

A Relook Into The Heritage Conservation And Preservation Of Artifacts In Manipur.

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ABSTRACT

Preservation initiatives at the Central and State levels in Manipur are falling short of expectations. This paper examines the legal framework surrounding the preservation of cultural heritage and artifacts recovery in Manipur, a northeastern state of India. It offers a comprehensive historical perspective on preservation endeavours, tracing back to royal court patronage in the colonial era and transitioning to state-regulated mechanisms post the state's merger with the Indian Union in 1949. And the study scrutinizes the influence of pivotal central legislations, such as the Ancient Monuments Preservation Act of 1904 and the Indian Treasure Trove Act of 1878, while also evaluating Manipur's state-level laws, including the Manipur Ancient and Historical Monuments and Archaeological Sites and Remains Act of 1976 and rule of 1979 and its subsequent amendments in 1996. Although there are important legal steps, preservation efforts in Manipur have been sluggish, obturated by legislative loopholes, limited engagement of stakeholders, and inadequate identification of archaeological sites. This paper accentuates the imperative for legal reforms, collaborative endeavours between central and state authorities, and raises awareness to safeguard Manipur's rich cultural heritage.

Keywords: Artefacts, Antiquity, Ancient Monuments Preservation Acts, Legislations, Manipur Ancient and Historical Monuments Act and Rules.

Introduction

Manipur, a northeastern state of India, was under British colonial rule, administered from the Chief Commissioner's office in Assam. Despite significant legislative advancements in mainland India, such as the establishment of the Asiatic Society of Bengal in 1784 and the Archaeological Survey of India in 1861 for the study, cultivation, and preservation of Indian history and culture, the British government's efforts to preserve cultural heritage in Manipur were somewhat lacking. Before the state's merger with the Indian Union, preservation initiatives in Manipur were primarily driven by the royal courts and native authorities. It was only after the merger of the Manipur to the Union of India that the important steps to preserve the cultural heritage of the state were taken up. However, such preservation was needed to be in par with the official legislation; passed or amended by the central government legislation. This article will explore those important changes in the heritage legislation for the preservation of monuments and artefacts.

Objectives Of the Study

The objective of this paper is to critically analyse the existing legal framework for the preservation of cultural heritage and provides a way forward for necessary legislations in Manipur, while examining the interplay between state and central legislation in Manipur. And assess the central legislation and explore important central government legislation, and relevant constitutional provisions, with a focus on how they impact cultural preservation in Manipur. And to recommend policy enhancements or way forward and advocate for policy initiatives aimed at improving the cultural heritage.

1. Central Legislation for The Conservation and Preservation of Heritage in India

In the realm of national legislation, the earliest attempt for heritage preservation can be traced back to the passing of Bengal Regulations XIX of 1810. And sections (iii) and (iv) of these regulations were later integrated into the Madras Regulations VII of 1817. Following a hiatus of over fifty years, the next significant legislative action came in the form of the Act of 1863. This act granted the government the authority to "prevent injury to and preserve buildings of notable antiquity or historical and architectural significance".

James Burgess, who succeeded Sir Alexander Cunningham as Director-General of the Archaeological Survey of India (ASI), showed a profound interest in legislative initiatives aimed at safeguarding cultural heritage from degradations and plunders. During his tenure, the government enacted two crucial directives. The initial directive mandated that no individual or entity could undertake excavations without securing prior authorization from the Archaeological Survey. The later directive prohibited officials from selling or disposing of antiquities discovered or acquired without government consent. These measures significantly contributed to the preservation and safeguarding of India's abundant archaeological wealth for the time to come.

Subsequently, the Indian Treasure Trove Act of 1878 was enacted and remains in effect to this day. This legislation marked a shift in focus from monuments to antiquities. The primary objective of this act was to combat treasure-hunting activities and regulate the lawful disposal of treasures unearthed through accidental excavation.

Before 1904, there was no legislation to address the deterioration of monuments and the trafficking of antiquities in India. This changed during the tenure of Lord Curzon as Viceroy, when the first significant legislation for heritage conservation was enacted. The Ancient Monuments Preservation Act of 1904 was introduced to "provide for the preservation of ancient monuments, for the exercise of control over traffic in antiquities and over excavation in certain places, and for the acquisition in certain cases of ancient monuments and objects of archaeological, historical, or artistic interest."

Fortunately, with the promulgation of the Constitution of India on January 26, 1950, the allocation of functions was given a permanent structure. According to the Seventh Schedule of the Indian Constitution, the allocation is as follows:

List I (Union List), Item No. 67 of the Union List of the Indian Constitution pertains to "Ancient and historical monuments and records, and archaeological sites and remains, declared by or under law made by Parliament to be of national importance." This means that the preservation, protection, and regulation of such monuments and sites fall under the jurisdiction of the central government, rather than the state governments, when they are declared to be of national importance by an act of Parliament. This provision ensures that significant cultural and historical heritage sites receive uniform protection and management across the country.

List II (State List), Item No.12 pertains to "Libraries, museums and other similar institutions controlled or financed by the State; ancient and historical monuments and records other than those declared by or under law made by Parliament to be of national importance."

List III (Concurrent List) (List III) Item No. 40 of the Indian Constitution pertains to "Archaeological sites and remains other than those declared by or under law made by Parliament to be of national importance."

This means that state governments have the authority to manage and regulate libraries, museums, and other similar institutions that they control or finance. Additionally, they are responsible for ancient and historical monuments and records within their territory that are not declared by Parliament to be of national importance. This allows states to manage and preserve their local cultural heritage autonomously, while the central government oversees sites of broader national significance (The Indian Treasure Trove Act, 1878 is also included in the State List)

Further strengthening the framework for heritage preservation, the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act of 1951 was passed. This act declared certain monuments and sites to be of national importance, ensuring their protection and preservation. The State Reorganisation Act of 1956 which followed reorganized states and territories in India, significantly impacting the administration and safeguarding of cultural heritage across different regions. These legislative measures collectively formed a robust legal framework for the preservation of India's rich cultural and historical legacy.

This means that both the central and state governments have the power to legislate and manage archaeological sites and remains, except those specifically declared to be of national importance by an act of Parliament. In areas covered by the Concurrent List, if there is any conflict between central and state legislation, the central law prevails to the extent of the inconsistency. This provision ensures collaborative efforts between the central and state governments in preserving and managing archaeological heritage.

Additionally, Article 51A clause (f) of the Fundamental Duties emphasizes the preservation of the rich heritage of composite culture. Consequently, these laws and directives expedite the state government's efforts to establish institutions that align with the required directives of the Indian constitution. The Central Government has enacted several Acts that require the State to align its State Legislations and Acts with the apex legislation passed at the central level.

2. State Legislation for The Conservation and Preservation of Heritage in Manipur

Following the annexation of the state by the Union of India in 1949, the state became obligated to adopt the Indian Constitution, thereby subjecting its legislation to regulation by the central government. Article 49 of the

Directive Principles of State Policy, as amended by the Seventh Amendment Act of 1956, mandates the protection of monuments, places, and objects of national importance. This amendment provided the state with a framework to undertake preservation measures for its cultural heritage.

In 1978, the Manipur government established the State Archaeology Department with the mission to safeguard, explore, and excavate ancient and historical monuments, archaeological sites, and remains. This marked the formal beginning of the state's legislative efforts towards heritage preservation. Concurrently, "The Manipur Ancient and Historical Monuments and Archaeological Sites and Remains Act of 1976" was operationalized through the "Manipur Historical Monuments and Archaeological Sites and Remains Rules of 1979". These rules made it mandatory for all heritage preservation processes including site management, excavation, and protection to adhere to the legal framework established under this legislation. From that point onward, the preservation and conservation of Manipur's heritage became regulated by this comprehensive legal structure. The "Manipur Historical Monuments and Archaeological Sites and Remains Rules of 1979" initially had certain shortcomings, which were addressed by a new act in 1996. Notably, the updated law reduced the age requirement for antiquity status from 100 years to 75 years, thereby broadening the scope of heritage preservation.

Despite these legal advancements, heritage preservation efforts in the state have remained relatively passive, with progress taking decades to address critical gaps. Several factors may contribute to this sluggish approach, including limited legal disputes, a lack of stakeholder involvement, and a relatively small number of recognized archaeological sites. To accelerate the preservation process, greater participation from relevant authorities and stakeholders is essential, alongside the establishment of stronger legal frameworks. Enhanced awareness campaigns and more thorough identification of heritage sites would also help bridge existing gaps and ensure the preservation of Manipur's cultural and historical legacy.

However, central laws focus primarily on monuments of national importance, leaving a significant portion of India's heritage, particularly at the local level, to be managed by state governments. In contrast, Manipur's state-level legislation for heritage preservation has evolved more slowly and shows several shortcomings:

The Manipur Ancient and Historical Monuments and Archaeological Sites and Remains Act of 1976: Introduced nearly three decades after the state's merger with the Indian Union, this act provided the legal framework for heritage preservation in Manipur. However, it lagged behind central legislation in terms of scope and enforcement.

Although the state government established the Manipur State Archaeology Department in 1978, the limited number of recognized archaeological sites and the slow pace of progress have been critical challenges. Furthermore, a lack of funding, awareness, and stakeholder involvement has prevented Manipur from making the same strides seen in other states or under central legislation. And many of the archaeological sites or monuments protected by the State archaeological department are currently in a state of turmoil and are experiencing environmental degradation due to a lack of proper preservation efforts by the responsible authorities. Significant sites such as the Sekta Kei mound, Khangabok, Shri Shri Govindaji Temple of Kangla Fort, Vishnu Temple of Bishnupur, Thangal General Temple of Wangkhei and Kangla Fort are all suffering from this neglect, highlighting the urgent need for preventive preservation measures to be implemented in order to safeguard these historical monuments.

The State Museum, Archaeological Museum of Kangla, and INA Museum of Moirang house various antiquities and artefacts, yet there are instances where valuable antiques are held in private museums without any government intervention to recover them. In some cases, important artefacts discovered at archaeological sites are not reported to the appropriate authorities. For example, gold found at Sekta sites has been privately minted by the discoverer without notifying the proper authorities, likely due to a lack of understanding regarding the value and significance of such antiquities. And the legislative framework surrounding the recovery of artefacts from archaeological sites can be confusing, as some artefacts appear to fall outside the scope of the 1979 rules and are instead governed by the Treasure Trove Act of 1878 which is in the concurrent list. And efforts to recover artefacts from archaeological sites are guided by the need for proper preservation and protection of our cultural heritage.

3. The current state of the Monuments and Artefacts

Many of the monuments are currently in a state of disrepair, facing deterioration from environmental issues such as water logging, algae and pest infestation, overgrowth of plants on and around the structures, and deterioration of materials due to neglect by the responsible authorities and lack of proper preventive measures. And the monuments are also deteriorated by anthropogenic causes such as buildings of structure around the monuments for construction and thefts of structural materials from the sites.

And many of the antiques housed at the public and private Museum are deteriorating at a rapid rate due to improper handling by inexperienced individuals tasked with preserving these valuable artefacts. One notable example is the explosive and ammunition from World War II housed at the INA Museum of Moirang, which are at risk of catching fire and exploding due to the lack of proper expertise in handling these artefacts by the authority. Additionally, many of the antiques are facing deterioration from corrosion and pest infestation. It is imperative that measures are taken to ensure the proper preservation of these historical treasures before irreparable damage occurs.

The cultural heritage of Manipur is undergoing rapid deterioration, largely due to the encroachment of modern cultural influences that are diluting traditional practices and values. This blending of the old and new system is gradually eroding the originality and authenticity of Manipur's rich cultural legacy. The introduction of modern lifestyles, changes in societal values, and a growing disconnect from ancestral traditions pose a serious threat to the preservation of the state's heritage. Key monuments, traditional sites, and artefacts are losing their essence due to this shift, highlighting the urgency for a structured approach to preservation.

Way forward and Discussion

The way forward for heritage preservation in Manipur encompasses a multifaceted approach. Legislative reforms are crucial to amend outdated laws and introduce new regulations that address modern challenges and scientific advancements. Training local experts in restoration, conservation, and preservation will enhance the sustainability and effectiveness of efforts, blending traditional methods with modern techniques. Incorporating scientific methods, such as advanced conservation technologies and research-driven strategies, will help preserve tangible heritage effectively. Public awareness campaigns, educational programs, and community involvement are essential to fostering a sense of pride and responsibility, ensuring vigilant protection of cultural assets. Strengthened collaboration between central and state governments can bring technical expertise, funding, and coordination for a unified conservation strategy. Establishing digital archives will allow comprehensive documentation and virtual preservation of heritage sites and artifacts. Legal enforcement agencies must be empowered with stricter penalties and better mechanisms to safeguard cultural heritage against vandalism and illegal activities. Promoting sustainable tourism will generate resources for site maintenance while ensuring a balance between conservation and commercialization. Introducing heritage preservation courses in educational institutions can cultivate a skilled workforce dedicated to cultural conservation. Additionally, GIS technology can optimize the identification and recovery of archaeological sites, minimizing resource use while unlocking the potential of unexplored areas in Manipur, thereby contributing to the comprehensive protection of the region's rich heritage.

Conclusion

Heritage conservation in Manipur remains a complex challenge, as the state's rich cultural legacy is endangered by both natural and anthropogenic factors. The existing legislative frameworks, both national and state, require significant reform to address the unique needs of the region. Manipur's monuments and artefacts are deteriorating due to lack of stakeholder engagement, legislative drawbacks, inadequate funding, and lack of modern scientific methods. The integration of modern preservation techniques, digital documentations, and scientific methods into the heritage conservation strategies is essential to safeguard these cultural assets. However, collaborative efforts between central and state governments can bring in the necessary funding, technical expertise, and policies and programme, while public awareness campaigns and community involvement can strengthen local participation in preservation and conservation initiatives. And finally, the promotion of sustainable heritage tourism offers a dual benefit, boosting the economy while ensuring that the cultural assets are preserved for the coming generations. Through these combined efforts, Manipur's cultural heritage can be preserved, celebrated, and passed down to the future generations, safeguarding its rich historical legacy.

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