to the Director, at least four months before the date proposed for the commencement of the excavation operation.

13. Grant or refusal of licence.— (1) On receipt of an application under rule 12, the Director may grant a licence in Form III if he is satisfied that, having regard to the status of the applicant, the competence of the Director of excavation operations, the adequacy of the staff to be employed and other relevant factors, the licence may be granted to the applicant:

Provided that, no licence shall be granted unless the applicant has furnished a security of such amount not exceeding ten thousand rupees as the Director may, having regard to the circumstances of each case, require.

(2) The Director may, by order, for reasons to be recorded in writing, refuse to grant a licence in any particular case.

14. Period of licence.— Every licence granted under rule 13 shall be in force for such period not exceeding three years as may be specified in the licence:

Provided that the Director may, on application made to him at least one month before the expiry of a licence, extend its period by one year at a time so that the aggregate period does not exceed five years.

15. Cancellation of licence.— The Director may, by order, cancel licence granted under rule 13 if he is satisfied that the conduct of the excavation operators has not been satisfactory or in accordance with the conditions of the licence, or if any further security demanded under rule 18 has not been deposited within the specified time:

Provided that, no licence shall be cancelled unless the licensee has been given an opportunity of being heard.

16. Conditions of licence.— Every licence granted under rule 13 shall be subject to the provisions of the Act, and these rules and to the following conditions namely:—

- a) the licence shall not be transferable;

b) the licensee shall give to the Director, the Collector and the owner of the land to be excavated, at least fifteen days notice in writing of the commencement of the excavation operations;

c) the licensee shall produce the licence, before the Collector or the District Superintendent of Police concerned or the Archaeological Officer, as the case may be, if so required;

d) the excavation operations shall be conducted under the supervision of the director named in the licence, who shall be present at the excavations for at least three-fourth of the period of the operations;

e) the licensee shall not, without the permission of the Director, dismantle or disturb any structures found during the excavation operations and shall make adequate arrangements for the safety of such structures and of the excavated antiquities till they are taken charge of by the Director;

f) the licensee shall not, subject any antiquities recovered during the excavation operations to any chemical or electrolytic process of cleaning without the written permission of the Director;

g) an Archaeological Officer or his representative shall be allowed to inspect the excavation operations or any antiquities recovered during the operations and make notes on, or copy or film the excavated structures and antiquities;

h) the licensee shall not discontinue the excavation operation unless he has given at least fifteen days notice in writing to the Director;

i) at the conclusion of the excavation operations, the licensee shall give notice in writing to the owner of the land specifying the nature of the antiquities if any, recovered during the operations;

j) the licensee shall, within three months of the completion of the excavation operations, submit to the Director, a summary report of the results of the excavation operations, and where the operations are carried on for a period of more than three months such report shall be submitted every quarter, and it shall be open to the Director to publish the report in his report or reviews; and

k) the licensee shall, as soon as practicable submit a report in Form IV to the Government through the Director of the antiquities recovered during the excavation operations.

17. Recovery from security.— Where by reason of the excavation operations carried on by the licensee any compensation becomes payable under section 27 to the owner or occupier of the land excavated, the Director may, by order direct that an amount equal to such compensation shall be deducted from the amount of security furnished by the licensee under rule 13.

18. Demand for further security.— Where during the currency of a licence, any amount has been recovered under rule 17, the Director may require the licensee, within such time as he may specify in that behalf, to deposit such further sum as security as is equivalent to the amount so recovered.

19. Appeal.— Any person aggrieved by an order of the Director under rule 13 or rule 17 may prefer an appeal to the Government whose decision on such appeal shall be final.

20. Return of security.— On the expiration or the cancellation of a licence, the security deposit by the licensee of the balance thereof remaining after deduction of any amount under rule 17 shall be returned to him.

21. Publication of results of excavation.— (1) The licensee shall publish the result of his excavation operations within such period as may be specified in that behalf by the Director.

(2) Save as otherwise provided in clause (j) of rule 16, the Director shall not publish such results without the consent of the licensee, unless the licensee has failed to publish them within the period specified under sub-rule (1).

22. Retention of antiquity by licensee.— The Government may, by order subject to such terms and conditions as may be specified, permit the licensee to retain such of the antiquities recovered during the excavation operations as may be specified therein:

Provided that, human relics and antiquities, which in the opinion of the Government are of historical or archaeological importance, shall not be permitted to be retained by the licensee.

23. Penalty.— Whoever—

(i) unlawfully undertakes any excavation for archaeological purposes in any protected area, or

(ii) contravenes any of the conditions of a licence granted under rule 13,

shall, on conviction, be punished with fine which may extend to five thousand rupees.

CHAPTER IV

Report on Excavated Antiquities by Archaeological Officer

24. Form of report by an Archaeological Officer.— Where as a result of an excavation made by an Archaeological Officer in any area under section 20, any antiquities are discovered, the Archaeological Officer shall, as soon as practicable, submit a report in Form V to the Government through the Director on the antiquities recovered during the excavation.

CHAPTER V

Moving of Antiquities from certain areas

25. Application for moving antiquities.— Every application for permission to move any antiquities or any class of antiquities in respect of which a notification has been issued under sub-section (1) of section 25 shall be made in Form VI to the Collector at least three months before the date on which any antiquities or any class of antiquities are desired to be moved.

26. Grant or refusal of permission.— On receipt of an application under rule 25, the Collector may, after making such inquiry as he may deem necessary and after consulting the Director grant permission for the moving of all or any of the antiquities or, for reasons to be recorded, refuse such permission.

27. Appeal.— Any person aggrieved by an order of the Collector under rule 26 may prefer an appeal to the Government whose decision on such appeal shall be final.

CHAPTER VI

Construction and Mining Operations Adjoining or Near Protected Monuments

28. Licence required for Construction and Mining Operations Adjoining or Near Protected Monuments.— No person other than an Archaeological Officer shall undertake any mining operation near a protected monument, except under and in accordance with the terms and conditions of a licence granted by the Director.

29. Application for licence.— Any person intending to undertake any mining operations or any construction as aforesaid may apply to the Director in Form VII at least three months before the date of commencement of such operation or construction.

30. Grant or refusal of licence.— (1) On receipt of an application under rule 29, the Director may grant a licence in Form VIII if he is satisfied that the proposed operation or construction will not destroy or deface the protected monument or any reasonable amenities of such monument.

(2) The Director may, by order, for reasons to be recorded in writing refuse to grant a licence in any particular case.

(3) Every licence granted under sub-rule (1) shall be subject to the provisions of the Act and these rules and the following conditions, namely:—

(a) the licence shall not be transferable;

(b) it shall be valid for the period specified therein; and

(c) any other condition relating to the manner of carrying out the mining operation or the construction which the Director may specify in the licence for ensuring the safety and appearance of, and the maintenance of the approach and access to the protected monument.

31. Cancellation of Licence.— The Director may, by order, cancel a licence granted under rule 30 if, he is satisfied that any of its conditions have been violated.

32. Appeal.— Any person aggrieved by an order of the Director made under rule 30 or rule 31 may prefer an appeal to the Government whose decision on such appeal shall be final.

33. Removal of Unauthorised Building.— (1) The Government may, by order direct the owner or occupier of any building or part thereof which has been constructed in contravention of any of the conditions of a licence granted under rule 30 to remove such buildings or part thereof within a period specified in that order.

(2) If the owner or occupier refuses or fails to comply with an order made under sub-rule (1), the Government may direct the Collector to cause the building or part thereof to be removed and the owner or occupier thereof shall be liable to pay the cost of such removal.

34. Penalty.— Whoever—

(i) unlawfully undertakes any mining operation or construction near or adjoining a protected monument, or

(ii) contravenes any of the conditions of a licence granted under rule 30, or

(iii) fails or refuses to comply with an order made under sub-rule (1) of rule 33,

shall, on conviction, be punished with imprisonment which may extend to three months, or with fine which may extend to five thousand rupees, or with both.

CHAPTER VII

Copying and Filming of protected Monuments

35. Further regulation of Right of Access.— The right of access of the public to a protected monument shall be subject to the provisions of the additional rules prescribed in this Chapter.

36. Permission Required for Copying Certain Monuments.— The Director may, by order, direct that no person visiting any specified monument shall copy such monument or part thereof, except under and in accordance with the terms and conditions of a permission in writing granted by an Archaeological Officer.

37. Conditions of Copying other Monuments.— (1) Any person may take a copy of a protected monument in respect of which no order under rule 36 has been made.

(2) Nothing in sub-rule (1) shall be construed as authorising any person, while copying any such monument to—

(a) bring into or use within the precincts of such monuments a camera stand, stool, chair, table, large drawing-board easel or any such appliance, or

(b) erect any scaffolding within precincts, or

(c) use within such precincts any artificial light other than a flash-light synchronised with the exposure of a camera, or

(d) apply any extraneous matter, such as water, oil, grease or any moulding material, on such monument or part thereof, or

(e) prepare a direct tracing or mould or squeeze of such monument or part thereof;

except under and in accordance with the terms and conditions of a permission in writing granted by an Archaeological Officer.

38. Licence Required for Filming.— No person visiting a protected monument shall undertake any filming operation at the protected monument or part thereof, except under and in accordance with the terms and conditions of a licence granted under rule 40.

39. Application for Licence.— Every person intending to undertake any filming operation at a protected monument shall apply to the Director in Form IX at least three months before the proposed date of the commencement of such operation.

40. Grant or Refusal of Licence.— (1) On receipt of an application under rule 39, the Director may grant a licence in Form X if he is satisfied that the proposed operation will not adversely affect the protected monument or part thereof:

Provided that the Director shall not grant any licence to film the interior of any protected monument, that is to say, such part of any protected monument as/is covered by a roof of any description except when the film is for the purpose of education or of publishing the monument.

(2) The Director may, by order, for reasons to be recorded in writing, refuse to grant a licence in any particular case.

(3) Every licence granted under sub-rule (1) shall be subject to the provisions of the Act and these rules and the following conditions, namely:—

(a) the licence shall not be transferable, and shall be valid for the period specified therein;

(b) nothing shall be done by the licensee or any member of his party which has, or may have, the effect of exposing any part of the monument or attached lawn or garden to the risk of damage;

(c) the filming operation shall be restricted to that part of the monument in respect of which the licence has been granted;

(d) no extraneous matter, such as water, oil, grease or the like shall be applied on any part of the monument;

(e) the generating plant for electric power, wherever required shall be placed away from the monument, or the attached lawn or garden;

(f) the filming operation shall not obstruct or hamper the movement of persons who may lawfully be within the precincts of the monument, and

(g) any other conditions which the Director may specify in the licence.

41. Cancellation of Licence.— The Director may, by order, cancel a licence granted under rule 40 if he is satisfied that any of its conditions has been violated:

Provided that, no licence shall be cancelled unless the licensee has been given an opportunity of being heard.

42. Appeal.— Any person aggrieved by an order of the Director made under rule 40 or rule 41 may prefer an appeal to the Government, whose decision on such appeal shall be final.

43. Certain rules not to be affected.— Nothing in rule 37 and no provisions of a permission granted under rule 36 or of a licence granted under rule 40 shall affect the operation of rules 3, 4, 5, 6, 7, 8 and 9.

44. Penalty.— Whoever copies or films any protected monument or does other act in contravention of any provision of this chapter or of any permission or licence granted thereunder shall on conviction be punished with fine which may extend to five hundred rupees.

CHAPTER VIII

Miscellaneous

45. Manner of preferring an appeal.— (1) Every appeal to the Government under the Act or under these rules shall be in writing and shall be preferred within one month from the date of receipt of the order appealed against.

(2) Every such appeal shall be accompanied by a copy of the order appealed against.

46. Service of orders and notices.— Every order or notice made or issued under the Act or under these rules shall—

(a) in the case of any order or notice of a general nature or affecting a class of persons, be published in the Official Gazette; and

(b) in the case of any order or notice affecting a corporation or firm, be served in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 of Order XXX as the case may be, in the First Schedule to the Code of Civil Procedure, 1908; and

(c) in the case of any order or notice affecting an individual person, be served on such persons—

(i) by delivering or tendering it to the persons concerned, or

(ii) if it cannot be so delivered or tendered, by delivering or tendering it to any adult male members of the family of such persons or by affixing a copy thereof on the outer door or some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain, or

(iii) by sending it by registered post, acknowledgement due.

FIRST SCHEDULE

(See rule 5)

Hours during which the following protected monuments or parts thereof remain open

Sr. No.	District	Locality	Name of Monuments	Parts of monument which shall remain open during hours other than from sunrise to sunset	Hours
1	2	3	4	5	6

SECOND SCHEDULE

(See rule 6)

Protected monuments or parts thereof entry into which can be had only on payment of fee

Sr. No.	District	Locality	Name of Monument	Part of monument for which payment of fee is required
1	2	3	4	5

THIRD SCHEDULE

FORM I

Application for permission for construction/mining operation within a protected area

(See rule 10)

1. Name and address of applicant.
2. Name of the protected area within which construction/mining operation is proposed to be carried on.

Locality

District

3. Nature and details of the proposed construction/mining operation in respect of which permission is sought. (In the case of construction, a site-plan in triplicate showing in red outline the location of the building in relation to the protected area and the plan and elevation of the building should be attached; and the colour external appearance and method of the screening of the building and the depth down to which the soil will be excavated for the appurtenance of the building should be specified.

In case of mining operation site-plan in triplicate showing in red outline the extent of the operation in relation to the protected area should be attached; and details regarding depth down to which the operation is to be carried out of the mode of the operation, the method of the muffling of sound, the kind and charge of blasting material and the depth and number of blast holes to be fired at a time should be specified).

4. Purpose of the proposed construction/mining operation.
5. Approximate duration and date of commencement of the proposed construction/mining operation.

I declare that above information is correct. I also undertake, to observe the provisions of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 and the rules made thereunder.

Seal of the organisation

Station

Date

Signature of the Applicant

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

FORM II

Application for licence to excavate in a protected area (See rule 12)

1. Name and address of applicant.
2. Name of the site.

Locality	District
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3. Extent of the proposed excavation (a plan of the site in triplicate showing in red outline the extent of the proposed excavation should be attached).
4. Approximate duration and date of commencement of the proposed excavation.
5. Approximate expenditure on the proposed excavation.
6. Name and status of the director of the proposed excavation.
7. Details of photographic surveying and other equipments available for the proposed excavation.

I declare that the above information is correct. I also undertake to observe the provisions of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 and the rules made thereunder.

Seal of the institution

Station

Date

Signature of the applicant

-
1. If the application is on behalf of an institution, the name thereof, should be given.
 2. If the application is on behalf of an institution, the signature should be that of the head of the institution, which term includes the Registrar of a University.

FORM III

(See rule 13)

Licence for excavation in a protected area

Whereas has applied for a licence for carrying out excavation operations in the protected area known as..... at..... District and has undertaken to observe the provisions of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 and the rules made thereunder and has further deposited the sum of Rs..... (Rupees... . only) as security required by the rules.

I, Director of Archives and Archaeology (Museum), do hereby grant this licence under sub-rule (1) of rule 13 of the said rules to the said to carry out excavation operation in the area indicated in red outline on the plan attached hereto.

The licence is granted subject to the provisions of the said Act and rules and is further subject to the condition that of shall be the Director of the excavation.

The licence is not transferable. It shall be valid for... commencing with ... day of ...19.

Seal of the Department of Archives
and Archaeology (Museum)
Goa, Daman and Diu

Station

Date

Signature of the
Director of Archives &
Archaeology (Museum)

FORM IV
(See rule 16)**Report on antiquities excavated in a protected area**

Name of site

Locality

District ...

Report for the period from 19.... to 19

Sr. No.	Class of antiquities	Material	Number of antiquities	Approximate Age/ /tentative period	Remarks
			Complete or Fragmentary		

Station:

Date:

Signature of the Licensee

In the case of potsherds, the approximate number should be stated.

FORM V
(See rule 24)**Report of an Archaeological Officer on antiquities excavated**

Name of site ...

Locality ...

District ...

Report for the period from ... 19 to 19...

Sr. No.	Class of antiquities	Material	Number of antiquities	Approximate Age/ /tentative period	Remarks
			Complete or Fragmentary		

Station:

Date:

Signature of the Archaeological Officer

1. In the case of potsherds, the approximate number should be stated.

FORM VI
(See rule 25)**Application for the moving of antiquities**

1. Name and address of applicant.
2. Name of the place from which antiquities are to be moved.
3. Description of antiquities proposed to be moved. Locality District
(Photographs showing details of the antiquities to be attached.)
4. Approximate date of the moving.
5. Purpose of the moving.
6. Whether the antiquities or any of them are objects of worship.

I declare that the above information is correct.

Seal of the
Organisation

Station:
Date:

Signature of Applicant

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

FORM VII
(See rule 29)**Application for licence for mining operation/construction**

1. Name and address of applicant.
2. Name of the monument near or adjoining which the Locality District
operation or construction is to be carried out.
3. Nature and details of the proposed mining operation/construction in
respect of which the licence is required.

(In the case of mining operation a site-plan in triplicate showing in red outline the extent in the monument should be attached and the details regarding the depth down to which the operation is to be carried out the mode of the operation, the method of the muffling of sound, the kind of charge of blasting material and in depth and number of blast-holes to be fired at a time should be specified.

In the case of construction, a site plan in triplicate showing in red outline the location of the building in relation to the monument and the plan and elevation of the building should be attached; and the colour external appearance and method of the screening of the building and the depth down to which the soil will be excavated for the appurtenances of the building should be specified).

4. Purpose of the proposed mining operation/construction.
5. Approximate duration and date of commencement of the proposed mining operation/construction.

I declare that the above information is correct, I also undertake to observe the provisions of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 and the rules made thereunder.

Seal of the
organisation

Station
Date

Signature of the applicant

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

FORM VIII

(See rule 30)

Licence for mining operation/construction

Whereas ... of... has applied for a licence for ... in the area near or adjoining ... at ... District ... and has undertaken to observe the provisions of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 and the rules made thereunder.

I, ... Director of Archives and Archaeology (Museum), do hereby grant this licence under sub-rule (1) of rule 30 of the said rules to the said ...for ...in the area indicated in red outline on the plan attached hereto.

The licence is granted subject to the provisions of the said Act and rules and is further subject to the following conditions, namely:-

The licence is not transferable.

It shall be valid for... commencing with ... day of ...

Seal of the Department of Archives
and Archaeology (Museum)
Government of Goa, Daman and Diu

Station
Date

Signature of the Director of
Archives and Archaeology
(Museum)

FORM IX
(See rule 39)

Application for licence of filming operation at a protected monument

1. Name and address of applicant. Locality District
2. Name of the monument at which the proposed filming operation is to be carried out.
3. Part of the monument proposed to be filmed.
4. Nature and purpose of the proposed filming operation and the context in which the monument is proposed to be filmed (Relevant extract of the script should be attached in triplicate and details of the scenes to be filmed should be furnished in triplicate).
5. Number of persons in the cast.
6. Approximate duration and date of commencement of proposed filming operation.

I declare that the above information is correct, I also undertake to observe the provisions of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 and the rules made thereunder.

Seal of the
Organisation

Station
Date

Signature of the
applicant

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

FORM X
(See rule 40)

Licence for filming operation at a protected monument

Whereas of has applied for a licence for filming operation at the protected monument known as located at District and has undertaken to observe the provisions of the Goa, Daman and Diu, Ancient Monuments and Archaeological Sites and Remains Act, 1978, and the rules made thereunder.

I, Director of Archives and Archaeology (Museum) do hereby grant this licence under rule 40 of the said rules to the said for the purpose of carrying out of filming operation as per script and details of scenes attached hereto, in the following parts of the monuments, namely:-

The licence is granted subject to the provisions of the Act and rules and is further subject to the following conditions, namely:—

The licence is not transferable. It shall be valid for commencing with day of ... 19...

Seal of the Department of Archives
and Archaeology (Museum),
Government of Goa, Daman and Diu

Station
Date

Signature of the Director of
Archives and Archaeology
(Museum)

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary, Works, Education and Tourism.

Panaji, 23rd February, 1980.

Education and Public Works Department**Notification****Rules under Indian Treasure-trove Act, 1878**

No. In exercise of the powers conferred by section 19 of the Indian Treasure-trove Act, 1878 (IV of 1878), the Lieutenant Governor of Goa, Daman and Diu is pleased to make the following rules, namely:-

1. Short title, extent and commencement.— (1) These rules may be called the Goa, Daman and Diu Treasure-trove Rules, 1975.

(2) They extend to the whole of the Union territory of Goa, Daman and Diu.

(3) They shall come into force at once.

2. Definitions.— In these rules unless the context otherwise requires:—

(a) “Act” means the Indian Treasure-trove Act, 1878 (VI of 1878);

(b) “Government” means the Government of Goa, Daman and Diu;

(c) “Section” means a section of Act;

(d) “Superintending Archaeologist” means Superintending Archaeologist, Archaeological Survey of India, Government of India, within whose jurisdiction the treasure has been found;

(e) “Treasure-trove Officer” means the Director of Archives, Government of Goa, Daman and Diu.

(f) “Union territory” means the Union territory of Goa, Daman and Diu.

3. Collector’s Report.— On receipt of any notice under section 4, or on receipt of information from any person other than the finder, that a treasure has been found, the Collector shall report the fact to the Government, the Superintendent and the “Treasure-trove Officer” stating as far as the information at his disposal permits:—

(a) the name of the finder,

(b) the nature and details of treasure,

(c) the approximate value of the treasure,

(d) the date of the finding of the treasure,

(e) the origin and surrounding of the treasure.

4. Publication of Notification.— Every notification under clause (a) of section 5 shall be published at the local police station, at the Office of the Collector or equivalent Officer within whose jurisdiction the treasure was found, and also at some conspicuous spot in the village in which it was found.

5. Report of the Treasure-trove Officer and Superintendent within 60 days of the receipt of such information from the Collector, the Treasure-trove Officer and

Superintendent shall arrange for inspection of the treasure and shall submit their report, individually or jointly to the Collector whether the treasure or any part thereof should be acquired by the Government.

6. Acquisition of Treasure.— (1) The Collector shall, before acquiring or making a declaration under section 16 of his intention to acquire on behalf of the Government any treasure or any part thereof, obtain the orders of the Government.

(2) If the Government decides to acquire such treasure or any part thereof, whether on report of the Treasure-trove Officer and Superintending Archaeologist or otherwise, the Government shall accordingly inform the Collector, who after making the declaration under section 9 and complying with provision of section 16, shall as soon as possible, forward the treasure or any part thereof so acquired either to the Treasure-trove Officer or any other centre which the Government may specify in this behalf.

7. Distribution of Treasure.— The Treasure-trove Officer, in the event of the Government deciding to acquire the treasure or any part thereof, shall recommend to Government its distribution among the Museums and Institutions in the following order of priorities:—

(a) Principal Museum of the Union Territory and National Museum in recommending allocations to the Museum of Union territory, the Treasure-trove Officer shall take into consideration that the objects to be given to the Museum of the Union territory are of Union territory or regional interest and those to be given to the National Museum are of national importance.

(b) Other Museums in the Union territory managed by the Government or other public authorities, including Universities in the Union territory.

(c) Principal State Museums of other States and the Indian Museum Calcutta.

(d) Other Museums of other States maintained by the Government or other Public authorities, including Universities.

(e) Other Museums.

8. Sale.— The Government, after assessing the needs of the Museums and institutions mentioned in rule 7, may in consultation with the Treasure-trove Officer and the Superintending Archaeologist place a part of treasure acquired under sub-rule (2) of rule 6 or otherwise for sale to the public after notifying the proposed sale in such manner as it may deem fit.

9. Price.— The price of the finds notified for sale shall be fixed by the Government after consulting the Treasure-trove Officer and the Superintendent and shall be specified against each item in the notification of the proposed sale and the amount realised by such sale shall be credited to the Consolidated Fund of the Union territory.

10. Returns.— The Treasure-trove Officer shall send a consolidated report of the treasure found during the financial year to the Government of India, Department of Culture, Ministry of Education, Social Welfare & Culture, this report shall include a brief summary of the results of the examination of Treasure-trove finds during the year under review, and shall also include their classification by their material and roughly by the

class to which they belong. The report shall also give a short account of any notable Treasure-trove finds and their distribution during the year.

By order and in the name of the Administrator of Goa, Daman and Diu.

W. Shaiza, Development Commissioner.

Panaji, 22nd September, 1976.

(Published in the Official Gazette, Series I No. 27 dated 30-9-1976).

Act No. XXXI of 1947

(Passed by the Indian Legislature)

(Received the assent of the Governor General on the 18th April, 1947).

An Act to control the export of antiquities

Whereas it is expedient to make better provision for controlling the export of objects of antiquarian or historical interest or significance;

It is hereby enacted as follows:—

1. Short title and extent.— (1) This Act may be called the Antiquities (Export Control) Act, 1947.

(2) It extends to the whole of British India.

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

(a) “antiquity” includes—

(i) any coin, sculpture, manuscript, epigraph, or other work of art or craftsmanship,

(ii) any article, object or thing detached from a building or cave,

(iii) any article, object or thing illustrative of science, art, craft literature, religion, customs, morals or politics in bygone ages,

(iv) any article, object or thing declared by the Central Government by notification in the Official Gazette to be an antiquity for the purposes of this Act,—

which has been in existence for not less than one hundred years;

(b) “export” means export from British India by sea, land or air.

3. Prohibition of export.— No person shall export any antiquity except under the authority of a licence granted by the Central Government.

4. Application of Act VIII of 1878.— All antiquities the export of which is prohibited under section 3 shall be deemed to be goods of which the export has been prohibited under section 19 of the Sea Customs Act, 1878, and all the provisions of that Act shall have effect accordingly, except that, the provisions of section 183 of that Act

notwithstanding, any confiscation authorized under that Act shall be made, unless the Central Government, on application to it in such behalf, otherwise directs.

5. Penalty and procedure.— (1) If any person exports or attempts to export an antiquity in contravention of section 3, he shall, without prejudice to any confiscation or penalty to which he may be liable under provisions of the Sea Customs Act, 1878 (VIII of 1878) as applied by section 4, be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to five thousand rupees, or with both.

(2) No Court shall take cognizance of an offence punishable under this section except upon complaint in writing made by an Officer generally or specially authorized in this behalf by the Central Government, and no Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any such offence.

6. Power to determine whether or not an article is an antiquity.— If any question arises whether any article; object or thing is not an antiquity for the purposes of this Act, it shall be referred to the Director General of Archaeology in India, and his decision thereon shall be final.

7. Power to make rules.— (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe the procedure for granting licences for the export of antiquities, and fix the fees payable on applications thereof.

8. Protection of action taken under this Act.— No suit, prosecution or other legal proceedings shall lie against any person for anything in good faith done or intended to be done under this Act.

9. Application of other laws not barred.— The provisions of this Act shall be in addition to, and not in derogation of, the provisions of Ancient Monuments Preservation Act, 1904 (VII of 1904) or any other law for the time being in force.

(APPENDIX)

Works, Education and Tourism Department**Notification**

9-4-79-WET

Whereas the Government of Goa, Daman and Diu, is of the opinion that the ancient Monuments as specified in the Schedule appended hereto required protection under the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (Act No. 1 of 1979) (hereinafter called as the “said Act”);

And whereas the Government of Goa, Daman and Diu intends to declare the ancient monuments as specified in the Schedule appended hereto (hereinafter called as the “said monuments”) to be protected monuments for the purposes of the said Act;

And whereas in pursuance of sub-section (1) of section 3 of the said Act, a notice of two months is required to be given to all persons likely to be affected thereby in view of declaration of the said monuments to be protected monuments for the purposes of the said Act (hereinafter called as the “proposed declaration”);

And, therefore, in exercise of powers conferred by sub-section (1) of the section 3 of the said Act, the Government of Goa, Daman and Diu hereby gives a notice of two months to raise any objections towards the proposed declaration if any, from the date of publication of this Notification in the Official Gazette. All objections and suggestions in this regard may be addressed to the Secretary, Planning-cum-Development Commissioner, Government of Goa, Daman and Diu, Secretariat, Panaji, before the expiry of two months from the date of publication of this Notification in the Official Gazette.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. D. Vengurlekar, Planning Officer.

Panaji, 18th August, 1982.

SCHEDULE – I

Sr. No.	Name of the Monument	Village	Taluka	Survey No.	Sub-Div.	Ownership of Monuments
Tiswadi Taluka						
1.	Ruins of Brahmapuri	Ella	Tiswadi	128	—	Private
2.	Chapel of St. Xavier	Ella	Tiswadi	97	—	Private
3.	Chapel of Our Lady of Monte	Ella	Tiswadi	86	—	Private
4.	Concent of St. Monica and Chapel	Ella	Tiswadi	153	1	Private
5.	Ruin of College of St. Populo	Ella	Tiswadi	14	—	Private
6.	Church of St. Peter	Ella	Tiswadi	1	2	Private
7.	Casa da Polvora	Panelim	Tiswadi	4	3	Government
8.	Fort Naroa	Naroa, Divadi	Tiswadi	50	—	Government
9.	Site of the temple of Saptakoteshwar	Naroa, Divadi	Tiswadi	36	1	Private

Sr. No.	Name of the Monument	Village	Taluka	Survey	Sub-Div. No.	Ownership of Monuments
10.	Church of St. Anne	Talaulim	Tiswadi	1	1	Private
11.	Chapel of St. Jeronimus	Madel, Choden	Tiswadi	172	—	Private
Bardez Taluka						
12.	Site where the ancient image of Buddha was discovered at Colvale	Colvale	Bardez	244	16	Private
13.	Fortress of Colvale	Colvale	Bardez	74/23	—	Government
14.	Reis Magos Fort	Reis Magos	Bardez	50	—	Government
15.	Church of Reis Magos	Reis Magos	Bardez	88	1	Private
16.	Chapora Fort	Chapora (Kaisuv)	Bardez	357	—	Government
Bicholim Taluka						
17.	Caves at Naroa	Naroa	Bicholim	155	—	Private
18.	Temple of Saptakoteshwar	Naroa	Bicholim	1	—	Private
19.	Site of Gujir	Kudnem	Bicholim	75 & 76	—	Private
20.	Fort of Sanquelim	Sanquelim	Bicholim	31	41 & 44	Private
21.	Namazgah	Bicholim	Bicholim	78	2	Private
22.	Site of Ruins of Manguesh Temple	Cortalim	Salcete	1	1 & 2	Private
23.	Site of Ruins of Shantadurga Temple	Quelossim	Salcete	215	—	Private
24.	Site Ruins of Ramnath Temple	Loutulim	Salcete	223	5	Private
25.	Ruins including Tank of the temple of Mahalsa	Verna	Salcete	38 & 39	3,107	Private
26.	Gate of Rachol Fortress	Rachol	Salcete	Chalta 74	1	Private
27.	Caves of Aquem	Margao	Salcete	Lb. 54	227	Private
28.	Frontispices of Sancoale	Sancoale	Mormugao	226	83	Private
29.	Shri Chandranath	Paroda	Quepem	85	6	Private
30.	Cabo de Rama Fort	Cabo da Rama	Canacona	259, 260 262, 263	All Sub-Div.	Government
31.	Shri Malikarjuna Temple	Shreesthal Canacona	Canacona	1	3	Private
32.	Caves at Rivona	Rivona	Sanguem	7	5	Private
33.	Caves at Khandepar	Khandepar	Ponda	170	2	Private
34.	Cave at Ishwarbhat	Khandepar	Ponda	30	—	Private
35.	Cave at Mangueshi	Mangueshi	Ponda	45	—	Private
36.	Shri Nagesh Temple	Bandora	Ponda	1	1 & 2	Private
37.	Shri Kamakshi Temple	Shiroda	Ponda	1	—	Private
38.	Shri Saptakoteshwar	Khandepar	Ponda	157	—	Private
39.	Shri Mahadeva Temple	Agapur	Ponda	120	—	Private
40.	Ruins of Jaina Basti	Bandora	Ponda	5	1,2,3 & 4	Private
41.	Fort of Alorna	Alorna	Pernem	242 & 239	1,2 & 3	Government
42.	Fort of Terekhol	Terekhol	Pernem	1	—	Government

Notification

9-4-79-WET

Whereas the Government of Goa, Daman and Diu, being of the opinion that the ancient monuments specified in the Schedule appended hereto require protection under the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (1 of 1979), had given notice of its intention to declare the said ancient monument to be protected monuments vide Government Notification No. 9-4-79-WET dated 18th August, 1982 published in the Official Gazette, Series I No. 22 dated the 26th August, 1982 as required under sub-section (1) of Section 3 of the said Act;

And Whereas the Government of Goa, Daman and Diu has considered the objections received from the persons interested in the said monuments.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 3 of the said Act, the Government of Goa, Daman and Diu hereby declares the ancient monuments specified in the Schedule appended hereto to be protected monuments.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 4th March, 1983.

SCHEDULE – I

Sr. No.	Name of the Monument	Village	Taluka	Survey No.	Sub-Div.	Ownership of Monuments
1.	Ruins of Brahmapuri	Ella	Tiswadi	128	—	Private
2.	Chapel of St. Xavier	Ella	Tiswadi	97	—	Private
3.	Chapel of Our Lady of Monte	Ella	Tiswadi	86	—	Private
4.	Convent of St. Monica and Chapel	Ella	Tiswadi	153	1	Private
5.	Ruin of College of St. Populo	Ella	Tiswadi	14	—	Private
6.	Church of St. Peter	Ella	Tiswadi	1	2	Private
7.	Casa da Polvora	Panelim	Tiswadi	4	3	Government
8.	Fort Naroa	Naroa, Divadi	Tiswadi	50	—	Government
9.	Site of the temple of Saptakoteshwar	Naroa, Divadi	Tiswadi	36	1	Private
10.	Church of St. Anne	Talaulim	Tiswadi	1	1	Private
11.	Chapel of St. Jeronimus	Madel, Chodan	Tiswadi	172	—	Private
12.	Site where the ancient image of Buddha was discovered at Colvale	Colvale	Bardez	244	16	Private
13.	Fortress of Colvale	Colvale	Bardez	74/23	—	Government

Sr. No.	Name of the Monument	Village	Taluka	Survey No.	Sub-Div.	Ownership of Monuments
14.	Reis Magos Fort	Reis Magos	Bardez	50	1 & 2	Government
15.	Church of Reis Magos	Reis Magos	Bardez	88	1	Private
16.	Chapora Fort	Chapora (Kaisuv)	Bardez	357	—	Government
17.	Caves at Naroa	Naroa	Bicholim	155	—	Private
18.	Temple of Saptakoteshwar	Naroa	Bicholim	1	—	Private
19.	Site of Gujir	Kudnem	Bicholim	75 & 76	—	Private
20.	Fort of Sanquelim	Sanquelim	Bicholim	31	41 & 44	Private
21.	Namazgah	Bicholim	Bicholim	78	2	Private
22.	Site of Ruins of Manguesh Temple	Cortalim	Salcete	1	1 & 2	Private
23.	Site of Ruins of Shantadurga Temple	Quelossim	Salcete	215	—	Private
24.	Site Ruins of Ramnath Temple	Loutulim	Salcete	223	5	Private
25.	Ruins including Tank of the Temple of Mahalsa	Verna	Salcete	38 & 39	3,107	Private
26.	Gate of Rachol Fortress	Rachol	Salcete	Chalta 74	1	Private
27.	Caves of Aquem	Margao	Salcete	Lb. 54	227	Private
28.	Frontispices of Sancoale	Sancoale	Mormugao	226	83	Private
29.	Shri Chandranath Paroda	Paroda	Quepem	85	6	Private
30.	Cabo de Rama Fort	Cabo da Rama	Canacona	259, 260 262, 263	All Sub-Div.	Government
31.	Shri Malikarjuna Temple	Shreesthal Canacona	Canacona	1	3	Private
32.	Caves at Rivona	Rivona	Sanguem	7	5	Private
33.	Caves at Khandepar	Khandepar	Ponda	170	2	Private
34.	Cave at Ishwarbhat	Khandepar	Ponda	30	—	Private
35.	Cave at Mangueshi	Mangueshi	Ponda	45	—	Private
36.	Shri Nagesh Temple	Bandora	Ponda	1	1 & 2	Private
37.	Shri Kamakshi Temple	Shiroda	Ponda	1	—	Private
38.	Shri Saptakoteshwar	Khandepar	Ponda	157	—	Private
39.	Shri Mahadeva Temple	Agapur	Ponda	120	—	Private
40.	Ruins of Jaina Basti	Bandora	Ponda	5	1,2,3 & 4	Private
41.	Fort of Alorna	Alorna	Pernem	242 & 239	1,2 & 3	Government
42.	Fort of Terekhol	Terekhol	Pernem	1	—	Government

Works, Education and Tourism Department**Notification**

9-4-79-WET

Whereas the Government of Goa, Daman and Diu (hereinafter called “the Government”) is of the opinion that the ancient monuments as specified in the Schedule appended hereto (hereinafter called the said monuments) require protection under the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (1 of 1979) (hereinafter called the “said Act”);

And whereas the Government intends to declare the said monuments to be protected monuments for the purpose of the said Act;

Now, therefore, pursuance to sub-section (1) of section 3 of the said Act, the Government hereby gives two months notice of its intention to declare the said monuments to be protected monuments for the purpose of the said Act. Any person interested in any of the said monuments may, within two months from the date of publication of this notification in the Official Gazette, send his objections, if any, against such declaration to the Secretary (Education), Government of Goa, Daman and Diu Secretariat, Panaji for the purpose of being considered by the Government.

SCHEDULE

Sr. No.	Name of the Monument	Village	Taluka	Survey No.	Sub-Div.	Ownership of Monuments
1.	Tank near Damodar Temple	Fatorda	Salcete	—	—	Private
2.	Deusi Mosque	Konadi	Pernem	—	—	—do—

By order and in the name of the Administrator of Goa, Daman and Diu.

T. S. Khandeparkar, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 7th September, 1983.

(Published in the Official Gazette Series I No. 24 dated 15-9-1983).

Notification

9/2/84-EDN

Whereas vide Government Notification No. 9/4/79-WET dated 4-3-1993, published in the Official Gazette, Series I No. 50 dated 10-3-1983 (hereinafter referred to as the “said Notification”), the ancient monuments specified in the Schedule appended to the said Notification were, declared to be protected monuments for the purposes of the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (Act 1 of 1979) (hereinafter referred to as the “said Act”).

And whereas vide Government Notification No. 9/2/84-EDN dated 1-11-1993, published in the Official Gazette, Series I No. 34 dated 18-11-1993, the Government of

Goa had given two months notice of its intention to withdraw from declaration of 'Church of St. Anne' item at Sr. No. 10 of the Schedule appended to the said Notification as protected monument, for the purposes of the said Act (hereinafter referred to as the 'proposed declaration').

And whereas the Government of Goa has considered the objections and suggestions received from the public on the proposed declaration.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 3 of the said Act, the Government of Goa hereby withdraw from declaration 'Church of St. Anne' item at Sr. No. 10 of the Schedule appended to the said Notification as protected monument for the purposes of the said Act.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Education).

Panaji, 27th April, 1994.

(Published in the Official Gazette, Series I No. 6 dated 12-5-1994).

Notification

9/4/79-EDN

Whereas vide Government Notification No. 9/4/79-WET dated 4-3-1983, published in the Official Gazette, Series I No. 50 dated 10-3-1983 (hereinafter called the 'said Notification'), declared certain monuments including Reis Magos Fort as specified in the Schedule appended thereto to be a protected monument under the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (Act 1 of 1979) (hereinafter called the "said Act");

And whereas vide Government Notification No. 9/4/79-EDN dated 22-3-1995, published in the Official Gazette, Series I No. 52 dated 30-3-1995, the Government of Goa had given two months' notice of its intention to declare that the said Reis Magos Fort, shall cease to be a protected monument under the said Act (hereinafter called the 'proposed declaration');

And whereas the Government of Goa has considered the objections/suggestions received from the public on the proposed declaration.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 3 of the said Act, 1897 with section 21 of the General Clauses Act, 1897 (Central Act 10 of 1897), the Government of Goa hereby amends the said Notification as follows:—

In the Schedule to the said Notification, the entry at Serial No. 14 shall be omitted.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Education).

Panaji, 16th August, 1995.

(Published in the Official Gazette, Series I No. 23 dated 7-9-1995).

Notification

8/136/98/AAM/1729

Whereas the Government of Goa is of the opinion that the ancient archaeological sites as specified in the Schedule hereto (hereinafter called 'said sites') require protection under the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (Act No. 1 of 1979) (hereinafter called the 'said Act').

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the said Act, the Government of Goa hereby gives two months' notice of its intention to declare said Sites to be protected areas. Any person interested in the said Sites may forward his objections to the Director, Archives, Archaeology and Museum, Government of Goa, Panaji, before the expiry of two months from the date of publication of this notification in the Official Gazette.

SCHEDULE

Sr. No.	Name of the site	Village	Taluka	Survey No.	Sub-div.	Ownership of Site
(1)	Site of Rock Carvings at Pansaimal	Colomb within Rivona village Panchayat	Sanguem	107 108 & 109	Including all if any	Forest Dept. Government of Goa
(2)	Site of Rock Carvings at Kazur	Kazur within the Cavarem village Panchayat	Quepem	10	9 & 18	Paik Devasthan

By order and in the name of the Governor of Goa.

Dr. P. P. Shirodkar, Director of Archives, Archaeology & Museum.

Panaji, 12th January, 1999.

(Published in the Official Gazette, Series I No. 43 dated 21-1-1999).

Notification

8/136/98/AAM

Whereas vide Notification No. 8/136/98/AAM/1729 dated 12-1-1999, published in the Official Gazette, Series I No. 43, dated 21-1-1999 (hereinafter called the "said notification") the Government had notified its intention to declare the sites specified in the Schedule to the said notification to be protected areas under the Goa, Daman and Diu Ancient Monuments and Archaeological Sites and Remains Act, 1978 (Act 1 of 1979) (hereinafter called the said Act) inviting objections from the persons interested in the said sites, within two months from the date of the publication of the said notification in the Official Gazette;

And whereas the said Gazette was not available to the public on 21-1-1999;

And whereas no objections have been received from the interested parties in the matters.

Now, therefore, in exercise of the powers by sub-section (3) of section 3 of the said Act, the Government of Goa hereby declares the Archaeological Sites and Remains as specified in the Schedule hereto to be protected areas for the purposes of the said Act.

Sr. No.	Name of the site	Village	Taluka	Survey No.	Sub-div.	Ownership
(1)	Site of Rock Carving at Pansaimal	Colomb within Rivona Village Panchayat.	Sanguem	107, 108 & 109.	Including all if any.	Forest Dept. Government of Goa.
(2)	Site of Rock Carvings of Kazur.	Kazur within the Cavarem village Panchayat	Quepem	10	9 & 18	Paik Devasthan.

By order and in the name of the Governor of Goa.

Dr. P. P. Shirodkar, Director, Archives and Archaeology,

Panaji, 5th May, 1999.

(Published in the Official Gazette, Series I No. 9 dated 27-5-1999).