

Indian Treasure Trove Act, 1878 :

Rules under the —

GOVERNMENT OF BOMBAY.

REVENUE DEPARTMENT.

Resolution No. TRT-1054-N.

Sachivalaya, Bombay, 15th July 1959.

Letter from the Government of India, Ministry of Education and Scientific Research No. F. 18-2/57C-3, dated 6th September 1957.

“ I am directed to say that under section 19 of the Indian Treasure Trove Act, 1878, the local Governments have been authorised to make rules consistent with the Act to regulate proceedings thereunder. In accordance with this provision, various State Governments have framed certain sets of rules, which are not quite uniform.

The Treasure Trove Act and Rules framed by the State Governments for the implementation of the Act were considered by the Standing Committee to the Central Advisory Board of Museums and they felt that except for a few States, the Treasure Trove was not properly distributed and observed that the application of the Act and of the rules made thereunder should be uniform as far as possible.

The Standing Committee to the Central Advisory Board of Museums also recommended that these rules should pertain not only to coins but to all objects which come under the definition of the Treasure Trove. A Treasure Trove Officer should be appointed in every State and all the Treasure Trove finds within the jurisdiction of the State should be reported to him as soon as possible. Such finds should be examined by him and he should decide which of the objects are worth acquiring for public museums.

The Government of India in accordance with the recommendations of the Standing Committee to the Central Advisory Board of Museums have framed a set of model rules under section 19 of the Act, a copy of which is enclosed.

I am to request that if State Government have no objection, they may kindly take early steps to adopt these model rules in place of the existing rules, if any. The model rules furnish only the core. The State Government, may, however, if they consider it necessary, retain some of the provisions of their existing rules, so long as they are not inconsistent with the suggested model rules.

I am to request that the action taken in the matter may kindly be intimated to this Ministry as early as possible.”

Memorandum No. 145-A(TTR)/1156 of 58, dated 24th May 1958, and No. 145-A/(TTR)/188 of 58, dated 20th August 1958, from the Director of Archives and Historical Monuments, Bombay.

RESOLUTION.—Government is pleased to prescribe the accompanying Bombay Treasure Trove Rules, 1959, in supersession of the existing rules framed under section 9 of the Indian Treasure Trove Act, 1878.

2. The rules should be published in the *Bombay Government Gazette* (Part IV-A).

3. The Examiner, Books and Publications, should be requested to translate the rules into 2 regional languages, viz., Marathi and Gujarati, and to forward the translations to the Manager, Government Central Press, Bombay for publication in the *Bombay Government Gazette*.

4. The Manager, Government Central Press, Bombay, should be requested to print and supply copies of the Rules in English, Marathi and Gujarati to the Collectors of Districts, who should communicate their requirements to the Manager, within a month.

5. The cost of printing the Rules, etc., should for the purposes of *pro-forma* accounts be debited to the head "7-Land Revenue".

By order and in the name of the Governor of Bombay,

H. M. KAJI,
Assistant Secretary to the Government of Bombay,
Revenue Department.

G. R. No. TRT-1054-N, R. D., dated the 15th July 1959.

To

The Commissioners of all Divisions,
All Collectors,
The Director of Archives and Historical Monuments, Bombay,
The Manager, Government Central Press, Bombay,
The Director of Publicity,
The Examiner of Books and Publications,
The Legal Department,
The Education Department,
The Accountant General, Bombay,
The Finance Department,

with copies of the attached notification.

No. _____ of 1959.

Copy forwarded for information and guidance to

**Accompaniment to the Government Resolution, No. TRT-1054-N,
Revenue Department, dated 15th July 1959.**

NOTIFICATION.

REVENUE DEPARTMENT.

Sachivalaya, Bombay, 15th July 1959.

INDIAN TREASURE TROVE ACT, 1878.

No. TRT. 1054/N.—In exercise of the powers conferred by section 19 of the Indian Treasure-Trove Act, 1878 (VI of 1878), read with section 2 of the Indian Treasure-Trove (Extension to the Hyderabad and Saurashtra areas of Bombay State) Act, 1957 (XXXIII of 1958), the Government of Bombay hereby makes the following rules, namely :—

1. *Definitions.*—These rules may be called the Bombay Treasure-Trove Rules, 1959.

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

(a) "the Act" means the Indian Treasure-Trove Act, 1878:

(b) "Section" means a section of the Act.

(c) "Superintendent" means the Superintendent, Department of Archæology, Government of India, within whose jurisdiction the treasure has been found.

(d) "Treasure-trove Officer" means the Director of Archives and Historical Monuments, Bombay.

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 State 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 surroundings 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 the 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 State Government any treasure or any part thereof, obtain the orders of the State Government.

(2) If the State Government decides to acquire such treasure, or any part thereof, whether on the report of the Treasure-trove Officer and Superintendent or otherwise, the State Government shall accordingly inform the Collector, who after making the declaration under section 9 and complying with the provisions 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 State Government may specify in this behalf.

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

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

(b) other museums in the State managed by the State Government or other public authorities, including Universities in the State.

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

(d) other museums of other States maintained by the State Governments or other public authorities, including Universities.

(e) other Museums.

8. *Sale*.—The State Government, after assessing the needs of the Museums and institutions mentioned in rule 7, may in consultation with the Treasure-trove Officer and the Superintendent, place a part of the 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 State 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 State.

10. *Returns*.—The Treasure-trove Officer shall send a consolidated report of the treasure found during the financial year to the Government of India in the Ministry of Education. 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. A summary of such report shall be published in the report of the Secretariat Record Office.

11. *Repeal and Saving*.—On the commencement of these rules, the rules published in Government Notification in the General Department No. 5921, dated the 30th April 1908, as in force in the pre-Reorganisation State of Bombay excluding the transferred territories, the Treasure-trove Rules made under the Hyderabad Treasure-trove Act, 1322 Fasli as in force in the Hyderabad area of the State of Bombay, the Treasure-trove (Regulation of Proceedings) Rules, 1955 as in force in the Vidarbha region of the State of Bombay and the rules published under the former Government of Saurashtra, Revenue Department, Notification No. RD/IV/24-124, dated the 30th September 1954, shall be repealed:

Provided that notwithstanding such repeal anything done or any action taken under any of the rules so repealed, shall be deemed to have been done or taken under these rules.

Note.—The powers conferred by the rules on the Superintendent, Department of Archæology, Government of India have been conferred on them with the consent of that Government.

By order and in the name of the Governor of Bombay,

L. R. DALAL,
Joint Secretary to Government.