The Indian Monument Preservation Project: The Ancient Monuments Preservation Act of 1904

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DECLARATION

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Introduction

This dissertation reviews the debates which took place around the conservation of monuments in colonial India from the mid-nineteenth century within the emergence of the discipline of archaeology. It goes on to explore the legal ramifications of this development. Indra Sengupta has engaged with the management of the past by a colonial bureaucracy'. [1] Her work explores the disjuncture between the colonial administration's vision to implement monument preservation measures in the country and their engagement with contemporary realities like British ideas on preservation, Indian participation and conflicting bureaucratic ideologies. This thesis elaborates upon this theme by assessing the political, cultural and jurisdictional concerns which went into the consolidation of an all India law, the Ancient Monuments Preservation Act of 1904.

The first chapter will look at the project of preservation of monuments in India through its foundations in the nineteenth century. The project of monument conservation in India emerged from the Victorian fascination for the romantic and the picturesque which fostered an appreciation of the Indian decorative arts.[2] The wonder of Indian craftsmanship, displayed through exhibitions of Indian artefacts and the collection of 'curiosities', was captured in the British imagination through the Indian monument. These aesthetic sensibilities, articulated in the realm of painting and architectural studies, were a part of a larger project of uncovering India's past through

[1] Indra Sengupta. "A Conservation Code for the Colony: John Marshall's Conservation Manual and Monument Preservation Between India and Europe." In Falser, Michael and Monica Juneja eds. *'Archaeologizing' Heritage?: Transcultrual Entanglements between Local Social Practices and Global Virtual Realities.* Heidelberg: Springer, 2013, pp.21-37

[2] Saloni Mathur. *India By Design: Colonial History and Cultural Display*, Berkley: University of California Press, 2007

its historical ruins. In the process of setting up and consolidating their administrative apparatus, British officials were consumed by the need to know the country. Some were also gripped by a fascination for and curiosity about its past. The work of early orientalists and Indologists had generated large-scale collections and translations of classical Indian scriptural texts that were supplemented by progressions in the areas of numismatics and epigraphy. Part of this project was reflected in the work of British antiquarians and artists of the likes of Colin Mackenzie during the East India Company rule, and James Fergusson, and Alexander Cunningham under its successor regime, who were immensely interested and supported by the colonial government to study and reconstruct India's historical narrative through architectural, archaeological and ethnographic explorations.[3] This section will explore the careers of important individuals in the early stages of the preservation project like Colin Mackenzie, James Fergusson and Alexander Cunningham, to understand government policy and orientation in this period. It will look at how they were encouraged to carry out archaeological explorations by employing empirical methodology emphasising the use of field data in contrast to theological frameworks being used previously by early EIC officers. It highlights the significance now placed on using the Indian monument as a tool of inquiry into India's past as a means of uncovering its importance and the concerns to preserve it.

This chapter will also explore the early foundations of Indian engagement with the preservation project and the discipline of archaeology. Indians were not bystanders, but active participants in the development of Indian archaeology. The chapter will study this development by tracing the careers of prominent Indian scholars like Rajendralal Mitra and Ram Raz. Indians as 'cultural intermediaries' between the

[3] Tapati Guha-Thakurta. *Monuments, Objects, Histories: Institutions of Art in Colonial India*. New York: Columbia University Press, 2004

colonial state and their intended areas of administration co-opted and remodelled this project. The emergence of the Indian scholars with profound knowledge of the textual and vernacular languages- most notably Rajendralal Mitra and Ram Raz- was reflective of an emerging engagement by Indians in archaeology. The uncovering of India's historical past began with a close study of its textual traditions. Classical Sanskrit texts like the Vedas and Upanishads were commissioned by the state to be translated and to be used as benchmark for how the country was to be administered. Indians, predominantly brahmins, with a knowledge of classical textual traditions, but functioning also as interpreters of 'custom' were employed by the state to act as mediators between local Indian communities and British officialdom and to serve as translators. As Tapati Guha-Thakurta suggests, it was these spheres of engagement and co-dependence that provided the ground for imminent Indian archaeologists like Rakhaldas Banerji to emerge.[4] This engagement laid the ground for understanding India's past through its texts. Now these began to be correlated with archaeological and architectural finds. Through a process of co-option and technical training these Indian archaeologists developed and sought to recover what they understood as India's past glory using the empirical tools that they had been trained into. Thakurta and Sengupta therefore, question Bernard Cohn's conclusion that Indians were reduced to the position of being "bystanders to discussions and polemics which established meaning and value for the Europeans".[5] In fact, they played an integral role in every phase of the colonial preservation project from its early stages to later periods of consolidation.

[4] Ibid. p.112
[5] Bernard S. Cohn. *Colonialism and Its Forms of Knowledge: The British in India.* Princeton: Princeton University Press, 1996

But a large part of the Indian engagement with their historical heritage by perceived by the colonial state with a sense of anxiety. This was due to their belief that Indians neglected their monuments and disregarded their maintenance. As Michael S. Dodson argues for Jaunpur, the ruins of this once vibrant regional capital were seen as a reflection of the degeneration of its prominent citizenry and more broadly of the Nawabi polity. The British imagination, captured with the image of the Indian monument as 'picturesque', associated its ruins with a larger picture of Asian degeneration. As Dodson argues, this was interpreted as a 'call for British interventionism and as a defence of colonial governance through a pictorial invocation'.[6] The neglect and destructive attitude that Indians seemingly showed toward their monuments did not escape the notice of antiquarian and archaeological experts who repeatedly corresponded with the archaeological department and the central government urging both to prevent their destruction at the hands of errant Indians. The government's response to these appeals manifested itself in many developments- the institution of the Archaeological Survey of India (ASI) in 1861, the setting up of museums most notably in Calcutta, but also in a district headquarter towns as in Mathura and most importantly the Ancient Monuments Preservation Act (Act VII of 1904). As Deborah Sutton indicates, the government formulated this Act to acquire greater powers of access to the buildings marked out for different kinds of use and to control who used them and how.[7]

Lastly, the chapter will engage with the issues experienced by the provincial government in Mathura in the 1870s in their effort to gather resources and

[6] Michael S. Dodson. "Jaunpur, Ruination, and Conservation during the Colonial Era." In Sengupta, Indra and Daud Ali eds. *Knowledge Production, Pedagogy and Institutions in Colonial India.* New York: Palgrave Macmillan, 2011

[7] Deborah Sutton. "Devotion, Antiquity and Colonial Custody of the Hindu Temple in British India." In *Modern Asian Studies*. Vol. 47, No. 01, January 2013, pp. 135-166

administrative support for the preservation of historical buildings and antiquities in the district. The study focuses on the work of FS Growse, the District Magistrate of Mathura, who published a comprehensive memoir in 1882 highlighting the social, cultural and architectural composition of the district.[8] The British takeover of Mathura in 1804 compelled them to engage with the social-religious vibrancy that the district had to offer. Imperial gazetteers from 1854 onwards recognised it as a centre of pilgrimage for both Buddhists and Hindus. The Mughal administration of the region had resulted in a Muslim minority settled in the region, and the architecture of Mathura reflected the fluid interactions between these communities.

Thus, the idea of preserving buildings of historical and aesthetic value was connected to religious and social life of the community in Mathura, in consonance with the wave of religious resurgence that emerged in nineteenth century northern India. Katherine Prior's work on the British administration of Hinduism in north India explores the growing importance of Hindu festivity and its expression in the public domain in the nineteenth century.[9] She explores the emergence of the Vaishnava and Ramanandi sects that were expressed through a vibrant and active culture of monasticism and public processions were accompanied by an expansion of patronage by varied public actors. In Mathura, spaces for patronage expanded beyond the ambit of royal houses of Jaipur and Bharatpur. The establishment of wealthy public actors like merchant classes and bankers encouraged public constructions who desired an increased participation in the religious and social life of the community. Influential bankers, *seths* and wealthy members of the Hindu community found spaces to contribute in urban spaces by commissioning tanks, wells and buildings. Growse mentions that the

[8] FS Growse, *Mathura- A District Memoir*, Asiatic Society, Calcutta, Asian Educational Services, New Delhi, 1979
[9] Katherine Prior. *The British Administration of Hinduism in North India: 1780-1900.* Ph.D. Thesis, Cambridge University, 1990

wealthiest *seths* Lakshman Chand and Raghunath Das, were responsible for infusing much of the wealth in Mathura. They were said to have spent forty lakhs on the construction of a temple in Vrindavan and erected a number of prominent buildings in Mathura city.[10]

Growse's experience in Mathura is significant for the purposes of uncovering the conflicts between the provincial government and the archaeological department. The restoration undertaken at the Govind Dev temple by the Mathura government in 1873 was beset with the lack of trained archaeological personnel and funds to carry out the work. The temple was of considerable repute amongst Hindus and had been built by the Kachhwahas from 1576-1590. Growse had appealed to the archaeological department for help with carrying out conservation work at the temple, but it to no avail. He went on to make repairs at the temple with the help of grants given by the Jaipur Maharaja and the central government. He employed the help of the Public Works Department, which had no technical skill or expertise in the area. The end result came under severe criticism from James Fergusson, who reprimanded Growse for carrying out what he saw as inaccurate and historically inauthentic conservation work.

Growse however, had an important point to make. While the preservation project had been envisioned as an all-India endeavour, the archaeological department had been stretched thin. Despite Fergusson's criticisms, Growse pointed out that the last time the scholar had visited the site of the temple was more than forty years ago.[11] Lord Northbrooke's 1873 directive brought preservation of historical buildings and antiquities under the primary responsibility of the provincial government. Provincial governments were inordinately left in charge of carrying out the conservation work in

[10] FS Growse, *Mathura- A District Memoir*, p.14
[11] FS Growse, 'A Reply to Mr. Fergusson's Diaries', *Archaeology in India with Especial Reference to the Works of Babu Rajendralala,* p.1

their districts, and had to make do with the funds and personnel available to them. Moreover, the lack of infrastructure like museums and exhibition spaces where discovered antiquities could be safely housed and displayed made the task of preservation even more difficult. The distribution of unequal responsibilities between the central and provincial government towards preservation was belied by the lack of any comprehensive legislation that gave definite direction to the project. These concerns were articulated by Viceroy Curzon (1899-1905) who argued that the central government had to play a greater role in undertaking archaeological and heritage conservation in the country. He emphasised that the India needed to be brought at par with other countries like Greece, Italy and Crete who put great emphasis on the preservation of their historical heritage. Like these countries, Curzon felt that it was time for India to have a national legislation enshrining these values. The central government for this purpose drafted and passed the Ancient Monuments Preservation Act in 1904.

It was the integration of this Act into the existing set of laws and administrative structure and the profound impact it had on the preservation landscape that forms the backbone of this study. The third chapter engages with the debates and discussions involved in the drafting of the 'Bill for the Preservation of Ancient Monuments and Objects of Historical or Artistic Interest' in 1901. It examines the play of influence upon successive drafts, till the bill was finally passed as the Ancient Monuments Preservation Act (Act VII of 1904) on 18 March 1904. What were the problems the colonial state confronted in defining buildings by their historical and artistic value, and in reshaping the relation between these buildings, their owners and the government? The 1904 Act shaped the interventions of the state in the upkeep and use of these buildings for decades to come. It brought into the government's ambit

buildings that could not be easily defined as ‘property’ in terms of their economic value. This chapter explores the conflicts which emerged when the ‘protection’ of a building was based on its historical and artistic merits, but its valuation was still determined through economic parameters.

It starts by looking at how the project for preservation was envisioned in India and Britain in the context of Indian archaeology and history. The chapter also studies how this policy was shaped by the ideas of Viceroy George Nathaniel Curzon and Director General of ASI John Marshall. It looks at their engagement with the Society for the Protection of Ancient Buildings (SPAB) as well as the 1882 English Ancient Monuments Protection Act- the first legislation on archaeological conservation passed in Britain- both of which highly influenced the 1904 Act. The SPAB, formed in Britain in 1877 by renowned architect and Romantic scholar William Morris had strong objections to the practice of restoration of historical buildings over preserving its historical authenticity. These concerns spilled to the preservation measures employed by the Indian archaeological departments in the early twentieth century. This section thus, looks at the dialogue between the Indian archaeology department under John Marshall and the SPAB and its impact on the guidelines for monument preservation that emerged after. It looks at the passing of the 1904 Act within the colonial government’s larger attempt to place India within the larger global movement towards historical heritage conservation.

It goes on to look at how the Act took cognisance of the religious and community sentiments attached to historical buildings like temples. The adherence to religious non-intervention in legal and administrative matters prevented the state from carrying out its plans for repair, maintenance and preservation in these buildings. It highlighted

an arena within which Indians could exercise their control over their historical buildings by displaying a keen awareness of the legal restrictions that the state had imposed on itself. Placed within a larger legal discourse on property and ownership, Indian participants could lay claim to monuments and other historical buildings by invoking the claims of contract and custodianship. The Act itself was modelled around a contract that the government would enter into with the custodian of the monument. It would recognise his status as its 'owner' and lay out terms and conditions for the maintenance of the monument and all financial liabilities attached to them. The owner would incur heavy fines and expenditures in case he violated the contract, and in extreme cases the government would move in to acquire the monument from him. The state's own objectives related to the conservation and the custodianship of buildings were connected to what it deemed to be of historical and aesthetic significance. This involved its officials in complex negotiations with temple authorities, public devotees and Indians who commanded influence in the social and religious life of the community. These issues involved the right to maintain buildings, to determine the nature of preservation work and to oversee it and control spending on it.

The final chapter deals with the aftermath of the 1904 Act. The project for monument conservation grew more complex involving as it involved the need to integrate into an existing set of laws like the provincial municipal acts and other laws concerning different types of buildings and structures. This uncovered a series of conflicts and loopholes that the state had to contend with and address and to negotiate with demands on the part of various Indian publics for greater legislative representation.

The government postulated that the provisions of laws passed in the future would be flexible enough to accommodate the provisions of the 1904 Act. Problems arose when the on-ground execution of the Act came in conflict with municipal laws that did not have provisions to accommodate these changes. The chapter will look at the case of the Arrah House in Bihar to see the difficulties in reconciling the legislative provisions of the Bihar and Orissa Municipal Act of 1932 to effectively 'protect' historical buildings under the Act. On the other hand, Indian publics became more assertive as associational life bloomed and Indian legislators acquired more powers through the Morley-Minto Reforms of 1909, and the Government of India Acts of 1919 and 1935. These gave Indian legislators the deciding voice on matters affecting provincial public policy and threw up new issues in relation to the preservation project in these domains.

Indian archaeologists recruited with the archaeological departments of the government began to contribute towards regional archaeology. Their government responsibilities ran parallel to independent archaeological work that they carried out in regions like Bengal and Assam. Sanjukta Datta explores the emergence of private institutions committed to Indian archaeological research like the Varendra Research Society and the Bangiya Sahitya Parishad that gave new life to Indian research and fostered a literary culture around Indian history.[12] These societies provided crucial support to the archaeological departments of the country by setting up provincial museums and repositories where discovered antiquities could be housed. Slowly, the private and official spheres of archaeology came together to expand the scope of archaeological operations in India. They also provided a parallel arena within which

[12] Sanjukta Datta, 'Artefacts and Antiquties in Bengal: Some Perspectives within an Emerging Non-Official Archaeological Sphere,' in eds. Upinder Singh and Nayanjot Lahiri, *Ancient India: New Research,* Delhi: Oxford University Press, 2009, pp.11-38

the archaeological department's work in provincial areas was supplemented by the expertise and financial resources of these privately funded institutions. Since a large number of prominent scholars working with the Parishad and the Varendra Society also had strong ties to the archaeological department, the Indian Museum and the Asiatic Society, their collective contributions in regional history benefitted both the 'official' and 'unofficial' domain. Moreover, these institutions enabled Indians to pursue history on their own terms- by uncovering regional pasts they could associate themselves with a sense of regional identity.

The production of annual lists of every monument of historical value in the provinces and their maintenance on a regular basis under the new Act brought official recognition and a plan of action for their preservation and was a development of some magnitude. Previously, only the concerned archaeological departments had tracked the state of different monuments in the country. The production of annual reports highlighting the architectural, archaeological and historical value and the maintenance work that needed to be carried out were undertaken by the archaeological department and not seen as a matter of concern by other departments. However, the listing of each monument and the revision of these lists became mandatory after the 1904 Act. It became a means through which different offices of the provincial and central government- the offices of the Governor General, their agents, residents, the PWD and Municipal departments, as well as the offices of the princely states- had to be further involved and acquainted with these preservation projects. Their involvement became more relevant as questions of budget allotments, archaeological survey work, coordination with princely states and matters of administration became interconnected with historical monuments. The consolidation of state machinery was geared towards bringing structure and a methodical execution of preservation work

and integrating it in the administrative fabric of the country. However, it also introduced a more rigid and highly bureaucratised procedure- one involving extensive paperwork which then required approval at various tiers of official authority of various government departments.

This chapter will focus on the developments in the aftermath of the 1904 Act, looking at the preservation project developed in different parts of the country in the pre and post-independence period. These developments were placed alongside other important laws that were passed in the years succeeding the 1904 Act. Some of the most significant of these were the Government of India Acts of 1919 and 1935. Poised to give greater administrative control to provinces and restless Indian voices for autonomy, these Acts reorganised distribution of powers, resources and decentralisation of control. The chapter will look at how the integration of the 1904 Act changed the way preservation of historical buildings and antiquities was carried out in twentieth century India and the processes that enabled this.

Further, the chapter will be looking at the nature of communication between the provincial governments, archaeological departments and princely states in the 1920s and 30s. In the context of the preservation of Indian monuments, these communications took place between the princely darbar and the concerned offices of the provincial government like the offices of the Secretary of State, Agent to the Governor General and the Resident. Official records discussing the preservation of monuments in states like Gwalior, Cochin and Rewakantha highlight the polite and assertive manner in which the government expressed the obligations of the darbars to maintain monuments in their states. Such assertions were writ large with implications, and the British Indian government implied its implicit authority in 'suggesting'

conservation measures to historical buildings that formally fell within the concerns of the princely state. The section will explore how the princely states maintained their political relations with the colonial government in light of monument preservation issues.

These exchanges took place through a multi-tiered bureaucratic structure involving the British resident at the princely darbar, reporting to the Agent to the Governor General, and officials of the archaeological departments. The government interaction with the princely states highlighted issues relating to how historical buildings in the princely states were to be preserved, who was responsible for preserving them and holding the responsible parties accountable for the same. I will examine how the state's efforts towards preservation in these regions developed in relation to these structures and how they were moulded by them. The princely administrations were expected to preserve buildings in a specific manner as per the techniques and mechanisms approved by the state archaeological departments. This section would therefore, investigate the nature of these terms and how well they were able to exercise control over buildings directly under their dominion.

Finally, I will be looking at the successor of the 1904 Act in post-1947 independent India- the Ancient and Historical Monuments and Archaeological Sites and Remains Act of 1951 and the Ancient Monuments and Archaeological Sites and Remains Act of 1958 (Act XXIV of 1958). These Acts integrated archaeological departments in the preservation of monuments in a larger capacity by appointing the Director General of Archaeology as the guardian for the protected monuments. The new government had to reconcile the needs of urban planning and development with heritage management. The Acts reflected these government priorities by demarcating the need for 'protected

areas' in addition to 'protected monuments and antiquities'. Lastly, they reconciled the problem of antiquity with the religious identity attached to certain historical buildings by creating a more inclusive culture of preservation between custodians of religious buildings and preservationists.

The primary sources that I have used for this thesis are from the late nineteenth century to 1958 and include files from the Departments of Home, Foreign & Political, Education & Health, Finance, Education and Revenue & Agriculture housed in the National Archives of India (NAI). I have also looked at proceedings from the Legislative Department and the Revenue & Agriculture Department, as well as regional office files from the Rewakantha Agency, the Governments of Central India, Madras and Political Residents from Indore, Gwalior and Hyderabad. In addition to these documents, I have also looked at published primary sources including the speeches of Raja Rajendralal Mitra, Lord Curzon and written volumes by James Fergusson, Alexander Cunningham, Ram Raz as well as the imperial gazetteers of Mathura district for this period.

Chapter 1

The Need for Preservation: Emergence of the Preservation Project in Colonial India

"…while Charles Stuart…has been seen by many as the most influential antiquarian of his time in the 'age of discovery' of India's material past, from the perspective of the devout worshippers, whose goddess was taken away, antiquarians and things archaeological could only have been the signifiers of an 'epoch of loss'."

-Nayanjot Lahiri

From *Marshalling the Past*

In February 1797, Colin Mackenzie as chief surveyor of the Mysore Survey decided to investigate rumours of some interesting historical finds in the Krishna Valley. As he reached the town of Amareswaram, he chanced upon a construction site in a region not far from modern day Guntur. The local Chintapalli zamindar raja was getting his new residence constructed. In the course of their excavation, the workers uncovered what seemed like a religious sculpture, which the zamindar raja promptly whisked away to form a part of his shrine. In the course of the digging work, Mackenzie noticed many intricately carved white stones and discerned that this structure was historically significant and had been an exquisite example of Indian architectural craftsmanship. As the digging work wore on, many of the marble panels that were uncovered broke in the process of exhumation.

While he could not conclusively determine if the structure was of Jain origin, the construction work had yielded many portions of what seemed to be a *mahacaitya.* While he took his leave of the site after making brief notes, Mackenzie had accidently

discovered a historical site that would become the subject of much debate and controversy in colonial official circles in the subsequent years- the Amaravati Marbles. While Mackenzie did not return to the site until almost two decades later in March 1816, this instance was a very early reflection of the negligence and disregard that the colonial state came to characterize the local Indian with. When Mackenzie came back to the site in 1816, he observed that the construction work had evidently been carried on, and a large trough was seen to have been opened in the middle of the mound for a building a reservoir. He recorded in his observations on the structural remains as they stood in 1816, and hinted upon the vast changes that he saw in a subtle manner:

> In the state that the mound is in at present, it is impossible to form any conjecture whether there was any, and what sort of building formerly standing in the centre, or for what purpose it was intended.[1]

The 'epoch of loss' that Nayanjot Lahiri reminisces in her book speaks of the pain nineteenth century Indians felt as they experienced the acquisition of their historical heritage. However, the experience of this loss was felt both-ways.[2] As Indians lamented the slow loss of their ownership, the colonial state worried about the material evidence of an Indian past that was slowly slipping out of their hands. The colonial pursuit of preservation of monuments in India was deeply rooted in their concern for the custodianship of Indian heritage. They saw themselves as the natural inheritors of the Mughal legacy and sought to rescue the ravages committed by the East India Company and strove to govern and protect what they understood to be its

[1] Colin Mackenzie, quoted from Upinder Singh, *The Idea of Ancient India*, p.153
[2] Nayanjot Lahiri, *Marshalling the Past: Ancient India and its Modern Histories,* Ranikhet: Permanent Black, 2012

symbols. The foundational interest in preserving Indian monuments was based in the colonial state's interest in understanding the alien peoples and culture that were set to govern. Reconstructing a narrative of the Indian past was seen as one of the best means of achieving this goal. Archaeological explorations like surveys, excavations, numismatic study and epigraphy had been independently carried out by colonial scholars as a part of knowledge for the state. The conservation of buildings and monuments, while interspersed within these endeavours, took a long time to become a priority for the government. The cost of maintaining and repairing monuments and the technical expertise required to do the same was quite high, and experts in these arenas were few and mainly pursuing these activities as leisure time pursuits. But as archaeology took its time to develop as a tool of state to uncover India's past, the conservation of old buildings too emerged on the state's radar, albeit slowly. Thus, as the Indian subcontinent became an increasingly integral part of the colonial enterprise, British exploration of India came to focus on a study of its monuments, antiquities and people. They believed that such an endeavour would enable them to better understand the subjects that they wished to govern.

The British appreciation for Indian historical buildings, its ruins and antiquities were closely linked with how they saw historical Indian society and its contemporary counterpart. Narratives of the unchanging stagnant Indian past helped reinforce the view that the key to understanding nineteenth century Indians lay in their ancient and medieval histories. Ironically, while on the one hand colonial administrators emphasized on the static nature of Indian society, their study of its monuments showcased a narrative of Indian degeneration from its glorious ancient past. They argued that while Indian customs and traditions were rooted in unchanging societal norms, the contrast between its exquisite ancient architectural structures and Mughal

ruins reflected a story of decline and destruction. Ideological arguments justifying the need for British intervention in taking care of Indian historical buildings and antiquities were put forth, and these ranged from the merits of colonial administration to the inadequacy and corruption of Indians. The fact that British administrators were the very individuals in charge of both the nascent stages of antiquarian endeavours in India and the administrative expectations of the state, suggests that the conservation project presented a story of how the Indian historical narrative was to be uncovered, and more importantly, who controlled it.[3]

But the urgency that shaped the preservation project as a government priority by the late nineteenth century was their fear that Indians were incapable of taking care of their historical monuments. They perceived Indian society's attitude towards its historical monuments as religiously fanatic or negligent at best. This chapter will attempt to understand how the monument project developed as a government priority in the late eighteenth- nineteenth centuries. The importance given to this project was not only based in the colonial fascination for Indian history and its cultural symbols, but a slow play for control over Indians through their buildings. Indian historical architecture was seen as the repository of the Indian past, its early civilizational grandeur and evidence of its decline. Furthermore, they were a reflection of how the state understood Indians and characterized the identity of their buildings. Indian loyalties towards them were identified through sectarian and caste affiliations of these historical buildings. Determining their worth to the community on these lines were directly weighed against the inclination of Indians to maintain them, and in some cases even destroy them. Therefore, the chapter aims to trace the development of the

[3] Anne-Julie Etter, 'Antiquarian Knowledge and Preservation of Indian Monuments at the Beginning of the Nineteenth Century', in eds. Indra Sengupta, and Daud Ali, *Knowledge Production, Pedagogy and Institutions in Colonial India.* New York: Palgrave Macmillan, 2011, pp. 75-95

colonial narrative of Indian iconoclasm and disregard towards their historical monuments. This narrative, reinforced time and again, formed the backbone of the legislation to protect and preserve Indian monuments at the beginning of the twentieth century- the Ancient Monuments Preservation Act of 1904. This legislation encapsulated the colonial state's efforts to hold the Indian 'accountable' towards its historical buildings.

Lastly, the chapter will look at how these developments played out in the district of Mathura in the nineteenth century. Mathura was a centre of especial religious and cultural repute due to its rich Buddhist and Hindu history. The British takeover of Mathura in 1804 introduced an administrative set-up for taking care of its many temples and historical buildings. The region comprised of a rich reserve of 'living buildings', that is, buildings that were still actively in use and had important social and cultural importance to the community. As a dominion under direct British control, the study of Mathura provides insight into the issues that the provincial and central government grappled with respect to its historical buildings in the nineteenth century. Its treasure trove of antiquarian remains necessitated a firm and thorough management of how the government took care of these. These engagements uncovered the issues of government funding, trained personnel and the inadequacies of the existing bureaucratic structure to undertake the preservation of Mathura's buildings effectively. These narratives point us towards how the need for preservation of monuments and antiquities was understood and articulated in the form of concrete legislation that formed the backbone of the preservation of Indian monuments in the modern era.

The Indian Picturesque and the Transition to Archaeology

The beginning of monument preservation in India by the British started with an aesthetic fascination for the Indian landscape. By the late nineteenth century, Britain had steeped into a Victorian fascination for the 'picturesque' reflective in the beginnings of oil paintings in the late eighteenth century, and nineteenth century production of lithographs and later photography of Indian monuments.[4]. Derived from the Romantic tradition, the picturesque comprised of a desirable aesthetic association with rugged natural terrain and the wilderness of untamed lands.[5] In the Indian landscape, the historical ruins of ancient temples and abandoned architectural wonders incited a sense of nostalgia for a gone era and the exotic natural beauty that the unknown geographical topography of the country accorded.

Such artistic exploration helped them to lay out and ascertain the geography of the land that they were trying to understand. Scholars like Alexander Cunningham, who were interested in understanding Indian society through its classical texts found in these artistic landscapes an opportunity to attempt to map actual historical structures and their archaeological and architectural value. As visual depictions of these landscapes fuelled the European imagination, descriptions of their historical buildings in classical texts encouraged them to evaluate and document how these structures could be located within Indian history. Moreover, they correlated the historical importance of these structures with how they were mentioned in these texts. For

[4] Some of the most famous oil paintings depicting this aspect were through the works of William Hodges and the uncle-nephew duo of Thomas and William Daniell. Incorporating western painting techniques to depict Indian monuments set within natural landscapes, like Hodges' *Select Views in India* (1786) and Daniells' *Oriental Scenery* (1795-1808), these painters were able to bring to English audiences a romanticized notion of Indian history. For further details, see Tapati Guha-Thakurta, *Monuments, Objects, Histories*

[5] Tapati Guha-Thakurta, *Monuments, Objects, Histories,* New York: Columbia University Press, 2004, p. 8

instance, Cunningham relied extensively on the accounts of Chinese travellers Faxian and Xuanzang from fourth and sixth century AD respectively.[6] Their elaboration on Buddhist architecture was reflective in his own active excavations, surveys and voluminous publications on the theme.[7] To correlate the textual descriptions of historical structures to understand their actual existence in Indian history required a different methodological inquiry that paintings could no longer afford to provide. The development of the disciplines of archaeology and architecture in the nineteenth century were able to provide an empirical and focused lens to this study.

Colonial reconstruction of Indian history had initially become dependent on Indian classical texts as their understanding relied on actual material proof than the physical testimonies of their Indian subordinates.[8] However, as archaeology and architectural studies afforded a more concentrated study of Indian material remains, focus shifted on their study. No longer were these historical buildings viewed and appreciated merely for the aesthetic exotic beauty that they represented, rather the intricate architectural styles were complicit in a past that had to be decoded. They were concrete evidence of a historical past that had taken place and could be located both temporally and spatially. And this understanding helped them to be understood as even more reliable proof than the classical textual accounts that they had been initially located from. As a result, the shift from using merely textual sources as the

[6] Upinder Singh, *The Idea of Ancient India: Essays on Religion, Politics and Archaeology*, New Delhi: Sage Publications, 2016, p.126.
[7] During the course of his career, he produced many seminal works on Buddhist architecture including three major books titled- *The Bhilsa Topes* (1854), *The Stupa of Bharhut* (1879) and *Mahabodhi* (1892.
[8] A concentrated effort towards translation of Indian classical texts had begun from the 1770s, with many British officers stationed in India learning Persian and Sanskrit and using them to translate texts like the documents of the Mughal court (where Persian was still the official language) and brahminical texts like the *dharamshastras*. They did this to remove their dependence on Indian intermediaries to help them arbitrate on judicial matters and to interpret Indian customs and traditions. A crucial aspect of the colonial interpretation of Indian history was that they understood it to be stagnant and unchanging. Therefore, the knowledge reflective in classical texts could be seen as symbolic of the actual practices and customs that were still prevalent in the country.

prime basis of historical exploration to actual material evidence in the form of archaeological finds took shape in this period. In comparison to texts, that were dependent on correctly copied documents and varied scope of interpretation, the historical monument was much harder to refute. The act of 'seeing' became the act of 'knowing'.[9]

Closely on the heels on the development of archaeology in India was the discipline of architecture.[10] The shifting focus on historical material remains enabled Indian monuments to be studied as a separate category that showcased the architectural craftsmanship of the country. James Fergusson was a noted architectural expert who came to India initially as an indigo planter and was credited with bringing a more technical and empirically accurate dimension to the study of Indian architecture, in contrast to the 'picturesque' landscape paintings of old Indian buildings produced by earlier European painters.[11] The emphasis on technical accuracy in sketching and photographing historical buildings for purposes of visual documentation shaping the colonial exploration of the Indian past and its material remains as a scientific enterprise.[12]

But as these disciplines were developing extensively in India, the conservation of monuments and archaeology in India has remained a state-driven endeavor from its

[9] Ibid. pp. 14-15
[10] Tapati Guha-Thakurta traces development of these fields and the way they interspersed in the field of monument discovery by tracing the careers of Alexander Cunningham and James Fergusson respectively. She suggests the beginning of the production of visual documentation on monuments and their discourse through the emerging fields of archaeology and architectural sciences in India. For further details, see Tapati Guha-Thakurta, *Monuments, Objects, Histories*, pp. 3-42.
[11] His study of historical Indian architecture propelled him to produce many seminal works on the subject, including *The Illustrated Handbook of Architecture* (1859)*, History of Modern Styles of Architecture* (1862), *Tree and Serpent Worship* (1873) and *History of Indian and Eastern Architecture* (1876).
[12] Tapati Guha-Thakurta, *Monuments, Objects, Histories,* p.10

inception in the nineteenth century till date.[13] Upinder Singh argues that 'archaeology was not a high priority of the British Government in India'.[14] Financial resources were few and were sparingly allotted to what the government considered to be crucial for gathering information about Indian people and the regions they wished to acquire. Archaeology did not offer any financial returns, nor did it seem that excavating ancient ruins would lead to any substantive result in helping them achieve their goal of expansion and governance. However, development and study of archaeology and architecture in the country came to be regarded as crucial tools for the state to understand Indian past and to establish control over its society by means of 'protecting' its cultural heritage.

Secondly, it was realized that these disciplines would not be able to develop as extensively without the aid of the government to direct it. As a result, initial forays into understanding monuments preservation and protection of historical heritage was carried out through government officials on the state payroll. These 'experts' pursued their work in the spheres of archaeology, architecture and the translation of classical Indian texts in Sanskrit and Persian in addition to their responsibilities as officers of other departments.[15] As the nineteenth century wore on, a more concrete solution was required to tackle the large-scale conduction of archaeological activities. Cunningham

[13] Indra Sengupta, 'Sacred Space and the Making of Monuments in Colonial Orissa in the Early Twentieth Century', p.171

[14] Upinder Singh, 'Cunningham's Contributions to Indian Archaeology', p.63

[15] For instance, Alexander Cunningham (1814-93), the first Director General of the Archaeological Survey of India (ASI) came to India in 1833 and served as a military engineer with the Bengal Engineers. He shuffled his military duties with his antiquarian interests from 1833 to 1861. His contribution in Indian archaeology was largely accorded to his interest in numismatics, epigraphy and history that was encouraged by James Prinsep, the noted numismatic expert and antiquarian. Other notable British officers like Colin Mackenzie who conducted a twenty year project in Southern India in addition to his post of the first surveyor general of Madras, and James Fergusson who came to India as an indigo planter, juggled their administrative duties with their keen interest in antiquities and Indian monuments. For more see, Bernard S. Cohn, *Colonialism and its Forms of Knowledge*, p.9 and Anne-Julie Etter, 'Antiquarian Knowledge and Preservation of Indian Monuments at the Beginning of the Nineteenth Century', in eds. Daud Ali and Indra Sengupta *Knowledge Production, Pedagogy and Institutions in Colonial India*, New York: Palgrave Macmillan, 2011, p.76

recognized that a systematic and detailed survey of the country's regions could not be achieved without a dedicated government body to aid it. The recognized importance of the discipline of archaeology would require the deployment of government resources that could not be met by mere leisure-time pursuits. Therefore, with the support of Governor-General Lord Canning, the ASI was set up in 1861 and Cunningham was appointed as its first Archaeological Surveyor. Set up with a specific view towards survey activities in northern India, Lord Canning defined the survey's work as:

> An accurate description - illustrated by plans, measurements, drawings or photographs and by copies of inscriptions – of such remains as deserve notice, with the history of them so far as it may be traceable, and a record of the traditions that are retained regarding them.[16]

The setting up of the ASI was only the first step. Even though the Survey was temporarily suspended in 1865 due to lack of funds, the importance given to archaeology and the study of historical architecture in India was soon finding representation through the expansion of bureaucratic positions given the charge of dealing with these.[17] The setting up of the office of the Curator of Ancient Monuments in 1881 was an important step in that direction, and the first and only office holder of the post was HH Cole.[18] Solely dedicated to the documentation and

[16] 'From 1861-1901', *History of the Archaeological Survey of India*, http://asi.nic.in/asi_aboutus_history.asp

[17] The Survey was temporarily disbanded in 1865 due to the withdrawal of financial support from Lord Lawrence's government, until its revival again in 1871. Cunningham took over the reins of ASI again from 1871-1885 as its Director General of Archaeology.

[18] Cole is credited with building upon Lord Northbrook's official order of 1873 directing all provincial governments to take measures to protect buildings architectural and historic importance. For more see Rajat Ray, 'Policies and Principles of Conservation of Architectural Monuments in British', in eds. Gautam Sengupta and Kaushik Gangopadhyay, *Archaeology in India*, New Delhi; Munshiram

assistance to the provincial and central governments in all matters related to the conservation of historical monuments, the office of the curator aimed to work side by side with existing administrative measures. Unlike the ASI that concentrated with survey work and production of excavation reports, Cole worked in tandem with the Public Works Departments of various districts and even directed the issue of district manuals to help PWD officers to carry out preservation work. The duties of the Curator were soon thereafter merged with the activities of the ASI in 1884 and its orientation was slowly shifted towards conservation work over archaeological excavations.[19]

The slow emergence of archaeological departments in India ran parallel to the establishment of government infrastructure and administration in the country. As interest in Indian monuments developed due to their perceived historical and architectural importance, they were integrated within this emerging bureaucratic sphere. However, while these interests served as the foundational reasons for the establishment of this project, it was propelled into becoming a government priority through a parallel narrative. This narrative was that of 'protection'- from Indians and their destructive and negligent tendencies. Through such a narrative, the colonial state built its image as a 'protector' of these buildings- from its own indigenous owners.

Iconoclasts, Negligent Indians and the Protection of Monuments

The establishment of a narrative of contemporary Indian decay and despondence fueled the colonial assertion that the material representation of its past had to be

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Manoharlal Publishers, 2009, p.357

[19] Nayanjot Lahiri, *Marshalling the Past,* p.25-26

preserved. As the archaeological project expanded in nineteenth century India, questions emerged: who will take care of these historical remains? And more importantly, why were they not being taken care of the first place? The immediate impetus for the Government of India to take concrete legislative steps to preserve Indian monuments were argued through the trope of 'destruction'. The state argued that Indian monuments were in danger of ruination and necessary steps would have to be taken to arrest this degeneration. Their understanding of the danger that they saw these buildings in were entrenched in how they viewed Indians and their relationship with their buildings. This perception was traced not only through the contemporary treatment of these monuments, but the architectural worth of these buildings and the epoch of Indian history that they could be located within. Colonial scholars came to evaluate these historical structures based on their perceived architectural and technical worth, and a direct correlation was made between these buildings and their Indian identities. In the midst of defining the identities of the Indian populace that they were governing, they attempted to identify their buildings through the same lens as the Indian owners they were attached to. Indian buildings therefore, came to be categorized based on the value they accorded to the historical and cultural life of a community. They were typified based on whether they were 'living' or 'dead' monuments, on religion, and the caste groups that used them. By defining the criteria that would determine which of their monuments Indians paid heed to, the state constructed a definite view of wherein monuments had to be protected from their Indian owners. The colonial argument towards protection of Indian monuments therefore rested on two characterizations of Indians: the lack of a civic ideal towards their architectural heritage and destructive tendencies resulting from religious iconoclasm.

The lack of a civic sense to protect their historical buildings or 'Indian insufficiency' as Michael S. Dodson argues became the first facet of the state's protection argument. Speaking in the context of nineteenth century-early twentieth century Jaunpur and the pictorial representation of its historical ruins, Dodson argues:

> There is a specific historicity being invoked in these picturesque depictions of India… it is a historicity that invokes not simply the insufficiency of human activity in the face of time and nature but specifically, through the presentation of this strange and new context to a European audience, of Indian insufficiency. The ruination of architecture and the apparent inability or unwillingness of local Indian inhabitants to repair the important structures of the past are utilized in these paintings to construct a narrative of decivilization and the death in India of the human drive to discipline the natural world through architecture.[20]

The British argued that the inability of Indians to recognize that they had in their possession a repository of Indian historical remains that were immensely valuable necessitated that their custodianship be relegated to more knowledgeable hands. Furthermore, they argued that Indians were loyal to their religious associations and therefore, did not pay heed to any historical monument or remains that they did not associate with their religious faith. Such an impression persisted as late as the early twentieth century, when John Marshall, the then Director General of the ASI accused Sultan Jahan Begum, the ruler of Bhopal, of not paying adequate attention to the repair and maintenance of the invaluable Buddhist Sanchi stupa, due to her Muslim

[20] Michael S. Dodson, 'Jaunpur, Ruination and Conservation during the Colonial Era', in eds. Daud Ali and Indra Sengupta *Knowledge Production, Pedagogy and Institutions in Colonial India*, New York: Palgrave Macmillan, 2011, p.76

faith.[21] The reasoning behind Indian insufficiency therefore, was embedded in a characterization of Indian society through its religious identity. This characterization was more a result of the colonial attempt to understand and rigidly define the Indian past that spilled onto their treatment of Indian monuments as well.

Thus, a significant development in the sphere of colonial discourse on India emerged through a classification of its peoples- and by extension its history- on religious lines.[22] As Cunningham and Fergusson embarked on their exploratory journeys, they came to understand and classify Indian monuments on the basis of the religious groups that they seemed to belong to. Notwithstanding the fluid and intersecting nature of Indian engagement with their buildings, they understood these monuments as set within rigid boundaries of Hindu, Buddhist, Muhammadan and Jain architecture. Complicit with the discourse on compartmentalizing Indian history as 'Hindu', 'Muslim' and 'British' to denote the ancient, medieval and modern periods respectively, colonial understanding of historical monuments conveniently characterized them as devoid of any meaning other than their associated religious identity.[23] As monuments were characterized on religious lines, the appreciation for their architectural beauty became directly linked with connotations of racial superiority and civilizational decay associated with the people attached to them. Fergusson, who was an ardent admirer of Buddhist architecture, associated them with the highpoint of Indian civilization. He prime reason for his admiration seemed to be

[21] Nayanjot Lahiri, *Marshalling the Past*, Ranikhet: Permanent Black, 2012, pp. 57-58

[22] The exploration of the picturesque through paintings by European artists had already produced a series of works based on such strong religious undertones. William Hodges in 1797 had produced his *Dissertation on the Prototypes of Architecture: Hindoo, Moorish and Gothic* as an accompaniment to his *Select Views in India.*

[23] These could be discerned by the titles that scholars working on these gave to their works. For instance, James Burgess, Head of Archaeological Survey in Western and South India in 1873 and 1881 respectively and later Director General of the ASI from 1886-89, titled his notable works as *The Buddhist Stupas of Amaravati and Jaggayapeta* (1886) and *On the Muhammadan Architecture of Baroch, Cambay, Dholka, Champanir and Mahmudabad in Gujarat* (1896).

his association of Buddhist architecture with the endeavours of an Aryan school of thought:

> So far as we can now see, Buddhism was a little more than a revival of the coarser superstitions of the aboriginal races, purified and refined by the application of Aryan morality, and elevated by doctrines borrowed from the superior intellectual resources of the Aryans.[24]

He prefaced this conclusion by elaborating on the foreign identity of the Aryan hordes that invaded and settled in North India. They were superior in terms of intellectual and military strength but lost their valour over time due to intermixing with the backward civilizational aboriginals of the country. Buddhism and its architecture were, in Fergusson's opinion, evidently inspired from Aryan intellect which was proof of its architectural superiority. The intellectually inferior Dravidians had settled in the southern part of the country and hence, south Indian architecture was devoid of the beauty and finesse that Aryan-inspired Buddhist architecture displayed. Such a view emphasized not only on the perceived explicit differences between different forms of Indian architecture, but also highlighted that any such superiority could only be achieved though foreign, this case, a racially 'pure' Aryan influence.[25] He further asserted that while Indian architecture had much to offer in terms of originality and variety, they could never surpass the architectural highpoint of the ancient Greek and Roman civilizations.[26] Since Indian historical buildings were thus categorised on religious lines, the Indian tendency to deface and destroy their monuments was also construed as per their perceived religious loyalties.

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[24] James Fergusson, *Tree and Serpent Worship,* p.67
[25] Tapati Guha-Thakurta, *Monuments, Objects, Histories*, p.17
[26] James Fergusson, *History of Indian and Eastern Architecture,* p.4

The case of the Amaravati Marbles had been taken up by the government in response to the its perceived architectural beauty and historical value. After Mackenzie's inspection in 1816, the site had been subsumed by a sense of urgency on behalf of the to find the most adequate measures to preserve them. One of the biggest priorities voiced by them was arresting the monument from further destruction from Indians motivated by religious considerations. JG Horsfall, the Collector of Kistna district was directed by the Madras Government in February 1880 to complete the excavation of Amaravati immediately. His observations on the scene of the site reiterated that he had found strong evidence of defacement and destruction by 'religious iconoclasts'. So fierce was their endeavor to demolish, he argued, that statues that formed a part of the remains were destroyed, disfigured and a statue head was also found to be buried in the soil.[27] A similar narrative unfolded at Sanchi. Edward Nell put forth the first modern description of the Sanchi stupa in 1819, before the first excavations took place in the area. Talking about the site as he found it, he recounts:

> …numerous stones lie strewed around in the vicinity of both monuments, being parts of columns, capitals, mutilated images of Buddha, pedestrals, tablets covered with sculptured figures of horsemen, elephants, lions, and almost obliterated inscriptions.[28]

Traces of the same argument could be found in 1904 when John Marshall put forward a proposal to remove the Muslim *chowkidars* as caretakers of the hundreds of sculptural elements found at Sanchi. He felt, in a proposal he put forward to the Bhopal ruler Sultan Jahan Begum, that the religion of the caretakers prevented them from having any active interest in taking care of the historical remains that they had

[27] Ibid. p.171
[28] Edward Fell, 1834, quoted from Nayanjot Lahiri, *Marshalling the Past*, p.39

been entrusted with.[29] Clearly, the trope of the religious affiliate and its close relation to degeneration of monuments persisted in the colonial perspective. Such observations became a part of routine communication between the government and antiquarian scholars when asked for their suggestions for the preservation of monuments around the country. An insight into this could be gleaned from Raja Rajendralal Mitra's letter to the Government of India dated 18th October 1874.[30]

Mitra's aim with the letter is to draw the attention to various examples of how carelessness by local Indians had led to many crucial pillars and stone panels to be destroyed, like a sculpted stone slab with a valuable inscription found by James Prinsep which had been used in the subsequent years for grinding curry material.[31] Most often, local inhabitants would take away blocks of stone and other parts of historical ruins as building materials for their homes or use them as utensils. Therefore, Mitra strongly felt that the government should step in and rescue such valuable artefacts from being lost forever.[32] The ethos of Mitra's appeal can be found in the letter that followed on 10th December 1874 by Cunningham, a mere two months after Mitra's letter. Read side by side, the letter seems to echo similar sentiments as that of Mitra. He expresses that historical buildings should be put under the sole charge of government officials to take care of the repair, maintenance and restoration of these monuments[33]. Such a need is articulated by him not only for purposes of a structured simplification of the process, but because he too feels that

[29] Ibid. pp.55-57
[30] Raja Rajendralal Mitra to Secretary to Govt. of India, 'Preservation of Indian Monuments of Olden Times', Home Dept. Proceedings, Public Branch (A), Government of India, November 1874, Progs. Nos. 18, pp.2, National Archives of India (hereafter NAI)
[31] Ibid., p.3
[32] Ibid., pp.4-5
[33] Alexander Cunningham to Secretary to Govt. of India, 'Preservation of Indian Monuments', Proceedings of the Home Dept., Public Branch (A), Government of India, February 1875, Progs. Nos. 51-52, p.2, NAI.

left in the hands of the local Indian residents, the monuments and valuable artefacts would not survive.[34]

Such assertions were only strengthened through the direct interpolations of colonial scholars that Indian historical remains that associated the decaying Indian architectural scene and Indian society in the late eighteenth-nineteenth centuries with the existing Indian society. As successors to the Mughal legacy of administrative control over India, a consistent narrative emerged with respect to the desecration of temples and other places of Hindu worship by Mughal rulers like Aurangzeb. As the more 'enlightened' counterpart to their Mughal predecessors, the British argued that their governance would be marked by a more considerate and appreciative approach to the maintenance of Indian monuments and antiquities. The reiteration of the argument that why they were the most suitable for this role was constructed in contrast to the negligent and fanatical religious Indian.

However, in this narrative of inherent Indian tendencies lay a parallel story wherein British officers too emerge as prime contributors to the destruction of many important Indian monuments. However, official records and the colonial analysis of their actions characterize their mistakes only as glitches in the larger goal of conservational success. A closer look at these very narratives bring forth a truth where the colonial 'preservers' had as much a hand in the damage to Indian historical remains that they accused Indians of. In the case of Amaravati, once the *mahacaitya* remains had been discovered and initially documented by Mackenzie, the site remained unvisited by any colonial official until Walter Elliot, Commissioner of Guntur visited it in 1845. After conducting some haphazard excavation and taking his own notes of the site, he

[34] Ibid. p.2

displaced a large number of pieces from the site to the Madras College, where they lay on its lawns unsheltered for a number of years.[35] Subsequently, these and additional stones procured from the site were sent to London in 1859, where they were housed in the stables of the Fife House. The large-scale movement of the historical fragments from Amaravati was indicative of an emerging debate in Indian archaeological circles: *in situ* preservation versus museumised preservation of historical artefacts and antiquities. Over the course of the next two and a half decades, the Amaravati marbles were dispersed and displayed in various parts of the world- from the Paris Exhibition of 1867 to the Central Museum in Madras, Bezwada Museum, offices in Masulipatam and even a small sheltered space close to the actual site. The fragmented nature of the displays opened up spheres of heated debate and discussion amongst the officers of archaeology and conservation of monuments.

As different methods to best preserve the discovered antiquities and archaeological remains were being explored, the arena of debate was slowly advancing towards the museumized versus *in situ* approach. Early nineteenth century stalwarts of archaeology and monuments like Alexander Cunningham, James Fergusson and his close ally James Burgess strongly believed in the principle of museum displays of historical artefacts to ensure their proper conservation. Such an ideology stemmed from the belief that historical artefacts and portions of historical buildings, especially if they happen to be located in geographical locations that were difficult to access, should be carted away and housed in institutions that would ensure their proper display and care. Infused with the notion that historical artefacts and buildings gained their worth from their architectural and aesthetic beauty, they could not fathom that the historical value of the same could be enhanced by preserving it in the place that it

[35] Upinder Singh, *The Idea of Ancient India: Essays on Religion, Politics and Archaeology*, p.156

was originally located in. The understanding of preservation for these gentlemen and many others belonging to their generation was instinctive removal of historical finds from their actual locations, so that they could either become a part of their private collections as 'trophies' or be safely removed from the wrath of the destructive local Indian. Taking a share of recovered historical artefacts had become an infamous but normally accepted part of the archaeological excavation process. Cunningham himself became the owner of a share of all his excavation finds, as he had negotiated a contract with the government on the same lines.[36] They were seen to be added motivations in a space that was largely driven by the leisure-time pursuits of these state officials. But 'collecting' of historical antiquities soon became the synonym for looting and forceful acquisition of any sculpture or artefact that colonial officials saw of interest. As indicated from the quote in the beginning of the chapter, as colonial authorities were weaving a narrative of Indian negligence and destruction, the Indian perspective perceived the nineteenth century archaeologist as synonymous with a sense of loss and *sarkari* force.[37]

These accepted norms started changing as the century progressed from the 1880s. HH Cole, the appointed Curator of Ancient Monuments protested strongly against the further disbursement of the Amaravati Marbles in favour of restoring the structure *in situ* using the remaining stones. He was fiercely resisted on this by James Burgess, who had been given charge of the Archaeological Surveys on Western and Southern India in 1881. Amaravati became a trial of strength between the two, wherein Burgess argued in favour of transporting the remaining stone slabs to the Central Museum in Madras and Cole's stance reflected an 'in-situ' restoration. As conservation remained

[36] Nayanjot Lahiri, *Marshalling the Past*, p.25
[37] Ibid. pp.29-33

outside the purview of the ASI during the tenure of the curator, these differences characterized the Amaravati Marbles as either a 'monument' or 'artefacts' in line with their respective administrative profiles.[38] While these roles were merged within the responsibilities of the ASI after the office of the Curator was not revived post Cole's tenure in 1884, these considerations were clearly the markers of a shift, as the next generation of archaeological purveyors like the Viceroy Lord Curzon and future Director General of the ASI John Marshall, both recognized the *in situ* principle as the most appropriate form of conservation.[39]

While these debates could still be explained away citing ideological differences, the mishandling of archaeological excavations by colonial experts were more difficult to justify. In the case of the Sanchi stupa complexes, extensive and to an extent, irreversible damage was done to various parts of the structure over the course of its many excavations. Shortly after Fell's account of the stupa, the site was excavated by TH Maddock, the political agent at Bhopal, and his assistant, Captain Johnson. Overstepping his role as a political agent, Maddock's excavation was not only inadequate but ruinous for the Sanchi dome.[40] Seeking to do a better job than their inexperienced predecessors, Cunningham and Lieutenant FC Maisey undertook the next excavation there in 1851. But even as archaeological experts, Cunningham and Maisey did not take heed to repair the structural damages that they further inflicted on the stupas by installing perpendicular shafts through their roofs. While the archaeological finds like relic boxes and caskets were carted away by Cunningham,

[38] Upinder Singh, *The Idea of Ancient India: Essays on Religion, Politics and Archaeology*, p.177, also Nayanjot Lahiri, *Marshalling the Past*, p.48
[39] Nayanjot Lahiri, *Marshalling the Past*, p. 335
[40] He managed to split the dome in Stupa 1 and create a large breach in it, resulting in the dome to collapse. The dome of Stupa 2 almost disappeared, and the structural integrity of the western gateway was so shaken that it eventually collapsed. For more details, see Nayanjot Lahiri, *Marshalling the Past*, pp.36-74

the stupas remained in a state of disrepair until talk of dismantling its gates to 'preserve' it was commenced in 1868.[41] Fortunately such plans were dropped, but they do reveal a counter-narrative to the British assertion of Indian tendencies of destruction towards their monuments. Both Amaravati and Sanchi were recognized as some of the most exquisite examples of Indian architecture by them. But despite this, they both speak of a story of ruin at the hands of their colonial admirers. Some of the Amaravati stone slabs were permanently destroyed when they were embedded in cement for display purposes at the Madras Museum in 1886.[42] Many original portions of the Sanchi stupas were replaced by new materials in order to 'repair' them by the state engineer David Cook in 1904, thereby losing crucial material pieces of history forever.[43] The very material remains of history that the British in India sought to save from the Indian, were ironically at times destroyed by their very hands.

The colonial characterization of Indians with respect to their historical monuments portrays a passive image of Indian involvement. It raised the question: where was the Indian placed within this emergence of Indian archaeology and preservation practice? Was he, as Bernard Cohn suggests, a bystander to a solely British driven project?[44] Or was he an active participant within these developments? Lauren Benton argues that the formation of the colonial state in India as a 'state' was in actuality very different from its empirical existence.[45] What she hints towards is that the process of state formation was as much a work in progress in India in the eighteenth and nineteenth centuries as was their agenda to bring significant changes to the country. The colonial

[41] Ibid. pp.42-43
[42] Upinder Singh, *The Idea of Ancient India: Essays on Religion, Politics and Archaeology*, p.183
[43] Nayanjot Lahiri, *Marshalling the Past*, p.54
[44] Bernard S. Cohn, *Colonialism and its Forms of Knowledge,* New Jersey: Princeton University Press, 1996, p.77
[45] Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900*, Cambridge: Cambridge University Press, 2004, p.130

government, in the process of setting up its administrative and judicial apparatus, was as dependent on the help and cooperation of their Indian subjects as they believed they were to them. As the British realized of their absolute dependence on the native intermediaries, projects toward large-scale translation of Indian classical texts began to take place in the nineteenth century. The individuals selected for the task were Indians from learned Brahminical castes, as well as those knowledgeable in Persian and Hindustani as well.[46] Indian involvement, therefore, was a feature of all major projects of the government in the late eighteenth-early nineteenth centuries, including in the archaeological sphere. Such an interdependence highlights the contradictions that were inherent in this process of knowledge production. The colonial state tried to extricate themselves from Indians by distancing themselves and putting forward arguments of racial superiority and the distrust they had towards them. But they were ultimately dependent on these very Indian experts to carry out that task for them.

Colin Mackenzie was able to achieve his vast amount of documentation as the Madras Surveyor through the help of his Indian assistants- Telugu brahmins Kaveli Venkata Boria, his brother Kaveli Venkata Lakshmaiah, his peon Krishnaji and a Jain scholar Dharmiah. Mackenzie, by his own admission, owed the success of procuring and translating his extensive collection of native manuscripts to Boria, whom he described as having 'quickest genius and disposition, possessing that conciliatory turn of mind'[47] After his death, his work was given over to his brother Lakshmaiah, who is credited with producing excellent reports from his interviews with Indian locals and

[46] Neeladri Bhattacharya, 'Remaking Custom: The Discourse and Practice of Colonial Codification', in eds. R. Champakalakshmi and S. Gopal *Tradition, Dissent and Ideology: Essays in Honour of Romila Thapar*, New Delhi: Oxford University Press, 1996, pp.20-51

[47] Colin Mackenzie, quoted from K Paddaya, 'Mackenzie and the Discovery of the Sanchi Stupa', in eds. Gautam Sengupta and Kaushik Gangopadhyay *Archaeology in India,* New Delhi; Munshiram Manoharlal Publishers, 2009, p.21. Boria until his death in 1803, was instrumental in collecting and translating vernacular and classical manuscripts for Mackenzie due to his fluency in Sanskrit, Persian, Hindustani and English, in addition to Telugu and Tamil.

procuring lesser-known and rare manuscripts through tact and negotiation.[48] While Mackenzie was highly interested in the histories, ethnographies and customs of the Indian region, he was crippled by his inability to understand any local languages or customs. His identity as a 'white man' made him an outsider, and in caste-conscious precincts of South India, it was only through the efforts of his Indian assistants that he was able to produce his body of work. Post Mackenzie's death, Lakshmaiah asked to be placed at the head of his establishment so that he could continue to carry on Mackenzie's work. However, when the proposal was put forward to James Prinsep, the head of the Committee on Papers of the Asiatic Society of Bengal at the time, he was refused on the grounds that his qualifications, or that of any 'native' were not equal to the task.[49]

Lakshmaiah's story was not a new one. To trust that Indians, irrespective of their linguistic and textual skill, could be left unassisted and without a European head to look over their work was unthinkable. Their skills as language experts and interpreters could only be enhanced and brought to acceptable standards by co-opting them in a European mode of training. Cunningham argued that epigraphy was one area within which the Indian could be trained and put to use. Their inherited linguistic skills would be ideal if properly trained to carry out good historical research in an empirical and scientific manner.[50] Such European training had another profound effect: it generated a body of scholars that were scientifically trained on one hand and were able to present and interpret Indian texts with the depth of knowledge that only a native insider could. A good example of the same was the noted textual scholar Ram Raz. A native of Mysore, he worked his way up the ranks from the Madras Native

[48] Bernard S. Cohn, *Colonialism and its Forms of Knowledge*, pp. 82-84
[49] Ibid. p.86
[50] Tapati Guha-Thakurta, *Monuments, Objects, Histories,* p.89

Regiment to becoming a member of the Royal Asiatic Society of Great Britain and Ireland. He had a very strong hold on being able to co-relate various pieces of text and extrapolating them to produce an authoritative body of texts. His most noted work was the *Essay on the Architecture of the Hindus* that was published posthumously in 1833. His attention to detail and his methodology was so apparently and impressive that the author to the preface of his book commented that:

> His translation was in every respect so correct, and the notes and illustrations accompanying it exhibited so eminent a degree of knowledge in the several languages from which the terms and phrases used in the original were borrowed…and at the same time displayed so much talent in the elucidation of the various parts of the subject…to give rise to considerable doubt of its being the unassisted performance of a Hindu.[51]

Clearly Ram Raz was able to break to an extent the shackles of inadequacy and distrust that accompanied his eighteenth-century counterparts. What was remarkable about his work was how he was able to collect various pieces of ancient treatises on Hindu architecture like the *Mansara,* canonical texts like the *Shilpa Shastras* and a fifteenth century Tamil text *Iru-Samayan-Villacham* and co-relate them with actual prevalent artisanal practices in South India. Tapati Guha-Thakurta suggests that Ram Raz's success in 'producing what no European scholar could have' lay in his identity as a district insider.[52] During the process of gathering his material he was able to see that many South Indian craftsmen and artisans still employed the same methods to repair old buildings and temples in their region as enshrined in the ancient

[51] Ram Raz, *Essay on the Architecture of the Hindus*, date unknown, pp. vii-viii
[52] Tapati Guha-Thakurta, *Monuments, Objects, Histories*, p.91

architectural treatises. However, while they were conversant in their applications of the work, they did not understand its theoretical portions. The texts had belonged to the small corpus of South Indian *pandits* and brahmins who could read and understand the theoretical basis of the work but could not make sense of the technical and practical aspects of it. The 'native scholar' of architecture, such as Ram Raz, became a crucial interlink between transmitting both parts of this knowledge to these caste-differentiated societal groups.[53] In this manner, not only was Ram Raz able to produce authoritative works that could be understood and appreciated by his European overlords, but go beyond that and contribute in native spheres of knowledge that no European at the time could.

Ram Raz, despite his undeniable and unique contribution to Indian architectural and textual studies, was still confined to the nascent role of the 'native textual scholar'. His skills lay in interpreting ancient Indian texts and relating them with the existing body of knowledge. A deeper Indian involvement and interest in Indian historical structures and antiquities came later in the nineteenth-century. The most notable example of the same is the Bengali scholar Raja Rajendralal Mitra. What demarcated Mitra from his predecessors and many of his contemporaries was that he was able to model himself as the Indian counterpart to the European scholar. Like Cunningham, his interest in Indian art and architecture was an extension to the discovery of the Indian past and like him he too placed the supremacy of the inscription over all else. Indian historical architecture in his view, was the gateway to rectify or complete the narrative of Indian history.[54] He, like any European scholar worth his salt, was

[53] Ibid. p.94
[54] Rajendralal Mitra, *Antiquities of Orissa Vol.1,* Calcutta: Baptist Mission Press, 1875, pp.1-2

entrenched in many aspects of knowledge production.[55] The production of reliable archival work, museumisation of important historical antiquities and artefacts for proper preservation and public display and the construction of empirically accurate historical narratives of Indian history based on scientific inquiry formed the crux of his work ethos.

One can argue that the key to Mitra's success was his immense public visibility and the fact that he adopted not only the same approach to thought and technique as his European counterparts, but also a similar apparatus for functioning. Like the British archaeologists in the nineteenth-century, Mitra too had his own set of 'native assistants'- his own *pandit* Ramanath Tarkaratna, Indian molders and draftsmen from the Government School of Art and other assistants to help him gather manuscript material from across the country. The biggest stamp of European approval came from none other than Max Mueller, who called Mitra 'completely above the prejudices of his class, freed from the erroneous views of the history and literature of India that every Brahman is brought up, and thoroughly imbued with those principles of criticism which men like Colebrook, Lassen and Burnouf have followed in their researches into the literary treasures of the country'.[56] However, the same mindset that imbued in Mitra a scientific approach towards Indian monuments, also demarcated in him the differences that he saw with respect to the interpretations put forward by European scholars.

Mitra and his European counterparts saw in Indian historical architecture a reflection

[55] Other than his comprehensive works on the historical architecture of Orissa and Bodh Gaya, he was author to extensive Sanskrit translated works like *Notices of Sanskrit Manuscripts vols. 1-9* (1870-1888), *Catalogues of Sanskrit Manuscripts in the Library of the Asiatic Society* (1877) and many other like the *Chanddogya Upanishad* published under the Bibliotheca Indica series of the Asiatic Society from 1854-1886.
[56] Max Mueller, quoted from Tapati Guha-Thakurta, *Monuments, Objects, Histories*, p.96

of the glory and decline of Indian civilization. Forms of architecture like the ones found in Orissa and Bodh Gaya symbolized the highpoint of the civilization, whereas other less appreciated Mughal examples demonstrated a successive decline. British scholars of Indian historical architecture like James Fergusson emphasized that the high points of Indian architecture found its roots in Greek and Bactrian influences.[57] This is precisely where Mitra differed from his European colleagues. He argued that the beauty of these historical buildings was intrinsic to the indigenous historical craftsmanship of the region. He based his arguments by comparing them with the ancient treatises and texts on architecture that he studied and emphasized that the architectural highlights of Indian history were devoid of foreign influence.[58] Such an interpretation of Indian architectural history was seen by Fergusson as a direct attack on his body of work. In a focused work, he produced his well-known *Archaeology in India With Especial Reference to the Works of Babu Rajendralala Mitra* (1884). The work was not only meant to be an academic response to Mitra's assertions, but they uncovered a strong racial bias towards Mitra's very scholarship by lieu of him being an Indian. In the introduction to his work, Fergusson writes:

> The real interest…of the volume…will probably be found to reside, not in the analysis of archaeological works of Babu Rajendralala Mitra, but, in these days of discussions on the Ilbert Bills, in the question as to whether the natives of India are to be treated as equal to Europeans in all respects. Under present circumstances it cannot fail to interest many to dissect the writings of one of the most prominent members of the native community, that we may lay bare and understand his motives and modes of action, and thus ascertain how far Europeans were justified in refusing

[57] Bernard S. Cohn, *Colonialism and its Forms of Knowledge*, p.94
[58] Rajendralal Mitra, *Antiquities of Orissa Vol.1*, p.2

to submit to the jurisdiction of natives in criminal actions.[59]

By suggesting that Mitra was disagreeing with him due to his 'native' bias and not on the merits of his argument, Fergusson was making a politically charged statement.[60] However, Fergusson's accusations reflect his racial understanding of educated and competent Indian scholars more than they reflect on Mitra's original motives. They are however, reflective of the social strains that Indian scholars of the time had to overcome to be considered at par with their European counterparts. Their recognized ability to be able to decipher and contribute to the reconstruction of the historical narrative of their own country was seen through the lens of European training. This training would help them overcome their supposed lack of history and the inadequacy of their historical texts.

Tracing the trajectories of influential Indian scholars like Boria, Ram Raz and Mitra may give the impression that Indian involvement in the archaeology and monument project was a strongly-fought and rare occurrence. However, aside from the notable contributions of these gentlemen, Indians were seen to be a part of every aspect of the archaeology and preservation project. Cunningham himself often acknowledged his office of Indian assistants, *munshis*, draftsmen and photographers who helped him assemble casts, carry out preservation work and documentation. The folklore and memories of the Indian labourers involved in their repair gave him an insight into the

[59] James Fergusson, *Archaeology in India with Especial Reference to the Works of Babu Rajendralala*, London: Trubner & Co., 1884, p.vi

[60] Mitra's own public profile was able to provide the space for such an assertion. Other than his work as an independent antiquarian, textual scholar and President of the Asiatic Society of Bengal, he was also an active member of the British Indian Association (BIA). As a part of the BIA, he spoke on a variety of politically relevant topics of the time, from the education and Permanent settlement question to the Ilbert Bill, which he described as 'notorious'. For more details, see Rajendralal Mitra, 'The Ilbert Bill, etc.', in ed. Raj Jogeshur Mitter *Speeches of Raja Rajendralala Mitra,* Calcutta: Messrs. SK Lahiri & Co., 1894, pp.164-173

mound sites, local monuments and possible buried objects.[61] Mitra and Ram Raz, while exemplary and unique in their own right, paved way for a future set of highly trained Indian archaeologists like Rakhaldas Banerji, Daya Ram Sahni and Madho Sarup Vats who left their indelible mark on Indian archaeology by excavating sites like Mohenjodaro and Harappa in the early decades of the twentieth century.

The Problem of 'Living' Buildings and Government Funding: Mathura in the Nineteenth Century

The monument preservation project shaped up differently in different parts of the country based on region-specific circumstances and challenges. Nineteenth century Mathura is important to understand how the topic of its history was strongly envisioned as a part of its historical buildings by architectural and archaeological scholars of the time. In Mathura the problems faced by the provincial government focused on the issue of 'living buildings' primarily, and the fact that most of these historical buildings had active use and relevance to the local community. Furthermore, the central government's rising emphasis on the proper repair and maintenance of the district's historical structures highlighted the budgetary and infrastructural inadequacies that the provincial government officials struggled with. Mathura's place in the monument preservation project was shaped through its rich religious history, historical remains of both archaeological and contemporary relevance and the specific nature of challenges posed to an officialdom trying to make the best of their existing arrangements.

[61] Tapati Guha-Thakurta, *Monuments, Objects, Histories*, p.89

The district of Mathura was known for its rich Hindu and Buddhist history and became an important centre of pilgrimage. The roots of its popularity lay in its ancient Buddhist foundations, that were enumerated by Huen Tsang in the seventh century AD. This period was witness to the construction of many Buddhist monasteries and stupas of considerable skill between 200 BC-200AD and the architectural remains reflected a rich historical base.[62] The decline of Buddhism in the subsequent centuries did not impact the religious dexterity of the region, and the foundations of a deep Hindu religion based on the Vaishnava tradition soon emerged. But Mathura in the nineteenth century stood as a pantheon to living traditions that drew heavily from its rich religious history. Numerous Hindu temples tracing their lineage from the sixteenth century were important to the social life of the local community and the importance given to its architectural heritage reflected the same. While Mathura was taken over as an administrative district by the British in 1804, its most resplendent architectural structures were considered to be located in Vrindavan and Mathura city.

The unique aspect about Mathura's historical architecture was its rich interconnection with political concerns and religious affiliations of major state actors of the time. These affiliations had enabled the construction of many important historical buildings that reflected the height and waning of its patrons. Since Mathura was characterized as a centre of primarily religious importance, the construction of its many historical buildings was also undertaken keeping in mind their religious nature. So multi-faceted and rich was the architectural history of the region that Cunningham reported in 1871, that the site of the present-day Jama Masjid in Mathura city was actually the

[62] Upinder Singh, *The Idea of Ancient India: Essays on Religion, Politics and Archaeology*, pp.73-99

site of the medieval Keshav Dev temple, which in turn had actually been built on the remains of an ancient Buddhist monastery! [63] The Mathura demographic was shaped largely by the tumultuous political history it had had. Imperial Gazetteers of the late nineteenth-century record that the majority of the population were Hindus that comprised of many castes including Brahmins, Jains and Jats. The last category owed its existence to large portions of Mathura lying under Suraj Mall, ruler of the Bharatpur state from 1712-1803.[64] Mughal occupation of the region had resulted in a healthy minority of Muslims settling in the area along with a small community of Buddhist monks. Such a multi-communal composition was also reflected in the variety of buildings that could be seen in the district- tombs, residences, and historical temples, all reflecting mixed influences in their locality.[65]

Katherine Prior in her study of the North Western Provinces in the nineteenth-century, talks about the emergence of the Hindu vaishanvite movement as a symbol of Hindu resurgence and piety.[66] A large part of this resurgence was the creation of spaces for patronage that opened up for different sections of society. In the earlier centuries, patronage to different religious sects, buildings and cultures was restricted to the monopoly of major royal houses of the region and neighbouring areas. As the changing demographic of the region allowed for the influx of better trade routes and the settlement of different caste groups, wealthy merchant and banking classes expressed their support for the Hindu revival movements through a variety of

[63] Alexander Cunningham, *Archaeological Survey of India, Four Reports Made During the Years 1862-1865 Vol 1,* Simla: Government Central Press, 1871, p.232
[64] The Imperial Gazetteer of India- 1886, Volume X- Mutan to Palhalli, WW Hunter, CSI, CIE, LLD: Director General of Statistics to the Government of India**,** pp. 45
[65] FS Growse, *Mathura- A District Memoir*, Asiatic Society, Calcutta, Asian Educational Services, New Delhi, 1979
[66] Katherine Prior, *The British Administration of Hinduism in North India: 1780-1900.* Ph.D. Thesis, Cambridge University, 1990

means.[67] These means involved the construction of ports, residential complexes and reservoirs. It also included becoming patrons to important historical and religious buildings that had value in the community life. By doing so, their own identity as valuable members of the community was strengthened and left traceable evidence of their contributions.[68] In the case of Mathura, the Agrawal class, originally belonging to the Jain group but recognized as Hindus, became prominent patrons and donated heavily for the construction and repair of important temples. FS Growse mentions that the wealthiest *seths* Lakshman Chand and Raghunath Das, were responsible for infusing much of the wealth in Mathura. They were said to have spent forty lakhs on the construction of a temple in Vrindavan and erected a number of prominent buildings in Mathura city.[69]

The architectural landscape of Mathura therefore, was imbued with a rich cultural complexity wherein different social groups had the space to lay claim and contribute to the region's urban landscape. The buildings in Mathura were not only considered to be examples of exemplary architectural and historical structures in India, but their value in community life became intrinsically tied to their religious identity. Buildings in Mathura primarily belonged to the 'living' category, that is, they were in use and of continued importance to the community residents. They also belonged to a rich historical legacy wherein ties to other political authorities rivalling the colonial state could not be refuted. The British takeover of Mathura in 1804 put the region's urban and municipal matters within its purview. What they inherited along with their

[67] Ibid., p.89
[68] This was done in the form of stone etching or plates attached to the entrance of the newly built structure. It included the name of the patron, the year in which the construction was completed and their caste and sect affiliations. In the case of older temples, the name of the patrons was included in the list of donors in books maintained by the priestly custodians. For more details, see Monika Horstmann & Heike Bill, *In Favour of Govind Dev Ji,* New Delhi: Indira Gandhi National Centre for the Arts, 1999
[69] FS Growse, *Mathura- A District Memoir*, p.14

administrative responsibilities was heavy pilgrim traffic, a multiplicity of Hindu sectarian groups asserting their right to practice their religious rituals, and a treasure trove of old antiquities that were being consistently uncovered as a part of its regular public works. The reconciliation of state responsibilities with a religious sensitivity and archaeological commitment became difficult in the light of no dedicated structural support. The Govind Dev temple in Mathura highlights these aspects.

The temple, housing the deity of Govind Dev ji- an offshoot of the Krishna-Radha folklore- was originally built in 1535 by Roop Goswami, a member of the *chaitya* sect. Subsequently, the temple received a significant grant from the Mughal emperor Akbar in 1565 at the encouragement of the Kachhwaha chief Raja Bharmal of Amber. The Kachhwahas, who became the later rulers of Jaipur became a major patron of the temple in light of their close affiliations with the *chaityas* and their co-option of Govind Dev ji as their royal deity. In the subsequent years after Akbar's grant, the Kachhwahas got the entire group of Govind Dev temples situated in Mathura and Rajasthan within their management in 1598/99.[70] This patronage would remain crucial as Mansingh, the Kachhwaha king from 1589 to 1614, built a second temple at the site of the earlier one in Vrindavan from 1576-1590. And it was this very claim to lineage that prompted the provincial government in Mathura to ask the royal house of Jaipur for funds to repair the Govind Dev temple in 1873.[71] The temple was one of the most revered historical structures in the Mathura community and was of continued relevance to the vaishnavite community in the nineteenth century. As a temple commanding immense historical and social prestige, the question of its maintenance could not be overlooked by the provincial government. Moreover, the management of

[70] Monika Horstmann & Heike Bill, *In Favour of Govind Dev Ji,* New Delhi: Indira Gandhi National Centre for the Arts, 1999, pp.1-30

[71] *Restoration of the Temple of Gobind Deva at Brindaban,* Foreign Department, Government of India, March-May 1873, NAI

the region's administration had to take in account other Indian groups to whom the temple was important for religious and cultural reasons. The temple thus was an interesting example wherein the state's priority to preserve and protect historical structures intersected with local contemporary concerns of a different nature. It also brought to light the nature of conflicts that arose between non-expert government officials who had to carry out the maintenance work and the expert scholars who felt the government was doing an inadequate job.

But let us take a closer look at the Govind Dev temple for its historical and architectural relevance. The temple was highly renowned and widely appreciated for its historical architectural craftsmanship by James Fergusson who made a special mention of it in his *Illustrated Handbook of Architecture* (1859). As he was wont to do, his appreciation for its beauty lay in the fact that it could be compared to the Gothic architecture in Europe like the St Front Periguenx in Paris or the Pantheon in Rome. [72] FS Growse, in his seminal text on Mathura from 1882, spoke of the temple's architecture in minute detail, elaborating on its many features and their close semblance to Catholic churches.[73] The contributions of these two gentlemen to the temple is of particular interest. As a part of Lord Northbrooke's directive to bring the preservation of all buildings of historical and architectural importance under the purview of the provincial government in 1873, Growse, as District Magistrate and Collector of Mathura, took a series of measures to implement the directive. It was understood that the temple had been under threat from demolition from Aurangzeb and its prime deity was transported to Jaipur. In his view, from that time onwards,

[72] Fergusson's interpretation of this influence did not imply that European builders had actually directly contributed to the construction of these building. Rather, it was in his inherent belief that all great works of architecture were inspired and influenced by classical European styles. For more details see James Fergusson, *Illustrated Handbook of Architecture,* London: John Murray, 1859, p.116
[73] FS Growse, *Mathura- A District Memoir,* p.242

'not a single step had ever been taken to ensure the preservation from further decay of this most interesting architectural monument'.[74] It was his concern for the building that prompted him to approach the Archaeological Department, the Government of India and subsequently the Raja of Jaipur to sanction funds for its repair. A part of these repairs pertained to the demolition and removal of aspects of the buildings that Growse saw as later additions or Muslim innovations. For instance, he removed a wall running along the dome of the temple that he claimed had been built by Muslims and was 'intrusive'. Similarly, an elaborate *chhatri* that was in near ruins was taken down and re-erected on another platform and a huge fractured masonry pillar was fixed using iron bolts for fixture.[75] Such repairs undertaken under the aegis of the Public Works Department and engineers involved in canal works, were carried out without any seemingly archaeological or architectural guidance.

And that is where all hell broke loose. Fergusson vehemently blasted Growse for his misjudgement and called his "application [of funds]…nearly as disastrous to the buildings being operated upon".[76] He pointed to the absurdity of characterizing the wall near the dome as a Muslim construction and the inaccuracy of the architectural plans that Growse had drawn up in his study of the building. Growse's efforts to arrest the decay and lack of preservation that the building was under, did more to destroy its picturesque beauty than restore it in Fergusson's opinion. The problem was simple. Growse was an administrative officer situated in a religious-culturally vibrant district. His dedication and efforts towards taking care of the various buildings of the city had to be carried out without the sustained support of the archaeological department and with limited funds and technical expertise. Growse stated that before

[74] Ibid. p.245
[75] Ibid. pp.246-247
[76] James Fergusson, *Archaeology in India with Especial Reference to the Works of Babu Rajendralala,* p.103

undertaking the Govind Dev temple repair work, he appealed to the Archaeological Department for help, but to no avail.[77] After appealing to the central government and clamouring for funds, he had to finally settle for the help from Inglis, the engineer in charge of the work on the Agra canal. Faced with a state directive and with responsibility of the administration of an entire district, Growse did the best he could. He replied strongly to Fergusson's assertions by arguing that while he acquiesced to the fact that he was not as experienced in drawing architectural plans as Fergusson, he had a more reliable memory to refer to the same as opposed to the latter's last visit to the Govind Dev temple forty years ago.[78] This argument was rooted in the assertion that Fergusson's extensive travels had not allowed him to stay and study the Govind Dev temple for an appropriate period of time.

Fergusson comprised the other end of the spectrum. Travelling expansively to study different architectural buildings for the better part of late nineteenth-century, he was appalled at the lack of technical expertise and skilled execution required in the preservation of such important historical buildings. For him, ill-executed repair would be tantamount to losing a piece of valuable architectural history that would not be recoverable thereafter. This apparent gap between proper knowledge of preservation practices and its available execution became the crux of the debate between the archaeological departments and provincial government in the late nineteenth century. While issues regarding the ideology and execution of repair work was unfolding in the British arena, custodians of the Govind Dev temple had more pragmatic concerns. Krishnasaran, the custodian of the temple, on the eve of the British acquisition of the region in 1803, entered into a bond with the Jaipur minister that would ensure that the

[77] FS Growse, *Mathura- A District Memoir*, p.245
[78] FS Growse, 'A Reply to Mr. Fergusson's Diaries', *Archaeology in India with Especial Reference to the Works of Babu Rajendralala,* p.1

revenue management would not fall into British hands.[79] The revenue in question was of no small amount- 135 *bighas* of land had been granted to the custodian of the temple by Akbar in 1598/99 and later transferred to the Kachhwaha state. Since custodianship had become a family enterprise from the eighteenth century onwards, retaining control over temple resources became both a personal and community concern for the its custodians. The advent of British control over Mathura may have compelled the prominent temples of the region to submit to revenue control, which they were anxious to avoid.

Other than its buildings, Mathura was also home to a rich store of antiquities that needed to be housed adequately. After the infamous blunders that took place in case of the Amaravati Marbles, a more in-house approach had to be devised for Mathura. Growse was aware of the variety of antiquities and artefacts that were being unearthed as a part of the routine works of the PWD. In the supervision of less-experienced municipal engineers, parts of inscriptions, sculptures and pillars would be used as building material in newer constructions.[80] He was therefore keen that these antiquities be preserved properly and even took the responsibility of keeping them in his official Mathura residence, where they languished for a number of years.[81] The need for a museum was paramount, and efforts towards that cause that begun from 1874, wherein an old government building was converted for the same purpose.[82] The colonial museum has been studied as an important institutional ground for collecting and displaying antiquities. They have been argued to represent the history of India through its most important aspects by the colonial masters, but also

[79] Monika Horstmann & Heike Bill, *In Favour of Govind Dev Ji*, pp.27-28
[80] Alexander Cunningham, *Archaeological Survey of India, Four Reports Made During the Years 1862-1865 Vol 1*, p.235
[81] FS Growse, *Mathura- A District Memoir,* p. 161
[82] Ibid. p.163

the way in which they were showcased to the public. The museum therefore, became a space that controlled the narrative of visual history through arrangement and selective display.[83] But for Growse the case was slightly different. For him, the museum was a necessity as a space for collection, where he could safely house the multitude of antiquities that were in danger of neglect. Fragmented support from the archaeological departments and the absence of a legally binding structure pushed provincial officials to pull strings and cut corners where they could. As was the case with the Govind Dev temple, Growse appealed to the provincial government offices for help in securing funds and personnel to put up the museum. The Lieutenant Governor of the NWP, John Strachey had established a separate Archaeological Public Works Division for the NWP and had also allocated separate funds.[84] This is where Growse turned to and secured a grant-in-aid for Rs. 3500.[85] Since Growse was transferred from Mathura to Bulandshahar in 1878, the setting up of the museum was crucial to ensuring that the historical collection that he had so carefully stored had a chance of permanent survival beyond individual official interest.

Therefore, the issues faced by the Mathura officialdom in the 1870s represent a particular chapter in how the monument preservation project was perceived and carried out in a dominion directly under British control. While framing directives that focussed on monument and archaeological preservation, colonial officials soon realised that these endeavours had to be interspersed with on-ground realities. These realities included how these monuments were seen in the local life of the Indian community and how the right to intervene in these spaces required cooperation from the local custodians of these buildings. Moreover, these administrative engagements

[83] Tapati Guha-Thakurta, *Monuments, Objects, Histories*, pp.43-82
[84] Rajat Ray, 'Principles of Conservation of Architectural Monuments in British India', p.357
[85] FS Growse, *Mathura- A District Memoir,* p.163

further uncovered just how ill-equipped the government was to effectively carry out the preservation work. There was lack of coordination, domain-specific expertise and budgetary constraints that hindered the effective execution of this project. These interactions were led to a realisation that something more concrete and legally binding would have to be put forth to tackle these issues- something that could bind the central and provincial governments in a united vision and executive strategy for monument and antiquarian preservation in India.

Conclusion

The foundations of the preservation of historical monuments and antiquities lay in the British pursuit of India's past. By understanding this elusive past, the British felt that would be in a better position to understand the unknown culture and alien peoples that they were set to govern. While the long-term vision for the preservation of buildings was seen within contributing to the larger store of colonial knowledge production, immediate urgency for the cause was articulated in terms of the iconoclastic and negligent nature of Indians towards their historical monuments. However, a closer study tells us that Indians were involved in every step of this pursuit for monument protection and provided crucial on-ground support through their linguistic and scholarly skills. Their status as locals and insiders helped them gain access to remote manuscripts and negotiate their way into obtaining them. While being trained in the European methods of archaeology and textual analysis, they were able to contribute to the colonial production of knowledge in a manner that event heir colonial masters could not. In this manner, it would be simplistic to argue that a perceived lack of acknowledgement from archaeological circles directly represented the lack of control or inadequate participation of Indians in the preservation project.

The need for preservation therefore, gets envisioned through the discourse on the Indian aesthetic and shifts to the arena of administrative governance from the late eighteenth to the late nineteenth centuries. The preservation of its monuments would not only provide preservation of India's past, but would also create a space within which new disciplines of archaeology and architectural conservation could be integrated within the state apparatus. The main impediment in the execution of such a task was the nature of individual pursuit within which this project was shaping up. Archaeological pursuits needed to be shifted to full-time employment with dedicated government support. The setting up of museums, the ASI in 1864 and the integration of the Public Works Departments into repair work and maintenance of monuments were important steps toward this measure. However, understanding how to preserve these buildings went beyond considerations of a mere historical and architectural nature. Characterizing Indian buildings on the basis of the religious affiliation of its users enabled the colonial state to demarcate their histories for the purposes of their documentation. It also had the added difficulty of designing implementable preservation measures keeping in line with religious sensitivity. The district of Mathura highlighted the intrinsic integration of religious architecture into the life of the community. It also brought to light the incongruences between the leading architectural experts of the time and administrative authority regarding the best ways to take care of historically rich buildings and antiquities. The disjuncture between trained personnel and the government's ability to undertake crucial preservation measures became glaring by the end of the nineteenth century. Such a gap could only be fulfilled through a legally binding provision that would bring together different agents of the government, archaeological experts and the Indian owners of these buildings. The coming in of the Viceroy Lord Curzon, known for his sensitivity

towards the preservation of historical buildings, laid the foundation for the Ancient Monuments Preservation Act in 1904.

Chapter 2

Legislating Preservation: The Ancient Monuments Preservation Act of 1904

"...almost every nation with any pretensions to civilization has recently taken measures to conserve its ancient buildings and to protect from dissipation, loss or injury the archaeological material contained within its territories.... Yet India alone, or almost alone, among civilized countries, has made no legislative provision for the protection of her priceless treasures."[1]

- Denzil Ibbetson

Denzil Ibbetson was member of the Viceroy's Council who moved to introduce the 'Bill for the Preservation of Ancient Monuments and Objects of Historical or Artistic Interest' in 1901. Ibbetson had a distinguished career with the Indian government by this time, serving as Director of Public Instruction and Financial Commissioner in Punjab, Secretary of the Revenue and Agriculture Department and Chief Commissioner of the Central Provinces previously. He was also an accomplished ethnographer, having authored the famous *Panjab Castes* in 1883, as the controversial report accompanying the Punjab Census Report of 1881. His introducing a bill of this cultural significance is worth noting. As an ethnographer, he had a deep grasp on how Indian society functions and how it was divided. His views on the Indian caste system and the segregation of occupation were well known and were strongly contested.[2] In contrast to fellow ethnographer HH Risley, who argued that Indian castes were based

[1] Appendix A106, *Extract from the Proceedings of the Council of the Governor General of India*, Proceedings June 1904, Department of Revenue & Agriculture, Archaeology & Epigraphy Branch B, No.18, National Archives of India (henceforth R&A, Ar&E, B, June 1904, No.18).
[2] Denzil Ibbetson, *Panjab Castes.* Lahore: Superintendent Government Printing Punjab, 1916, pp.iii-viii

on and could be identified on the basis of their racial features, Ibbetson had a different take.[3] He argued that the caste-based identification of Indian society based on Brahmins, Kshatriyas, Vaishyas and Shudras was outdated and did not reflect an actual hierarchical system based on occupation. Brahmins, contrary to government perception were also susceptible to being outcastes as were Shudras. Place and position in society were determinants of social hierarchy in contrast to a perceived caste structure. Ibbetson in essence, represented a new breed of government officers who viewed Indian society differently from its predecessors- one that was based on daily community life as opposed to racial hierarchy. The official preservation project in India was shaped by two drives: to formulate laws that which would guide Indians towards a proper appreciation of their architectural and historical heritage, and to place India on the global map as a component of empire which undertook to cherish its antiquities as much as in Greece, Italy and Britain. The Government of India had decided to draft legislation for the preservation of Indian monuments and archaeological remains by the late 1800s.

The government had set up the Archaeological Survey of India (ASI) in 1864 and assembled experts from archaeological and textual scholarly fields to undertake preservation and repair work of existing monuments. It was an exercise which rested on the integration of this branch of administration with other departments of government, in part with the Public Works Department (PWD) which undertook all major repair works with the guidance of ASI officials.[4] In 1873, Lord Northbrook made provincial governments responsible for the upkeep and maintenance of buildings of architectural or historical importance to the country. The government had

[3] Herbert Hope Risley, *The People of India*, Calcutta: Thacker, Spink & Co., 1908, pp.4-6

[4] Sir John Strachey, Lieutenant Governor of the North Western Provinces (NWP) strengthened the commitment of the government in this direction by setting up a separate Archaeological Public Works Division for the NWP and allocating funds for the same.

also steadily dedicated financial resources to the project, despite of the presence of fiscal crunches in the late nineteenth century. As against the ASI's allotted annual budget of 96,100 rupees in 1888, the Curzon government increased central and provincial budgets to 4,68,000 rupees in 1900.[5] But what was becoming apparent was that in the absence of any dedicated legislation the project of preservation was at the mercy of individual officers. Moreover, as Ibbetson indicated in his speech to the Legislative Council, it made India seem to lag behind other countries taking steps to formulate legislation to preserve their historical heritage through legislation.

Historical monuments did not just have to be preserved but also be given an officially 'protected' status.[6] At the same time, the government also set out on a pedagogical project to re-orient the Indian perspective on historical buildings. The relationship of Indians to their historical monuments was said to be bound up with their religious and communitarian loyalties. These loyalties were held to be incompatible with the civic and secular ideals of preserving a monument for its historical and artistic value. Indians were charged with negligence towards and wanton destruction of their monumental heritage. To change this orientation, the Indian publics had to be brought to realise the importance of their buildings beyond the ambit of religion and community alone. Since most Indian monuments had some form of Indian ownership, it was this link which provided the means to alter their usage. This was done by setting out their responsibilities in the sphere of maintenance, repair and upkeep. The state appropriated to itself the authority to oversee the preservation project and meting out punishment in case of negligence of duty and creating a new space for public

[5] Appendix A106, *Extract from the Proceedings of the Council of the Governor General of India,* R&A, Ar&E, B, June 1904, No.18, p.3, and Nayanjot Lahiri, *Marshalling the Past*, Permanent Black, Ranikhet, 2012, p.304

[6] RG Hardy, *Opinions of Local Governments and Administrations on the draft Bill*, R&A, Ar&E, B, June 1904, No.18, p.4

education. The structure put in place was one designed to control the controller, or as Nayanjot Lahiri puts it, 'to superintend his superintendence and control his control'.[7]

This chapter engages with the debates and discussions leading involved in the drafting of the 'Bill for the Preservation of Ancient Monuments and Objects of Historical or Artistic Interest' in 1901. It looks at how successive drafts were shaped, till the bill was finally passed as the Ancient Monuments Preservation Act (Act VII of 1904) on 18 March 1904. What were the problems the colonial state confronted in defining buildings by their historical and artistic value, and in reshaping the relation between these buildings, their owners and the government? What were the aspects that influenced the government to formulate the Act in a certain way? The 1904 Act shaped the interventions of state in the upkeep and use of these buildings for decades to come by bringing into its ambit buildings that could not be easily defined as 'property' in terms of their economic value. This chapter explores the conflicts which emerged when the 'protection' of a building was based on its historical and artistic merits, but its valuation was still determined through economic parameters. It goes on to look at how the state's interventions were restricted in scope in the sphere of religious historical buildings. The examples of these buildings demonstrate how Indian owners and custodians manipulated these legal restrictions to exercise their rights and demonstrated a legal awareness of the changes that were being introduced by the government.

[7] Quoted from Nayanjot Lahiri, *Marshalling the Past*, p.385

Financing Preservation: Sorting out Priorities

George Nathaniel Curzon's tenure as the Viceroy of India (1899-1905) was significant for many controversial decisions but it is also remembered for the legislation he put in place for the preservation of Indian monuments and antiquities. He shifted the focus government intervention from archaeological surveys and excavations to conservation and allotted budgets for them. But this was not easy as the government faced a financial crunch all through the 1870s and 80s. Viceroy Lord Lansdowne (1888-1894) had expressed his desire to reduce the expenditures of the ASI to a 'permanent minimum'.[8] The military expenditures of the Third Anglo-Burmese War of 1885 had made the government highly reluctant to undertake state-funded archaeology projects. Additionally, the ASI had not been doing too well in undertaking surveying work in a systematic manner and publishing its findings in consolidated reports. As a result, there was an accumulation of a lot of unpublished work and the government was finding it hard to justify the drain on resources that the project commanded. Lansdowne's successor Lord Elgin (1894-1899) took forward the plan to slash government expenditure as far as he could, and the sanctioned budget for archaeological activities was one of his prime targets. He had slashed the annual budget of the ASI to a mere 61,119 rupees by 1895, by bringing it down from the 96,100 rupees allotted to the department in 1888 under Lansdowne.[9] He also allowed crucial archaeological posts to lapse after tenures ran to a close, and this included the office of the director general.[10]

[8] Nayanjot Lahiri, *Marshalling the Past*, p. 306
[9] Ibid. p. 304
[10] In the 1880s, the post of surveyor of the North Western Provinces was allowed to lapse after Major Keith's retirement. Moreover, the office of the Curator of Ancient Monuments was not revived after HH Cole appointment lapsed in 1884. For further information, look at Nayanjot Lahiri, *Marshalling the Past.*

While Lansdowne's had curtailed expenditures on account of the military and fiscal strains of the Burma War, Elgin on the other hand did so out of his conviction that archaeological work in India did not require state support. In 1895, he appealed to the Asiatic Society of Bengal to take over the ASI's work on the grounds that it was already engaged in scholarly textual translations and the collection and preservation of antiquities. The Society refused, expressing its firm belief that archaeological activity in India should be kept under the state's guardianship. The removal of that shelter would mean that archaeological sites and historical memorials would be "mutilated, destroyed, or abstracted from the country" by private parties.[11] Similar sentiments were expressed by influential bodies like the Royal Asiatic Society of London and individuals like G. Buhler, renowned scholar of ancient Indian languages and law.[12] By 1898, Elgin had to reluctantly admit that the government had a responsibility to oversee archaeological activity in India.

The state of archaeology in India revived only after Curzon took office in 1899. He increased the budgetary allocations for conservation and the renovation of historical monuments, personally sanctioning the grants made for the work on the Taj Mahal and the structures at Fatehpur Sikri. By 1904, some 5,80,000-7,25,000 rupees had been spent for the work at Agra.[13] He also took a personal interest in the work of the ASI, increasing its annual budget to 88,450 rupees in 1899 and reviving the post of Director General.[14] John Hubert Marshall, the young Cambridge scholar appointed to the post in 1902 took on the task of implementing Curzon's plans. Most importantly,

[11] Ibid. p.307
[12] Nayanjot Lahiri, *Finding Forgotten Cities,* Permanent Black, Ranikhet, 2005, pp.38-41
[13] The amount cited by Curzon was between 40,000 and 50,000 pounds that was spent on the Agra works. The pound sterling- Indian rupee exchange rate as per 1904 is taken as 1 GBP= 14.50 Indian rupees. Appendix A129, *Extract from the Proceedings of the Council of the Governor General of India*, R&A, Ar&E, B, June 1904, No.18, p.4
[14] Nayanjot Lahiri, *Marshalling the Past*, p.311

Curzon wanted to ensure a continuation of policy with regard to the preservation of monuments instead of leaving their fate to the successive governments.

'Protecting' Monuments: Viceroy Curzon and Orienting his Government

The government demonstrated its desire to take special recognition of its responsibility to undertake preservation by bringing Indian monuments and antiquities under a 'protected' status. The terms 'preservation' and 'protection' were thus, often juxtaposed with each other during discussions on the draft bill. Preservation in India, therefore, did not only involve repair work and maintenance against the ravages of time and a tropical climate, but systematic measures to safeguard the building from Indian and official vandalism, the latter often inspired by ambitious public work schemes and enthusiastic archaeological explorers. By the terms of the 1904 Act, any historical building drawn into the fold of preservation would be officially called a 'protected monument' and state would be its official guardian.[15] Nobody took this guardianship more seriously than Viceroy Curzon.

An ardent advocate for preserving the rich cultural architectural heritage of the country, Curzon drew attention to the vandalism committed by British officers in the course of previous archaeological excavations with antiquities removed from their place of discovery and carted off to museums and exhibitions outside India.[16] Curzon urged instead of excavation practices that kept antiquities at their site of discovery or

[15] Section (3) subsection (1) of the Act states- 'The Local Government may, by notification in the local official Gazette, declare an ancient monument to be a protected monument within the meaning of this Act.', *Ancient Monuments Preservation Act (Act VII of 1904)*, R&A, Ar&E, B, June 1904, No.18, p.4
[16] George Nathaniel Curzon, 'Speech to the Asiatic Society dated 1st February 1899', in *Speeches of Lord Curzon of Kedleston*, Thacker, Spink and Co., Calcutta, 1901, p.70

relocated them to an Indian museum such as those in Calcutta or Bombay.[17] He argued that if the British officer and the British archaeologist were not examples of conduct, how could they hope to teach their less-'enlightened' Indian subordinates to treat the past with the reverence it deserved?

In his famous speech to the Asiatic Society in 1900, Curzon recalled with some horror how during the regime of Lord William, there was a proposal to leave the gardens in Akbar's tomb in Sikandra to the Executive Engineers at Agra for cultivation![18] Curzon prefaced this example with the argument that each successive dynasty or ruling authority asserted their right to rule by razing the architectural symbols of their predecessors. He lamented on the profanity of such acts, wherein valuable pieces of history were lost forever. He criticised rulers like Ranjit Singh for 'ostentatiously rifling' tombs and Muhammadan structures for items incorporated in the Golden Temple at Amritsar and Aurangzeb for tearing down the Vishweshwar Temple to use it as building material for his mosque in Varanasi.[19]

By arguing that the colonial government too went astray in previous years, Curzon was contrasting his tenure as Viceroy in a positive light over that of all his predecessors. He thus, wove together a narrative that not only underlined the narrow communitarian lens through which Indians viewed their historical monuments, but also clubbed the actions of his predecessors with them. The Curzon era would therefore herald a more 'enlightened' attitude, one in which the government had assumed its proper role as the protector of Indian heritage.

[17] Nayanjot Lahiri, *Marshalling the Past,* p.335
[18] Curzon, 'On Ancient Buildings in India', in eds. HK Beauchamp and CS Raghunatha Rao, *Notable Speeches of Lord Curzon,* Arya Press, Madras, 1905, p.221
[19] Ibid., p.218

Preservation vs. Restoration: John Marshall and the Society for the Protection of Ancient Buildings

Curzon's stance on the upkeep of Indian monuments was more in line with modern sensibilities of restoring monuments for the purposes of retaining their architectural form. Addressing the legislative council on a discussion of the preservation bill, Curzon asserted that 'the new work in restoration must not only be a reproduction of the old work but part of it, only reintroduced in order to repair or restore symmetry to the old'.[20] His stance on the best methods for undertaking preservation work came under fire from the certain influential private societies in Britain that were beginning to criticise existing practices of monument conservation across Ireland, Scotland and India.

In Britain, by late nineteenth century, a variety of public bodies had emerged with an interest in the preservation of historical buildings. Among them was the Society for the Preservation of Ancient Buildings (SPAB) founded by architect and artist William Morris in 1877. The society was sharply critical of the haphazard renovation of historical buildings using a Gothic-architectural template. Buildings were being restored in what was accepted as an aesthetically pleasing manner, instead of adhering to the original architectural style. The SPAB thus, insisted that minimal interference would ensure fidelity to the original design. This would be achieved, in their view, by adhering to 'preservation' practices over 'restoration'.[21]

[20] Appendix A129, *Extract from the Proceedings of the Council of the Governor General of India*, R&A, Ar&E, B, June 1904, No.18, p.4

[21] In this period of time, preservation implied practices that attempted to retain the originality in design and the structural integrity of a building by preserving it from further decay and ruin. Restoration on the other hand implied the demolition of the original structure or its crumbling portions in the attempt to replace it with new structures that mirror the old in terms of design. In the nineteenth century, restoration took on a more severe alteration connotation wherein not only were crumbling structures

The SPAB's outlook made them especially critical of the preservation measures being taken for Indian monuments. Reviewing the annual report of the ASI for 1902-03, the SPAB pointed to the lack of any manual to guide conservation work in India and the inconsistency with which preservation work was being carried out. It argued that the ASI, under John Marshall, and by extension the Government of India was doing irreparable harm to the country's architectural heritage. Marshall countered this criticism with a strong defence of his actions, by which, as Indra Sengupta argues, he was able to put a crack in the SPAB's universalizing notions of conservation.[22] He pointed out that Indian historical buildings were vastly different from those in Britain and their care and repair had to take into account multiple considerations, like the ravages of a tropical climate. He went on to argue that these buildings had to be carefully differentiated on the basis of what value they held for the various religious sects and communities of a region. Based on this, Indian buildings had to be categorised as 'living' or 'dead'. Living buildings were those of a religious nature which were still in active use. Dead buildings were those which had been abandoned, were in ruins or were no longer used for the purpose they were built for. This, preservation work had to be sensitive to these specific contexts. Marshall also pointed out that judicious restoration in India would also serve the purpose of educating Indians to value their own architectural heritage:

> These imperial buildings of the Mughals are valuable to India not merely as antiquarian relics. They are an important asset in the education of the people, and judicious restoration has greatly increased their value in this respect. They are,

demolished, but they were rebuilt in a Gothic style, disregarding the architectural style of the building as it stood at the time of repair. For further details, look at Andrea Donovan, *William Morris and the Society for the Protection of Ancient Buildings,* Routledge, New York, 2008.

[22] Indra Sengupta, 'A Conservation Code for the Colony: John Marshall's Conservation Manual and Monument Preservation Between India and Europe', in eds. M. Falser and Monica Juneja, *Archaeologizing Heritage? – Transcultural Entanglements,* Springer, Heidelberg, 2013, p.32

> moreover, a national heritage, which the Indian people have a right to expect will be preserved to posterity as something more than mere interesting ruins.[23]

However, SPAB's ideologies on preservation did leave a lasting impact on monument preservation practices in India. Despite his critique of the Society, Marshall did agree that a comprehensive manual for the preservation of historical buildings in India was required. He authored the first of these in 1906, titled *Conservation of Ancient Monuments: General Principles for the Guidance of Those Entrusted with the Custody of Execution of Repairs to Ancient Monuments.* The manual upheld the principle of preservation over restoration, and conceded that in arresting the ravages of time, care had to be taken to not compromise the historicity of the building. He followed this up with another *Conservation Manual* in 1923, which placed crucial emphasis on abstaining from interfering in the workings of buildings assigned for religious purposes as far as possible.[24] It also advocated for pragmatic light-repair maintenance work in cases where no other recourse was possible.[25] Despite SPAB's apprehensions, as Curzon wished to model Indian monuments as the apex of visual beauty in the Indian empire, pragmatic restorative practices were incorporated. What was of paramount importance to the Curzon government was that these monuments should not be left unattended, and their visual upkeep could only be strengthened through government intervention.

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[23] Curzon, quoted from ibid., p.30

[24] The manual made the differentiation between 'living' and 'dead' monuments. This manual represented a slight shift from the stringent no-restoration policy of the 1906 manual. For more look at John Hubert Marshall, 'Preservation the First Essential', *Conservation Manual: A handbook for the use of Archaeological Officers and others entrusted with the care of ancient monuments*, Superintendent Government Printing, Calcutta, 1923, p.11

[25] Ibid. p.9

What was the 1904 Act?

The lack of integration or initiative between the central and provincial governments and the structural incapacity of different departments to handle conservation work had crippled the pace of preservation in India. In his landmark address to the Legislative Council on 4th March 1904, Curzon chided the government for neglecting the conservation of past relics in their pursuit of studying their history.[26] He dwelt on the unequal distribution of preservation work between the central and provincial governments. The provincial governments were expected to shoulder most of the burden without the allocation of adequate funds or trained personnel. Nor did they have any guidelines or standards for the execution of the project, the outcome being left to the interest and motivation of individual officers. A central enactment would therefore commit government to 'continuous action' and hold officers and departments accountable for their interventions. The main focus of the Act therefore, was to bring monuments and antiquities under the protection of the central government and to guide local governments to work under its aegis.

The Bill for the Preservation of Ancient Monuments and Objects of Historical or Artistic Interest was circulated to local governments in 1901 and the final version of the bill emerged in 1903, the Act was passed by the Legislative Council on 18 March 1904. What were the salient features of this Act? The Statement of Objects and Reasons for the Act declared that its objective was:

> …to preserve to India its ancient monuments, to control the traffic in antiquities, and

[26] Appendix 128, *Extract from the Proceedings of the Council of the Governor General of India*, R&A, Ar&E, B, June 1904, No.18, p.2-3

to prevent the excavation by ignorant or unauthorised persons of sites of historic interest and value.[27]

It aimed to provide the mechanism not only for the protection of historical monuments but also for curbing the illegal sale of antiquities, protection of sculpture, carvings, bas reliefs, etc., on historical buildings and to prioritise preservation of monument over archaeological excavations. With respect to monuments, the intention of the Act was to enable the government to arrest privately owned those historical buildings that were 'injured or fast falling into decay'.[28]

The instrument to enforce the provisions of the Act was the 'agreement' which had to be signed between the recognised 'owner' of the monument and a representative of the central government, in most cases, the Collector. The agreement laid out the responsibilities of the owner in this regard:

(a) 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 to destroy, remove, alter, or deface the monument;
(d) the facilities of access to be permitted to the public or to any portion of the public and to persons deputed by the owner or the collector to inspect or maintain the monument;
(e) the notice to be given to the Government in case the land on which the monument is situated is offered for sale by the owner, and the right to be

[27] Appendix 105, *Statement of Objects and Reasons,* Ibid., p.1
[28] Ibid., p.1

reserved to the Government to purchase such land, or any specified portion of such land, at its market-value;

(f) the payment of any expensed incurred by the owner or by the Government in connection with the preservation 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 preservation of the monument;

(h) any matter connected with the preservation of the monument which is a proper subject of agreement between the owner and the Government. [29]

To include a monument within the Act was to render it to be a 'protected monument' directly under the guardianship of the central government. This process involved a series of steps. The local government was to identify the monument that it wished to bring under the Act. The District Collector, on behalf of the Secretary of State for India would sign an agreement with the Indian owner.[30] This would be followed by a notification in all major Indian gazettes and a notice near the monument to make the public aware of the new status of the building.

The fact that the Collector signed as representative of the Secretary of State for India signalled the presence of the central government. As its agent, the Collector had to ensure that the provisions of the agreement were being met. However, the formal guardianship of the monument was undertaken by the Chief Commissioner of the division on behalf of the local government. He was the representative of the local government, and the figure whom the Indian owner could approach if he had any

[29] Section (5), subsection (2), *Ancient Monuments Preservation Act 1904 (Act VII of 1904)*
[30] Section (5), subsection (3), ibid.

grievances against the Collector.[31] The authority to include or exclude a building from the provisional list of protected monuments lay with the provincial government. The supervisory role of the central government ensured that in theory, the chain of accountability rose up to the level of the Secretary of State for India.

The Monument as Property

Indra Sengupta argues that the 1904 Act enabled the colonial state to convert mere buildings into 'monuments'.[32] In theory, these buildings were endowed now with a value arising from their historical and aesthetic properties in the frame of religion and community affiliation. Also, to establish a legal relationship between the government and the Indian owner, the Act also characterised these structures as 'property'. They had borrowed this principle from the English Ancient Monuments Protection Act of 1882. The 1882 Act was the first British statute which provided for the protection of sixty-eight pre-historic sites in England, Wales, Scotland and Ireland, and was the model for the 1904 enactment in India.[33] The British Act provided for the official guardianship of selected historical sites from its owners through the office of the 'Commissioner of Works', the counterpart to the Commissioner in the Indian Act.[34]

Like the Indian Act, the owner was emphasised as the critical link between the government and the monument in its British counterpart. The government could not bypass the owner of a monument to undertake its preservation. The 1882 Act set the

[31] Section (7), subsection (3), ibid.
[32] Indra Sengupta, 'Sacred Space and the Making of Monuments in colonial Orissa in the Early Twentieth Century', in ed. H.R. Ray, *Archaeology and Text: The Temple in South Asia,* OUP, New Delhi, 2009, pp.168-169
[33] The Schedule, *Ancient Monuments Protection Act, 1882*, https://www.legislation.gov.uk/ukpga/Vict/45-46/73/enacted, pp.7-9
[34] Commissioner of Works would comprise of the offices of Commissioner of Works and Public Buildings in Britain and Commissioner of Public Works in Ireland. Section (8), ibid., p.3

parameters by which ownership was established:[35]

1) A person in possession or receipt of the rents and profits of any freehold or copyhold land'
2) A person entitled to a lease of land on which the ancient monument is situated, the lease being not more than forty-five years old;
3) A person who might inherit or come in legal possession of land on which the ancient monument is situated through inheritance or settlement in the future;
4) Representatives of charities, ecclesiastical and collegiate trusts or other public purposes that were in possession of freehold or copyhold land on which the ancient monument was situated or held the lease for such land for a minimum of sixty years.

Recognising the owner of a monument hence helped characterise it as 'property' and thus helped the state position itself in a manner that minimised its financial investment in the project. However, it put the government in a position where to check an owner from exercising an absolute right to changes, demolish or add to his property. Laws oriented towards heritage preservation thus created spaces for state intervention without the burden of ownership. As Christopher Chippindale argues for the British Ancient Monuments Protection Act of 1882, such a law:

> …[rolled] back the landowner's absolute right to treat his property, and any historical relics that may lie on or under it, as he wishes, and towards the building of that apparatus of planning and control that now constrains him.[36]

[35] Section (9), ibid., p.4
[36] Christopher Chippindale, 'The Making of the First Ancient Monuments Act, 1882, and its

The 1904 Indian Act was moulded to the Indian context. The state recognised that Indian monuments were owned not only by individuals but also held in joint possession of villages and collective ownership.[37] In some cases, owners of the monument did not own the land on which it stood. The government also had to account for cases where the legal owner of the monument was incapacitated and had another representative taking decisions on his behalf.[38] The provisions of the two Acts reflected the civic consciousness of British and Indian owners toward their monuments. British owners did not require an agreement to be signed by the owner and the Commissioner. The 1882 Act protected British monuments by bringing them under the guardianship of the imperial state, but the duties of the British owner did not include the maintenance of the monument. The onus of preserving the monument lay primarily with the Commissioner of Works as the representative of the government, who could deploy government funds as deemed necessary for its upkeep- including 'fencing, repairing, cleansing, covering in' or employing any measure that would save the building from decay and injury.[39] The owner would be punished only in the case of injury or defacement of the structure, with a fine of a maximum five pounds in addition to repair expenses and imprisonment for a maximum of one month.[40] In India, the state's concentrated efforts to inculcate a sense of public ownership for Indian monuments required them to make Indian owners accountable for their actions. The agreement signed by both parties became the instrument through which they aimed to nurture this accountability. The Indian

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Administration Under General Pitt-Rivers', *Journal of the British Archaeological Association*, Vol. 136, No.1, 2013, pp. 1-55

[37] Section (4), *Ancient Monuments Preservation Act (Act VII of 1904)*

[38] Section (6), ibid.

[39] Section (2), ibid., p.1

[40] Section (6), *Ancient Monuments Protection Act, 1882*

owner was not only made responsible for the repair, maintenance and protection of the monument, but he was held liable for preventing injury, defacement and to undertake measures to preserve the monument taking the aid of government experts.

But overall, like the British Act, the 1904 Indian Act impacted the owner's absolute right to his property by directing what he could and could not do with it. It did so by restricting his ability to make changes to the monument or remove any sculpture or portion of the monument.[41] In the Indian case, it enabled the government to intervene in conservation matters in a degree greater than Britain, wherein the latter was restricted by a variety of stringent caveats on building management.[42] It also gave the officials of the local governments and archaeological experts the right to access the monument for inspection and to throw it open for public access. In essence, it alienated the right of the owner to do what they saw fit with their property- to alter it or manage it as they saw fit.

The government was thus highly reluctant to take over any monument as its primary owner. It would only do so in cases where the ownership of the monument could not be determined, or where the monument was in an endangered situation, or where there was a severe breach of the agreement.[43] In this scenario, the local government used the provision of 'public purpose' within the Land Acquisition Act of 1894 to make the purchase.[44] The owner could also express his intention to sell the property

[41] Section (5) subsection (2)c, Section (7) subsection (1) and Section (18), *Ancient Monuments Preservation Act (Act VII of 1904)*
[42] Deborah Sutton, 'Devotion, Antiquity and Colonial Custody of the Hindu Temple in British India', p.137
[43] Section (4) subsection (6) and Section (7), ibid.
[44] Section (10) subsection (1), ibid. 'Public purpose' within the Land Acquisition Act of 1894 was defined in many respects. For the purposes of monument acquisition, the government was empowered to do so through the following clause in the 1894 Act- 'the provision of land for planned development of land from public funds in pursuance of any scheme or policy of Government and subsequent disposal thereof in whole or in part by lease, assignment, or outright sale with the object of securing further development as planned', Section 3 subsection (f)(iii), Land Acquisition Act (Act I of 1894),

by giving a six-month notice to the Collector.[45] The government would reserve the first right to purchase the monument and would pay the owner the full price for it based on its prevailing 'market-value'.[46] This implied that the purchasing amount was determined through the price that the monument would fetch in case of a regular property purchase. This created a point of conflict as the economic and not the historical and aesthetic value of the monument decided its 'market-value'. The problem was, many monuments, especially those in a state of ruin, had no built-value, they could not possibly offer any economic return. During the drafting stages of the bill, there was an intense debate on this issue. Curzon was sceptical of acquiring a monument using the criteria of market-value. How would one go about making such an assessment?[47] The Commissioner of the Dacca Division, H. Savage expressed his concerns on the same:

> What is meant by 'market-value'? Is it the price put on the monument by the owner? Or the price which any millionaire who may admire that particular monument is prepared to pay? ...what are the data on which the assessment is to be made?[48]

Savage argued that since the term 'market-value' itself was not clear, determining the price to be paid to the owner on these grounds would be unfair to the owner. Prodyot

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http://www.prsindia.org/uploads/media/Land%20Acquisition/bill167_20080311167_The_Land_Acquisition_Act__1894.pdf

[45] Section (5) subsection (5), *Ancient Monuments Preservation Act (Act VII of 1904)*

[46] It would be assessed through two assessors- on behalf of the government and the other representing the owner. Section (10) subsection (1), ibid.

[47] Picking up the example of the Stonehenge, Curzon pointed out that in terms of its built-value, the structure offered no economic return. Its value was determined by its historical irreplaceability and how it contributed to the cultural heritage of England. Evaluating Indian historical monuments in a similar fashion would rob Indian owners of the true value of the building and would leave them with nothing even if they owned the world's most valuable historical ruins. Curzon, 'Opinions of Local Governments and Administrations on the draft Bill dated 5th November, 1901', R&A, Ar&E, B, June 1904, No.18, p.7

[48] H Savage, Commissioner of the Dacca Division to the Under Secretary to Government of Bengal, Judicial Department, dated 23rd November 1903, Appendix A113, ibid., p.2

Coomar Tagore, Honorary Secretary to the British Indian Association too suggested the need for some mechanism within the Act to decide on 'cases where the artistic merits of a monument constitute its principal value'.[49] As the Association was comprised of zamindari interests, the management and ownership of land and property would have been of primary interest to them. A rationale for this was provided by Denzil Ibbetson, member of the Legislative Council and a prominent participant in the discussion of the bill:

> Government's object in purchasing the monument is to preserve, at its own expense, a historical or archaeological monument with all its associations, for the benefit of the public who will have free access to it; and I do not think that Government should pay for the value of those associations.[50]

Ibbetson was thus arguing that the preservation project had been undertaken for the larger public good. It could not, therefore, burden itself with a moral stance on the rights of property of owners that would lead to financial losses. The provision for acquisition of a monument through 'market-value' was retained in the final draft of the bill. However, a concession was made- the purchase would be made based on the evaluation of the market-value of the land on which the monument stood and not the building itself.[51] In this manner, as Deborah Sutton argues, the Act drastically enlarged the colonial state's bureaucratic claim over structures it actively defined as monuments.[52]

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[49] Prodyot Coomar Tagore, Honorary Secretary of the British India Association to the Under Secretary to Government of Bengal, Judicial Department, dated 7th December 1903, Appendix A113, ibid., p.5
[50] Denzil Ibbetson, 'Opinions of Local Governments and Administrations on the draft Bill', ibid., p.7
[51] Section (5) subsection (e), *Ancient Monuments Preservation Act (Act VII of 1904)*
[52] Deborah Sutton, 'Devotion, Antiquity and Colonial Custody of the Hindu Temple in British India', *Modern Asian Studies*, Vol. 47, No.1, January 2013, p.135

Curzon's apprehensions highlighted a critical contradiction in the state's stance. On the one hand, the value of a monument that the state wished to protect was evaluated on its historical and artistic merits. Till the time the monument was under an Indian owner who had signed an agreement with the government, these merits were the basis on which he was bound to the upkeep of the monument. But at the time of its acquisition or sale, the parameters of evaluating the monument changed, at the cost of any economic benefit to the Indian owner. The implication of such a provision would have severe consequences for him in case he wished to sell his property. He would not be able to command the terms on which the historical value of the monument was converted in monetary value. It would also enable the government to potentially acquire vast tracts of property at rates much lower to the its cultural value. In essence, while the colonial state championed an owner's right to property, it also created spaces wherein it could actively intervene and redefine that right.

Despite these debates, the Act was successfully enacted and adopted in different parts of the country. Nawab Saiyid Muhammad, member of the Madras Legislative Council and non-official member of the legislative council commended the government on creating a favourable legislation:

> The various provisions of this Bill…without any unnecessary encroachment upon private or individual rights seek to preserve from ignorant, careless or wanton destruction ancient buildings and monuments of historic and antiquarian value which may not be known to people living in the neighbourhood or in actual possession of the same.[53]

[53] Nawab Saiyid Muhammad Bahadur, 'Extract from the Proceedings of the Council of the Governor General of India', Appendix 128, ibid., p.1

What made the state undertake the necessary 'encroachment upon private or individual rights' that the Nawab spoke of? How did they envision the Act as a part of the larger national design? The colonial government was aware of the national policies around monument preservation that were being enacted around the world. They were influenced by countries like Greece and Italy, which had a large number of ancient antiquities that required protection by the state. The protection of monuments and antiquities had become a marker of 'civilisation' in European countries and the colonial state wanted India to be recognised within similar standards. The laws in these countries supported the idea that archaeological antiquities should remain within the boundaries of a nation. Protecting them and monuments was the responsibility of the government and by that virtue, the government had a claim on them. Thus, the right to intervene in the rights of private property was justified on the basis of building a 'national identity'. This identity comprised of the historical markers representing the cultural heritage of a 'nation'. As Denzil Ibbetson argued:

> The laws are in all cases based upon the recognition of the principle that the nation possesses an interest in such objects, even although they may be the property of private persons… and if an ancient building is in danger owing to the neglect of the owner, the Government will step in and repair it, in which case the building becomes the property of the public.[54]

The notification of the new law was published in various Gazettes of the government in English as well as other important vernacular languages.[55] As the subsequent

[54] Denzil Ibbetson, Appendix A106, 'Extract from the Proceedings of the Council of the Governor General', R&A, Ar&E, B, June 1904, No.18, p.1

[55] The published Gazettes are as follows- the Gazette of India, Fort Saint George Gazette, Bombay Government Gazette, the Calcutta Gazette, the United Provinces Government Gazette, the Punjab Government Gazette, the Burma Gazette, the Central Provinces Gazette, the Assam Gazette, and the

chapter will explore, directives for preservation of monuments had spread across the country, many Princely States started compiling data on the historical buildings and antiquities of repute in their provinces from as early as 1901. The darbars at Pudukkottai, Travancore, Banganapalle and Sandur of the Madras Provinces had been reporting to their respective Political Agents about the lists and departments that they had established in lieu of preserving antiquities under their care.[56] Curzon lauded the 'cordial support' that he had received from the Hyderabad, Udaipur, Gwalior, Bhopal and Dhar darbars and their willingness to take measures to catalogue and conserve these in their states.[57] They compile lists of the monuments and antiquities to be brought under state protection and preserve those that were historical but did not fall under the criteria of the Act. They had to keep regular communication with the central and provincial governments regarding the care of their monuments, irrespective of their inclusion in the Act. Furthermore, they had to allow officers of the ASI as well as other state departments to conduct regular inspections, surveys and give recommendations for repair. These 'suggestions' were expected to be complied with, or answer to the centre otherwise. In this respect, no Indian that could be identified as an 'owner' of a monument, whether of royal blood or not, was not excluded from the interference of the state in dictating the management of their own buildings.

In this manner, the government was making its claim over monuments by arguing that this project had been undertaken to help the public recognise its claim over its

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Coorg District Gazette; in the vernacular languages of Tamil, Telugu, Hindustani, Kanarese, Malayalam, Marathi, Gujarathi, Bengali, Hindi, Oriya, Urdu, Burmese and Sindhi. Appendix A126, 'Papers Relative to the Bill to provide for the preservation of Ancient Monuments', R&A, Ar&E, B, June 1904, No.18, p.2

[56] 'Archaeology in Native States', *Proceedings of the Political Department,* dated 1st April 1902, Government of Madras, File no. G.O.,&., Nos. 175-176, NAI, New Delhi.

[57] Curzon, *Extract from the Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 & 25 Vict., Cap. 67, and 55 & 56 Vict., Cap. 14),* p.5

historical heritage. This cause justified the intervention in the rights of an individual Indian owner for the larger good of the 'nation'. Preservation of Indian monuments therefore, was not restricted to a quest for finding India's past, but also perceived as a marker of its national identity.

Restricted by Religion: The Government and Hindu Temples

This section builds upon Indra Sengupta's argument regarding the ways in which custodians of Indian religious buildings negotiated their right to decide on the way in which they would be repaired and maintained. [58] She argues that in light of the colonial state's reluctance to interfere in religious matters after the 1857 Revolt, the 1904 Act posed a certain conundrum. To highlight the sensitivity required to handle religious monuments, Marshall had made a distinction between 'living' and 'dead' monuments in his manuals. The idea was that by making such a distinction, the government would be able to differentiate between abandoned buildings, where it had complete leeway in deciding on the mode of preservation, and buildings in active use where cultural and religious sentiments had to be handled with sensitivity. Temples usually fell within the category of 'living' buildings if they were in active use by the community. To show its deference to religious observances, the government tried to navigate matters of preservation through temple custodians. The tension between the state's endeavour to preserve religious monuments and its concern to not to be seen to interfere in Indian religious matters created a negotiating space for Indians. Yet, the fluid claims that Indians practiced with respect to their relationship with the monument came to be defined in a more bureaucratic and legal framework after the

[58] Indra Sengupta, 'Monument Preservation and the Vexing Question of Religious Structures in Colonial India', *From Plunder to Preservation. Britain and the Heritage of Empire, c. 1800-1940*, eds. Astrid Swenson and Peter Mandler, Oxford, 2013, pp. 171-85

passing of the Act. How did this happen?

Like other monuments, the identification of owners was critical to the management of religious monuments, especially since the government could not exercise its right of compulsory purchase in case their owners refused to enter into an agreement.[59] As Arjun Appadurai argues, Indian temples in the pre-colonial period were traditionally managed by a group of priestly classes nominated by the local king, with whom they shared mutual powers of administration and authority.[60] The colonial period required the state to negotiate cooperation with these classes to command legitimacy with regional Indian society and expand their administration peacefully. Over time, the management of religious structures and adherence to rules on religious observances was left to Indian-manned committees and local custodians. Prior to the 1904 Act, the Religious Endowments Act of 1863 was the dominant legislation covering how these religious structures to be managed.[61] It gave provisions for the appointment of a trustee, manager or superintendent to take charge of the day-to-day functioning of a religious building. It gave the government the right to nominate these individuals, but they had to be individuals who were respected and revered in the local community, for their management to be effective or hold any value in the long-term.[62]

By the time of the 1904 Act, the government was convinced that all Indian owners were communally loyal to their historical buildings. They placed a provision within the Act that stated that the agreement to be signed between the owner of a monument and the government could only signed with a person belonging to the same religious

[59] Section (10) subsection 2(a), *Ancient Monuments Preservation Act (Act VII of 1904)*
[60] Arjun Appadurai, *Worship and Conflict Under Colonial Rule: A South Indian Case,* Cambridge University Press, New York, 1981, pp. 105-138
[61] *Religious Endowments Act (Act XX of 1863),*
http://www.theindianlawyer.in/statutesnbareacts/acts/r25.html
[62] Section (3), ibid.

faith.[63] Such a provision put rigid boundaries on formal ownership and control by negating any other form of intersectional ownership. Prominent temples such as Govind Dev temple in Mathura and the Alagarkoil temple in Madras were anxious over how these boundaries would affect their control over the deployment of endowments and financial assets. The priests at the Govind Dev temple had made prior legal arrangements to hold control over the temple endowments in light of the British takeover of Mathura in 1804. Sometimes, the control over financial assets was directly attached to the individual appointed for the deployment of these endowments, even if he did not belong to the same religious sect. Alagarkoil for instance, had a common practice of leasing out the management of an endowment to a private individual who undertook its maintenance.[64] Nayanjot Lahiri argues that as drafts of the bill were circulated amongst different the managers of religious monuments, they were eager to provide their input on it, lest it impinge on their existing rights and privileges. [65] The managers of the Alagarkoil temple recommended that:

> …the opportunity should be taken to prohibit by legislation the alienation to private persons of endowments attached to institutions of archaeological and historical interest.[66]

They were in effect, attempting to widen the eligibility criteria for ownership that was being restricted by the government on religious lines. The customs of endowment management differed from region to region, and temples wanted the Act to be able to

[63] Section (6) subsection (3), *Ancient Monuments Preservation Act (Act VII of 1904)*
[64] Appendix 123, 'Letter from A.R. Knapp, Acting Collector, Madura, to the Acting Chief Secretary to Government, Madras, dated 12th January 1904', Legislative Department, R&A, Ar&E, B, June 1904, No.18, p.1
[65] Nayanjot Lahiri, *Marshalling the Past*, p.385
[66] Appendix 123, 'Letter from A.R. Knapp, Acting Collector, Madura, to the Acting Chief Secretary to Government, Madras, dated 12th January 1904', p.1

accommodate them. But since the government wished to emphasise on the concrete identity of owners, they had to find a different way to assert their claims.

One way of doing this was to manipulate the restrictions that the government had placed on itself with respect to intervention in the management of temples. As per the 1904 Act, if a religious monument came under the guardianship of the local Commissioner or Collector, special care would have to be taken to ensure that it was not used for any purpose 'inconsistent with its character'.[67] The Commissioner therefore, had the right to 'protect' the monument only in certain key aspects that helped retain the religious character of the building- like controlling the entry of individuals wishing to access it.[68] As Sengupta points out in the case of the Jagannath temple in Puri, the area immediately outside the temple that demarcated the location of an erstwhile pillar was declared to be sacred and with restricted access to all non-Hindus. Marshall visiting the temple in 1904 marked his frustration by citing that the area was not marked, either by notification or otherwise, that it was sacred ground and belonged to the temple.[69] He argued that the demarcation was arbitrary and that the Hindus had appropriated a space that clearly belonged to the state. The temple authorities did not relent, and Marshall had to swallow his frustration and adhere to the rule. In the case of the Devi Padmeswari temple in Bhubaneswar, the temple committee decided to dismantle the temple citing its dilapidated and neglected condition. On being asked to explain their actions by the government, the committee replied that the temple had been of no artistic or historical interest and did not pose of any value to the community. It was just a 'massive structure with a stone roof and no ornamental work thereon'. In this manner, Indian involved in the management of

[67] Section (13) subsection (1), *Ancient Monuments Preservation Act (Act VII of 1904)*
[68] Section (13) subsection (2)a, ibid.
[69] Ibid. p.182

religious monuments not only contested the claims of the state to interfere in the management of their buildings, even for preservation purposes, but as Sengupta argues, they also appropriated the language of the state to argue the parameters on which the state justified their own intervention.[70]

The priests managing these temples also displayed a keen understanding of the legal process that the state was trying to employ to control their activities.[71] While the government could not directly intervene in the appointment of individuals to managerial posts in temples, they preferred these to be susceptible to government influence. In the event that any priest or manager displayed a tendency to act independently of the government, the latter did its best to replace him. One such case emerges with the Mahabodhi temple in Bodh Gaya. In 1903, the temple was maintained by a Hindu Mahant who along with his associates, managed the financial resources of the temple, including the donations contributed by visiting worshippers.[72] The Government of India was cognizant of the status of the temple as one of importance to the Buddhists, and contributed to repair work and maintenance. However, the temple became a site for contestation. The local government had been facing an issue in conducting the repair work and maintenance of the temple because the Mahant asserted his right to regulate and carry out any such work as its prime priest. Moreover, he also blocked any attempts by the Buddhist Mahabodhi Society

[70] Ibid. pp. 183-185, and Deborah Sutton, 'Devotion, Antiquity and Colonial Custody of the Hindu Temple in British India', pp.143-144

[71], Ibid., p.136

[72] Alongside the Mahanth's custodianship, the temple had been periodically maintained in parts by several Buddhist societies, most notably the Mahabodhi Society founded by the Buddhists in Ceylon in the late 19th century. Additionally, several Buddhist rulers, like King Mindoon Min of Burma, commissioned the construction and maintenance of additional rest houses and related structures for travelling Buddhists to the temple. 'Memorandum by the Bengal Government with notes by Mr. J.A. Bourdillon', *Correspondence regarding the Mahabodhi temple 1901-1903*, Lord Curzon's Papers, British Library, London, p.222

that wished to financially contribute to the maintenance of the temple.[73] The Mahant on the one hand was resisting opening the door to government interference from the fear that this would further lead to restrictions on his control of financial resources of the temple. The Gaya government was worried with the Mahant's resistance was reflective of the lack of control that they would able to exercise on the building. They thus attempted to vacate him of his position by attempting to 'persuade' him through unofficial means. In a series of correspondence between different offices of the government of Patna, Gaya and that of the Viceroy, between 1903 and 1905, the mahant was called to allow the temple to be used as both a Buddhist and Hindu shrine in equal measure. An agreement was drawn to the same measure and the help of the renowned Indian historian Haraprasad Shastri and the British India Association was requested to mediate the matter.[74] The Mahant would be recognised as the 'ground landlord' of the temple but would allow for the appointment of a board that would oversee pilgrim traffic and the administration of temple affairs.[75] Methods of inducement were proposed, including buying the Mahant out with an attractive sum of money.[76] The Mahant employed a lawyer of his own, refused to give any promise to vacate or compromise his stance on the temple in a written format and refrained from leaving the temple premises as far as possible. Despite attempting to find provisions within the Land Acquisition Act of 1894 or the 1904 Act but the provisions protecting religious ownership bound their ability to do so, and the government found

[73] Alongside the Mahanth's custodianship, the temple had been periodically maintained in parts by several Buddhist societies, most notably the Mahabodhi Society founded by the Buddhists in Ceylon in the late 19th century. Additionally, several Buddhist rulers, like King Mindoon Min of Burma, commissioned the construction and maintenance of additional rest houses and related structures for travelling Buddhists to the temple. 'Memorandum by the Bengal Government with notes by Mr. J.A. Bourdillon', *Correspondence regarding the Mahabodhi temple 1901-1903*, Lord Curzon's Papers, British Library, London, p.222

[74] 'Letter from Hara Prashad Shastri, dated 4th March 1903, on Bodh-Gaya Temple', ibid., p.244

[75] 'Letter from Sir D. Ibbetson, dated 4th May 1903. Agreement. Constitution of Board. Rules., ibid., pp. 263-265

[76] 'Memorandum by the Bengal Government with notes by Mr. J.A. Bourdillon', ibid. p.220

its hands to be tied. The only recourse available would be to initiate new legislation that would allow for the Mahant to be ousted and allow for direct government intervention:

> The plain English of the case is that we have no lever short of legislation to move the Mahanth. He is a stubborn ecclesiastic, and our only chance of getting anything out him was that he should be so moved by His Excellency's influence and personality as to give way to what was suggested by him.[77]

Despite their attempts for three years, the government was ultimately unsuccessful in removing the Mahant, and he caused a great deal of frustration to many, including Curzon, in thwarting the efforts to conduct the preservation and maintenance work on the lines they wanted. By appropriating the very legal means adopted by the colonial state, the Mahant hired a barrister to advise him on legal matters and avoided engaging any officer with any written document that may compromise his position.[78] It was evidence of the powers of negotiation exercised by the Mahabodhi mahant, in negotiating his authority over the temple on his own terms, leaving the government with no recourse except for planning on expanding the scope of their own laws that restricted their ability to act effectively.[79]

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[77] 'Letter from Mr. J.A. Bourdillon, dated 17th May 1903. Instructions solicited. Resort to legislation.'

[78] 'Letter from C.E.A. Oldham, Esq., dated 25th January 1903. Interviews with the Mahanth of Bodh-Gaya Temple', *Correspondence regarding the Mahabodhi temple 1901-1903*, Lord Curzon's Papers, British Library, London, p.233

[79] Oldham called the mahanth a 'hopeless' person. In a letter to the Viceroy, he writes: "I have exhausted every argument with him short of an open threat. I have told him very distinctly that the Viceroy will not let the matter drop; but I have not said that His Excellency contemplates appointing a Commission, or indicated in any way the further measures His Excellency has suggested; *nor have I let him know that I had received His Excellency's instructions to sound him."* 'Letter from C.E.A. Oldham, Esq., dated 8th February 1903. Encloses a memorandum of interviews with Mahanth', *Correspondence regarding the Mahabodhi temple 1901-1903*, Lord Curzon's Papers, British Library, London, p.234

Conclusion

The preservation project undertaken by the colonial state started with a quest to uncover India's past and continued with its commitment to preserve India's architectural heritage. They felt they were the most apt to shoulder this responsibility as successors to the Mughal dynasty and the British East India Company- predecessors that they argued had left only civilizational decline and decay in their wake. Therefore, by protecting and preserving its architectural heritage, the colonial state was, as Indra Sengupta argues, 'restoring Indian history back to the Indians'.[80] This project was influenced by the wave of legislation that was being passed by different countries to protect their historical heritage. It was compounded by pressures from prominent British public bodies like the SPAB in the latter half of the nineteenth century. The SPAB scrutinised preservation measures in India and critically engaged with Curzon and Marshall to shape it with view towards pro-preservation and anti-restoration. However, the climatic and cultural situation in India necessitated a more contextual approach and hence, preservation remained a state-led project in India, unlike the public-led movements in Britain. The passing of the Ancient Monuments Preservation Act of 1904 was a concrete step towards committing government departments to this work and their consistent intervention in how monuments were preserved by their Indian owners.

The shape of the Act was heavily influenced by its English 1882 counterpart. It recognised Indian monuments as 'property' of Indian owners and sought to involve them in the upkeep of their buildings. It also enabled the state to successfully

[80] Indra Sengupta, 'Monument Preservation and the Vexing Question of Religious Structures in Colonial India', p.182

intervene in this right by arguing that it was important to protect Indian historical heritage even if it required a certain breach of individual rights. But this right to intervene was contested in the arena of religious monuments. In contrast to other types of monuments, they were of significant value to the local community. Its custodians were beneficiaries of endowments and donations, and commanded vast financial resources. As a result, they were resistant towards government interference in their building management as they feared a loss of control. The state too was unable to practice stringent control over them due to their own policy of non-interference in indigenous customs and religious matters. The preservation project thus, was structured and expanded in scope by the 1904 Act, but Indian participants were able to contest absolute control by forcing the state to engage with them on an on-ground reality.

Chapter 3

Integration in the Administrative Fabric: Monument Preservation in Twentieth Century India

"The measure of a government's efficiency is the measure of its capacity to discharge the duties demanded of it by the country, and, unless India is to adopt a standard different from that of other civilized countries, one of its obvious duties is the preservation of the national monuments and antiquities…the very existence here of an alien rule makes the people of India cling more tenaciously to their own national heritage while the moral obligation on us is all the greater to preserve that heritage."[1]

-John Marshall
Quoted from Nayanjot Lahiri, *Finding Forgotten Cities*

Introduction

The 1904 legislation established a structure within which the colonial government could plan and execute the monument preservation project in India. However, the Indian archaeology and preservation scene underwent a change in the first three decades of the twentieth century owing to the evolving political climate and administrative priorities of the colonial government. Its implementation in the twentieth century was impacted by the passing of major legislation like the 1909 Morley-Minto Reforms and the Government of India Acts of 1919 and 1935. These were significant due to their aim of including Indians in a greater representative capacity in different levels of government. The aspirations of Indian self-government

[1] Nayanjot Lahiri, *Finding Forgotten Cities*, Ranikhet: Permanent Black, 2005, p.183

were taking firm root and Indians were exploring ideas of a modern nationalist spirit. Monument and archaeological conservation in the 1920s and 1930s was punctured with political unrest in different parts of British India. In Burma, the delay in the implementation of the 1919 Chelmsford-Montagu Reforms caused a series of mass protests preventing the central government from bringing monuments in the region under the protection of the 1904 Act. In other areas like Bihar, municipal taxation laws came in conflict with the ethos of monument preservation when the Archaeological Survey of India (ASI) was forced to pay taxes for a property that it was taking care of as a representative of the government. Notions of 'ownership' and provisions of legislations had to be re-examined to accommodate for these issues in implementation of the preservation plan. In this atmosphere, Indians participating in the archaeological and conservationist schemes of the government were moving out of exploring these domains in a strictly official capacity and pursuing regional interpretations of historical identity. As Sanjukta Datta and Tapati Guha-Thakurta explore through their work, the rise of the modern Indian archaeologist was deeply related to the writing of comprehensive regional histories.[2] These histories, for instance in Bengal and Assam, encouraged the creation of Indian-run publications, research societies and museums dedicated to archaeological exploration and preservation of antiquities. Such developments encouraged the expansion of Indian archaeology beyond the restrictive confines of the ASI and provided additional support for regional archaeological expertise.

The ASI too had been recruiting Indian archaeologists in a much larger number than they had in the nineteenth century. Indian archaeologists trained in history and

[2] Sanjukta Datta, 'Artefacts and Antiquties in Bengal: Some Perspectives within an Emerging Non-Official Archaeological Sphere.' In eds. Singh, Upinder and Nayanjot Lahiri, *Ancient India: New Research.* Delhi: Oxford University Press, 2009, pp.11-38, and Tapati Guha-Thakurta, *Monuments, Objects, Histories: Institutions of Art in Colonial India*, New York: Columbia University Press, 2004

museum sciences were inducted into government service from the Asiatic Society, Calcutta University and the Indian Museum. John Marshall as Director General of ASI took proactive steps in the expansion of the archaeological activities of the Survey, including lobbying for better budgets and extensive excavation activities- the most impressive of which culminated in the discovery of the Harappan Civilisation in 1921.[3] Indian archaeologists like Rakhaldas Banerji, Daya Ram Sahni and Madho Sarup Vats played a crucial role in this discovery even if their contributions were not highlighted with as much fanfare. Thus, the new category of Indian archaeological experts went beyond carving their niche as 'native textual experts' and presented themselves also as numismatists, epigraphists and excavation experts in the twentieth century. They became a part of momentous developments in Indian history, that placed the historicity of their country at par with the most ancient civilisations of the world and added momentum to their own work in the sphere.

The chapter will also be looking at another sphere of interaction between Indians and the colonial state- its relations with the princely states. The rulers of these states had been organised into a Chamber of Princes in 1920 by the Indian government to give them a subscribed political forum within which they could voice their grievances. Unlike the direct control that the government could practice in the dominions of British India, princely states were controlled by Indian rulers who were encouraged to maintain amicable political relations with the government. National laws like the 1904 Act were implemented in these states through careful negotiation and diplomacy between the offices of the Resident and the princely darbars. The government used monument preservation policies as a tool to keep a check on how the darbar administration was run and budgets for engineering and maintenance activities were

[3] Nayanjot Lahiri, *Finding Forgotten Cities,* Ranikhet: Permanent Black, 2005

allotted. Archaeological officers conducted surveys in these states and submitted their reports on the upkeep of monuments and antiquities in the region. Based on these reports, the central government strongly 'suggested' measures for improving the condition of the documented monuments, pressuring the darbar to take steps towards the same. But such interactions were precarious and had to be handled with care and tact, at the cost of upsetting the delicately balanced diplomatic equilibrium due to a harsh report. Unlike other British-controlled territories, the financial and managerial responsibility of these monuments lay with the rulers and not the central government. Implementation of the 1904 Act in these states, therefore, was based on surveillance and supervision by the Residents stationed at the darbar, as the government could not directly intervene in the spending priorities of the states on their monuments and antiquities.

Lastly, the chapter will be looking at the successors of the 1904 Act in post-1947 independent India. These Acts, like the 1904 version retained provisions to protect historical monuments, antiquities and regulate excavation activities but reorganised certain provisions to include the ASI in a greater capacity in their execution than before. As legislations of independent India, they sought to reconcile with the evolving demands of urban planning and population management with heritage conservation and archaeological research, ushering in a new era of preservation concerns within the larger idea of national development.

Political Upheavals and New Laws: Issues with Implementation of the 1904 Act

The colonial government was struggling to maintain its control over different parts of its Indian empire by the early twentieth century. These struggles were augmented by the political unrest in Burma, the call for greater Indian representation in legislative councils and the vocalisation of self-government amongst Indians. Extending the preservation project in different parts of the empire thus, had to take into account these developments. Burma had broken into a series of anti-colonial uprisings from the late 1910s. The Burmese felt short-changed by the colonial government after they had contributed troops and resources for the First World War They had believed that their support would translate into political rewards and legislative participation by the British. However, when such results were not forthcoming, they organised mass protests, culminating into the Rangoon University Strike of 1920. The unrest made it difficult to conduct administration and undertake surveys, excavations or preservation work on monuments. The political situation came under control after provisions for limited Burmese representation in the legislative councils was introduced and the Chelmsford-Montagu Reforms, enshrined in the Government of India Act of 1919, was extended to Burma in 1921. However, these developments made it difficult to bring monuments in Burma, mainly of Buddhist and Hindu nature, under the protection of the Act. The Burmese strongly resisted the implementation of the 1904 Act in Burma as they had not been considered for the 1919 Reforms while they were being implemented in other parts of India. Further the reform rules limited the responsibility of the ASI to maintain and repair only those monuments that had been protected under the 1904 Act.[4] Thus John Marshall, wrote to H. Sharp, the Secretary

[4] Director General of Archaeology to Department of Education, Rewakantha Agency, Panchmahals

to the Department of Education on the eve of reforms being extended to Burma in September 1921, and spoke about the measures that could be taken to protect the monuments in the province:

> I understand that the Reforms Scheme is shortly to be extended to Burma and I write therefore to remind you that it will be necessary to reopen this question of protecting the monuments which are being maintained by the Central Government…. My own impression is that when the New Councils have been started in Burma and it is realised by the Burmese that they must either provide for the upkeep of these monuments out of their own pockets or else agree to their protection, their opposition to the Ancient Monuments' Act will be abandoned.[5]

The Burmese government had listed eight monuments that were under the charge of the archaeological department of the province but had not been brought under the 1904 Act as 'it was not advisable for it to do so for political reasons'.[6] Since bringing the monuments under the Act would give them protected status by the central government, it was not considered prudent to do so, given the conflicted relationship between the Burmese peoples and the central government.[7] Marshall suggested that the it would be best to leave the local government to decide which monuments it wished to protect, instead of forcefully bringing them under the 1904 Act or modifying the 1919 rules to accommodate for the protection of these monuments. Sharp suggested that under the circumstances, it would be best to go along with

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District (POL), 1921, Nos. PWD-32, National Archives of India (hereafter RA, PD, 1921, Nos. PWD-32, NAI)

[5] John Marshall Director General of Archaeology in India to H. Sharp Secretary to the Department of Education & Health, dated 17 September 1921, Proceedings of the Department of Education & Health, Archaeology & Epigraphy Branch B, December 1921, Nos. 40, NAI, pp.1-2

[6] Ibid. p.5

[7] H. Sharp Secretary to Department of Education & Health to Chief Secretary to the Government of Burma, dated 22 December 1921, ibid., p.12

Marshall's recommendation and wait for the 1919 Reforms to be introduced to Burma. Nobody in official circles, including Marshall or Sharp were in favour of amending the 1919 Reforms to include monument protection under its purview.

The ASI by this time was also struggling to keep afloat with the number of monuments that were being added to the preservation lists by the provincial governments. Since the 1904 Act vested the responsibility of listing historical buildings that had to be identified as 'protected monuments' by the local governments, the creation of annual lists by these governments were compiled and sent to the ASI for inclusion under the Act.[8] While the monuments would be officially 'protected' by the central government, the supervision of its maintenance and providing expertise for conservation work was the responsibility of the ASI. Provincial governments listing multiple monuments without consulting with the Survey stretched the latter's resources thin. In July 1921, Marshall wrote to the Department of Education highlighting his plight:

> The Bombay Government continues adding to the list of protected monuments in the Presidency and increasing our responsibilities without consulting us.[9]

Since the declaration of a monument as 'protected' was done by putting up a public notice near the vicinity of the monument and publishing the notification in the government gazettes, Marshall went on to suggest that the particulars of the various proposed monuments be sent to the ASI before the notification was put up. It would

[8] *List of Ancient Monuments in the Punjab States*, Punjab States Agency, General Branch, 1930, Nos. 163-G, NAI

[9] John Marshall Director General of Archaeology in India to H Sharp Secretary to the Department of Education, *Proceedings,* Department of Education, Archaeology & Epigraphy Branch A, September 1921, No. 1, NAI, p.2

enable it to evaluate the monument and its historical and artistic merits and decide whether it should be included within the list of protected monuments or not. A communication to the same effect was issued by the Department of Education in September 1921, requesting various governments to comply with the Director General's request.[10] The Act had brought monuments around the country under the watchful eye of the ASI, but left the Survey at the mercy of provincial governments that increased its work manifold for on-ground execution and maintaining administrative paperwork.

Additionally, the reluctance to amend legislations at times came at the cost of conflict with other Acts that were in effect. In June 1928, one such case was brought forward to the Government of India from the Archaeological Survey department of Bihar and Orissa. As per the 1904 Act, if a monument was purchased or acquired by the government from its owner, the burden of taxation and payment of revenue incurred on the property fell on the former. Even though it was understood in official circles that such an acquisition was made for public purposes of culture, education and recreational activities, the existing laws on municipal taxation did not exempt the government from payment of taxes as they were officially recognised as 'property'. The 1928 case highlighted one such instance.

The Department of Education, Health & Lands from 1929, recorded a discussion between Marshall's successor as Director General- H. Hargreaves, members of the Department of Education, Health & Lands, and the Finance Department. They discuss a letter that had been sent by the Government of Bihar and Orissa regarding an appeal

[10] 'Communication to the Director General of Archaeology in India of Particulars of Any Monuments Which it is Proposed to Declare as Protected Under the Ancient Monuments Preservation Act, (VII of 1904)', Ibid., p.3

made by the Superintendent of the Archaeological Survey for repealing the demand for housing tax from the archaeological department of the district that had been made by the Arrah Municipality in Bihar for the holding of a historical building named Arrah House. The property had been brought under the 1904 Act and had been acquired by the ASI from its Indian owner for repair and maintenance. As per the Bihar and Orissa Municipal Act of 1922, the acquisition of the building recognised the ASI as the 'owner' of the building and made it liable for paying the taxes attached to the property. This problem had also been supplemented by a similar case in the Madras Presidency, where the local government was not able to wave off the municipal tax on similar buildings, as there was no such provision to do so in their local municipal laws. The problem lay in the fact that the archaeological department was functioning as an extension of the government. Since the purpose of taxation was to enable the government to carry out its work, the prospect of the archaeological department paying taxes seemed illogical. Similar cases emerged where buildings housing government offices were highly taxed by the local municipal authorities and respective governments appealed to the central government for relief.[11] The problem thus, was to mitigate the levying of this tax in the specific cases of the Arrah and Madras Presidency Municipality. [12]

These cases raised a valid problem in the implementation of the 1904 Act- were the provisions of the existing national laws compatible with the new regional taxation laws being implemented in subsequent years? In case their provisions conflicted with each other, how would a decision be taken? Would all regional Municipal Acts will

[11] Enquiry by the Government of Bengal regarding the application of the provisions of Section 3(b) of Act XI of 1881, *Proceedings,* Home Department, Municipalities Branch A, January 1896, Nos. 58-59, NAI

[12] Payment of Municipal Tax on Monuments Protected Under the Ancient Monuments Preservation Act, 1904, *Notes,* Department of Education, Education Branch A, February 1929, Nos.3-4, NAI, p. 2

have to be amended, or did this require an amendment in the national law itself? The first attempt to resolve this issue was made by looking into the provisions of the Bihar and Orissa Municipal Act of 1922. Section 84 of the Act dealt with cases for exemption of payment of municipal tax on certain land-holdings:

> 84. 2) Any holding which is used exclusively as a place of public worship or religious assemblage, or as a dharamshala, or as a mortuary, or which is duly registered as a public burial or burning ground under section 248 shall be exempted from the tax on holdings.
>
> 3) The Local Government may on the recommendation of the Commissioners at a meeting exempt any holding or part of a holding which is used exclusively for any charitable purpose.[13]

But these provisions were not sufficient to exempt payment of taxes as the Arrah House was neither used for 'charitable purposes', nor was it a place for religious assemblage or public worship.[14] The provincial government decided to therefore, discuss the possibility of amending the municipal laws to accommodate for these issues.

The situation became complicated because the acquisition of the property had been done for the purpose of 'public good' as per the Land Acquisition Act of 1894.[15] Even though the Archaeological Department was the 'owner' of Arrah House, the provincial government wished to waive off any such taxes. However, ethical

[13] Section (84) subsection (2) &(3), *Bihar and Orissa Municipal Act, 1922,* Proceedings, Legislative Department, General Branch A, November 1922, Nos. 25-27, NAI, p. 326
[14] Payment of Municipal Tax on Monuments Protected Under the Ancient Monuments Preservation Act, 1904, p.4
[15] Section (3) subsection (f), *Land Acquisition Act (Act I of 1894)*, http://www.prsindia.org/uploads/media/Land%20Acquisition/bill167_20080311167_The_Land_Acquisition_Act__1894.pdf

considerations would make that problematic, as put forward by A.B. Reid in 1929:

> …I do not like the Director General of Archaeology's suggestion for legislation exempting all ancient monuments from municipal taxation. As such legislation would directly benefit the Government of India, I consider that the Government of India could hardly pass it themselves, and that it must be left to each local Government to take such action as they think fit in this matter.[16]

The provincial government eventually decided to make the Arrah House an exception to the municipal taxation rules and exempted it from taxation. But the Burma and Arrah cases reflect that it the path to implementing the 1904 Act effectively to preserve monuments and antiquities was becoming extremely difficult for the government. While in some cases the difficulty was caused due to the external political conflicts that hindered the work of the archaeological department, in other cases one legislation came into conflict with another due to the lack of hindsight.

Indian Archaeologists and Regional Nationalism

The number of Indians being recruited in the ASI increased manifold in the twentieth century. It deeply influenced the motivation of the Indian scholars who wished to enter into the field of archaeology for uncovering Indian history for themselves. A crucial development in this process was that Indian recruits being picked were trained not only in classical Indian languages as before, but in ancient Indian history and epigraphy. Rakhaldas Banerji was an exemplary example of this category of

[16] Payment of Municipal Tax on Monuments Protected Under the Ancient Monuments Preservation Act, 1904, p.3

archaeological scholars in the early twentieth century. He is representative of the coming-of-age of the Indian archaeologist, wherein the newly-trained group of scholars had to prove themselves to be beyond their 'native limitations'. In a way, Banerji took forward the quest for establishing the Indian scholar as modernized, competent and enterprising as Rajendralal Mitra had in previous years. A resident of Murshidabad in Bengal, he did his BA in history honours from Presidency College in Calcutta from 1903-07 and his MA from University of Calcutta in 1910. It was his keen interest in the many medieval monuments in the district and antiquities housed in the Indian Museum, that propelled him to take up archaeology as a full-time profession. Like many others being recruited, languages were still seen as the prime forte of Indian scholars working with the ASI, but Banerji was able to combine these skills with a keen eye for deciphering Indian history through archaeological remains.[17] His stint at the Indian Museum with mentor Theodor Bloch, superintendent of the Eastern Circle of the ASI, helped him familiarize himself with the many archaeological exhibits housed there and the periods they belonged to. He was able to interpret Sanskrit inscriptions housed there due to his graduate training with renowned Sanskrit scholar Haraprasd Sastri. His academic potential was evident, and he went on to contribute two essays to the *Epigraphica Indica* series of ASI in 1907.[18] The ASI was not blind to the young scholar's skills, and Banerji ended up having an illustrious career with the Survey, culminating in his excavation of the fabled Harappan city of Mohenjodaro in 1922.[19]

Such a recognition of Indian archaeologists by the colonial government would have been difficult to imagine fifty years prior, but Banerji's career went beyond his

[17] Nayanjot Lahiri, Finding Forgotten Cities, Ranikhet: Permanent Black, 2005, p.191
[18] One on the Patiakella grant of Maharaja Sivaraja on a copper plate, and a stone epitaph denoting the Mundesvari inscription of the reign of Udayasena.
[19]Nayanjot Lahiri, Finding Forgotten Cities, p.219

acceptance as a modern archaeologist and historian. As Sanjukta Datta suggests, the participation of Indians in archaeology was developing beyond the official sphere in a quest for unearthing regional histories.[20] As the colonial quest to uncover Indian history 'for Indians' progressed, Indian archaeologists engaging in excavations, surveys and study of ancient Indian texts were very aware of a glorious national past that they had lost. This past was represented through archaeological remains of historical monuments, artefacts recovered from excavation sites and accounts of different travelers recounting magnificent historical cities in detail. They asserted that not only did India have a past that was at par with the world, but that its development was indigenous to the country. It was a strong re-engagement with Mitra's belief that acclaimed Indian architectural heritage was independent of Greek and Bactrian influences. It was deeply rooted within Indian artisanal traditions and craftsmanship, reflective of a rich regional past. Indian archaeologists in the early twentieth century, thus, wished to represent Indian archaeological finds as symbols of regional identity, and by extension, proof of an indigenous national past that they could take pride in.[21]

A strong impetus of such a sentiment was seen in Bengal from the late nineteenth and early decades of the twentieth century. Bengali history was deeply influenced by a rich corpus of Bengali literature and art. Calcutta, as a colonial capital of India in its heyday (the capital was shifted from Calcutta to Delhi in 1911) was home to some of the prime antiquarian organizations of the country- the Asiatic Society of Bengal, headquarters of the Eastern Circle of the ASI and most significantly, the Indian Museum. As a center of colonial activity, Bengalis were assimilated into the

[20] Sanjukta Datta, 'Artefacts and Antiquties in Bengal: Some Perspectives within an Emerging Non-Official Archaeological Sphere', in eds. Upinder Singh and Nayanjot Lahiri, Ancient India: New Research, Delhi: Oxford University Press, 2009, pp.11-38

[21] Sanjukta Datta, 'Artefacts and Antiquties in Bengal: Some Perspectives within an Emerging Non-Official Archaeological Sphere', p.15

administrative and scholarly culture encouraged by the state at an accelerated pace compared to other parts of the country. The emergence of the Bengali *bhadralok* or the educated middle class, who became a part of the bureaucratic apparatus and a colonial urban culture, soon struggled with their aspirations to maintain their Indian identity.[22] However, prior to the culmination of this struggle in mass-led movements for nationalism and independence, the Bengali intelligentsia were penning their thoughts on Bengali culture and history through private channels. These included setting up of societies and organizations dedicated to fostering a literary culture based on archaeological writings, historical novels, and poetry. Two of the most significant of these emerged in the late nineteenth century- the Bangiya Sahitya Parishad and the Varendra Research Society. The Parishad had been set up in 1893 for not only the 'study and development of the Bengali language and literature as its main objective but also…cultural, historical, archaeological, sociological and other scientific studies and researches with special reference to Bengal within the scope of its investigation'.[23] It had been established with the aid of wealthy Bengali patrons like Maharaja Benoy Krishna Deb Bahadur of Sovabazar, and authoritative scholars like Haraprasad Sastri. Sastri's association with the Parishad indicates how serious it was in pursuing archaeological research in Bengal. It established its own quarterly research journal- the *Sahitya Parishad Patrika*- and shaped its publications to be writings of a historical nature. Moreover, the Parishad's scope of work expanded to collecting and studying rare manuscripts, coins, inscriptions, sculptures and seals, which were ultimately housed in its museum that was opened in 1912. The Varendra Research Society was set up in Rajshahi in north Bengal in 1910 by a member of the region's Dighapatiya royal family- Kumar Sarat Kumar Ray and leading Rajshahi

[22] Partha Chatterjee, 'Whose Imagined Community?', The Nation and its Fragments: Colonial and Postcolonial Histories, New Jersey: Princeton University Press, 1995, pp. 3-13
[23] *Bangiya Sahitya Parishat,* http://bangiyasahityaparishat.com/

historian Akshay Kumar Maitra. Like the Parishad, the Society was dedicated to studying Bengali history through extensive archaeological explorations funded primarily through Indian endeavor. It too, established a museum of its own to house the various antiquities that it unearthed through its excavations in Rajshahi and the museum was opened to the public formally in 1919.[24]

The emergence of these institutions, primarily funded and run by Indians is of considerable significance. Firstly, they marked a sharp departure from the colonial assertion that Indians did not care for their history. John Marshall had gone as far as to indicate that Indians were genetically devoid of skills possessed by Europeans.[25] These societies were backed by wealthy patrons who were committed to supporting archaeological activities in Bengal, and by extension pursue a national history. The Parishad for instance, showcased a portion of their collection of copper and stone inscriptions, terracotta and metal sculptures, old illustrations, ancient manuscripts and photographs of old historical sites and temples at 1906-07 session of the Indian National Congress held in Calcutta. Secondly, these organizations were conducting their work not as an alternative to government activities but ran parallel to them. The government too recognized, that their endeavor of archaeological discovery and preservation of antiquities would have a deeper reach if provincial bodies were allowed to conduct independent work. The 1904 Act had already given provincial governments greater powers for listing and protecting historical monuments and antiquities. Recognizing private bodies that were doing impactful work in the area was the next step. The work of the Varendra Research Society had gathered so much

[24] Sanjukta Datta, 'Artefacts and Antiquties in Bengal: Some Perspectives within an Emerging Non-Official Archaeological Sphere', p. 25

[25] This however, did not stop him from recruiting and working with numerous Indians like Rakhaldas, Daya Ram Sahni and Maulvi Nur Baksh who were appointed at important positions in the ASI's regional offices. Nayanjot Lahiri, *Marshalling the Past*, p.399

momentum within less than two decades of its inception, that the Bengal government started giving it an annual grant of 1,200 rupees in 1917. Thirdly, it offered the new generation of Indian archaeologists to explore their curiosity of Indian history without being bound by a European or colonial characterization.[26]

Rakhaldas for instance, was a bilingual writer who wrote extensively in both English and Bengali. In addition to his work with the ASI, he contributed extensively to the Parishad's museum collection by procuring artefacts, listing them and organizing their exhibitions. His association with the museum in turn helped him with his own writings like *The Origin of the Bengali Script* published in Bengali in 1919. He also remained closely associated with the Varendra Research Society by accompanying its members on exploratory tours of Rajshahi. He explored the boundaries of Bengali history by authoring his magnum opus- the two volume *Bangalar Itihas* (1915), that dealt with the Bengal's history from prehistoric times to the end of British rule. He also authored historical novels in Bengali, like *Sasanka* (1914), *Dharmapala* (1915) and *Moyukh* (1916), all of which dealt with themes of ancient Bengali history.[27] Thus, Indian archaeologists of the early twentieth century were not only interested but were actively engaging with the Indian past even beyond the scope of their government duties. In this manner, the arena of archaeology in India was expanding in different areas of the country by Indians themselves. This expansion was propelled by the belief that the pursuit of the Indian past would enable Indians to reclaim their regional identity that was distinct from Europe and a source of pride. However, the recovered historical identity was also reinforced on the idea that the most glorious portions of the Indian past were in its pre-historic and ancient periods. Thus, the scholars of both

[26] Sanjukta Datta, 'Artefacts and Antiquties in Bengal: Some Perspectives within an Emerging Non-Official Archaeological Sphere.' p. 25 and Tapati Guha-Thakurta, *Monuments, Objects, Histories,* pp. 112-139

[27] Tapati Guha-Thakurta, *Monuments, Objects, Histories,* pp. 123-134

the Bangiya Sahitya Parishad and the Varendra Research Society focused on deciphering scripts, coins and inscriptions from a noticeably 'Hindu' period of Bengali history, before the period of Mughal decline.[28] In this manner, they were differentiating a more 'superior' part of Indian history from subsequent phases that deteriorated due to the introduction of 'foreign' influences. Like Curzon, who argued for rescuing the Indian past from his predecessors and connecting the subcontinent's history with the world, Indian archaeologists of the early twentieth century were asserting for characterizing Indian history in isolated pockets, away from the colonial gaze.[29]

Monument Conservation in the Princely States

The administration of Indian territories after 1857 was based on a strong non-interventionist policy in religious and customary matters. The transfer of power from the East India Company by the British Crown with respect to their Indian dominions in 1858 was a defining moment in their relations with Indians, most importantly the princely states (hereafter referred to as the States). The Victorian proclamation of 1858 stated that no new annexations of territories by the colonial state would take place and relations with the States would be based on the tenet of indirect rule.[30] The British rewarded States that did not participate and had actively resisted the 1857 sepoy mutiny by granting them additional territories.[31] On the surface, the rulers of

[28] Sanjukta Datta, 'Artefacts and Antiquties in Bengal: Some Perspectives within an Emerging Non-Official Archaeological Sphere.' pp.30-31 and Varendra Research Society, *Monograph No.6,* Varendra Research Society, Rajshahi, March 1935
[29] Partha Chatterjee, 'Whose Imagined Community?', pp. 3-13
[30] Barabara Ramusack, *The Indian Princes and Their States- Cambridge History of India Vol III Part 6,* p.105
[31] For instance, Jind, Patiala, Rampur, Gwalior, Hyderabad and Bhopal were granted territories near them by Lord Canning and Kapurthala received portions of Awadh. For details, see ibid. pp.105-106

these States enjoyed autonomous management of their regions in contrast to the dominions of British India. They had their own bureaucracy, administrative departments and hereditary rule. They had the right to set their own budgets and deploy financial resources for the development of different sectors in the state as they saw fit. Such 'freedom' enabled some larger States to model themselves as symbols of modernity. Speaking in the context of the Hyderabad state in 1935, George MacMunn, the renowned military general and scholar, noted with some envy:

> In most of the States will be found some or other measure of modernity or experiment often absent from British India. That is one of the possible advantages of autocracy and no rigid budget…there is no clogging method of discussion and financial approval.[32]

By the early decades of the twentieth century, the States were recognised according to their size, wealth, prestige and the amiable relations they maintained with the colonial government. The 'Five Great States' of Hyderabad, Baroda, Gwalior, Mysore and Jammu and Kashmir had the distinction of being called the 'Twenty-one gun States' as their rulers alone were entitled to a salute of twenty-one guns.[33] However, as Barbara Ramusack and Ian Copland argue, the colonial government continued to interfere and influence princely matters by 'suggesting' innovations in administrative matters, monitoring the education of minor princes and keeping a close watch on the deployment of funds and military expenditures.[34] The officers interacting with the

[32] George MacMunn, *The Indian States and Princes,* London: Jarrolds Publishers, 1936, p.199
[33] Ibid., p.196
[34] This was done through the office of the Political Resident stationed at the Princely darbar. In the case where multiple princely states were segregated as per region, the office of the Agent to the Governor-General coordinated with the Political Residents. For details, see Barbara Ramusack, *The Indian Princes and Their States,* and Ian Copland, *The Princes of India in the Endgame of Empire: 1917-1947,* Cambridge: Cambridge University Press, 1997

State darbars therefore, required a separate set of skills and diplomatic expertise involving negotiation, developing administrative relationships and putting across firm but polite 'suggestions' from the central government. Efforts towards monument conservation in these states post the passage of the 1904 Act required them to maintain annual lists of monuments under their care. They submitted these to their respective Agents, who in turn coordinated with the Superintendent of the concerned ASI 'circle'.[35] The request for the list of ancient monuments from the States was voluntary, and like provincial governments they had the option of proposing or refraining from adding any monument for official protection under the 1904 Act. They could also request for expert advice or help for the ASI for maintaining any ancient monuments in their State.[36] While all these measures were articulated in a manner that conveyed the importance the government gave to monument conservation, registering monuments for protection gave the government a gateway to dictate exactly how these buildings should be protected, at times at the cost of upsetting diplomatic relations. The case of the Gwalior darbar in 1903-06 was one such case.

Marshall, as a part of his work regarding the annual Archaeological Department report, surveyed the state of some monuments under the charge of the Gwalior Darbar ruled by the Scindias in 1903. [37] He made a list of the buildings that needed repair and presented an official document for the consideration of the darbar with suggestions

[35] In the early twentieth century, the ASI had been divided into 'circles' or regional headquarters coordinating with the different provinces and States in the area. The Superintendent was responsible for overseeing the day-to-day operations of a circle and report to the Director-General of the Survey accordingly.

[36] Superintendent Archaeological Survey Western Circle Poona to the Political Agent for Rewakantha (Godhra), 24 June 1921, RA, PD, 1921, Nos. PWD-32, NAI

[37] Conservation of ancient monuments and buildings at Gwalior, Central India Agency, General Records (Archaeology); 1903-06, No. 862, NAI

for conservation measures[38]. Prominent buildings included the Gujri Mahal, the Teli Mandir and the tomb of Mohammad Ghaus.[39] For some unknown reason, the document went unheeded, and the Scindia Darbar did not take any repair or maintenance measures on the listed monuments. Marshall interpreted this as an act of disregard for the monuments within their region, and in his annual report of 1903-04 drew attention to the lack of measures taken by the Gwalior darbar. Concerned by the implications that this may have for them in the government, the Gwalior state expressed strong resentment against this portion of Marshall's report and appealed to the political agent's office. In a letter from Rao Raghunath Dinkar, Diwan of Gwalior to the Political Agent at Gwalior, the Gwalior Darbar expressed its disgruntlement thus: Interestingly, the correspondence thereafter concerns the political agent and the British state machinery functioning in the Gwalior residency focussing on diplomatic damage control to both Marshall's offices and the office of the Maharaja Scindia of Gwalior.

> … the Durbar is extremely sorry to read the remarks made by Mr. Marshall in his report for 1903-04, regarding the alleged backwardness of the Darbar in responding to the appeal of the Government of India in the matter of the preservation of the ancient monuments. The remarks would appear to have been based on the assumption that the note given by Mr. Marshall in this connection had been so far totally ignored by the Darbar, but permit me to say that this was not the case; on the contrary, the subject has received the fullest consideration of the Darbar from the time that the proposal was first suggested to it[40]

[38] John H Marhsall, 'Memorandum on the restoration of some ancient Monuments at Gwalior.' dated 3rd April 1903, Camp Chas Adda
[39] Ibid, p. 3
[40] Rao Raja Raghunath Rao Dinker Political Secretary to His Highness the Maharaja Scindia Lashkar to the Resident at Gwalior, 13 October 1905, D.O. Letter No.4316, Central India Agency, General

The darbar argued that the delay in work was not a reflection of any disregard for Marshall's recommendations or lack of initiative. Gwalior had been actively expanding and streamlining its other departments and therefore, efforts towards the monument repairs were delayed. Further, they were in the process of expanding the engineering department which would work in tandem with the Public Works Department (PWD) to carry out the conservation work. What makes this correspondence significant is the tone of insult and dismay that the Darbar tries to take to hide a nervousness of consequence of this oversight. They took strong note of Marshall's annual report and how it mentioned them, and they took care to clarify their stance on the issue:

> From the intimate knowledge, which you possess of the administration of the State, the Durbar ventures to think that no one can judge better than yourself how far the remarks made by Mr. Marshall were reasonable, and earnestly hopes that you will fully agree with it in thinking that they were not justified by circumstances, and deal with the case in such manner as you think proper.[41]

Gwalior was aware that the colonial government placed importance on monument conservation in the state. It therefore, could not choose to ignore the maintenance of its historical buildings even if it had different financial and administrative priorities.

Despite Marshall's harsh report, the government decided to handle this matter pragmatically, employing careful diplomacy and respect in communication. They considered two factors: firstly, as per its internal correspondence, Gwalior had shown

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Branch, 1903, Nos. 281-D/1903-06, NAI (hereafter CIA, GB, 1903, Nos. 281-D/1903-06, NAI)
[41] Ibid. p.1

receptivity towards suggestions and advice given by the government to it in the past. The Scindia Maharaja seemed keen on building and lending support for preservation work for historical buildings. Further, as Gwalior had pointed out, the state had been systematically overhauling its administrative system, rearranging departments and expanding their scope of work.[42] However, the government wished to emphasise that it was not willing to overlook any disregard for its suggestions and wished to send a strong signal to the Gwalior Darbar that its best interests lay in following the suggestions of the Viceroy. In a diplomatically worded letter, intended to soothe but send a strong message the Central India Agent wrote to the Gwalior darbar:

> In any case those, who like myself know the State well, are aware that the very last accusation that could be possible be brought against the Darbar is that of wilfully disregarding any suggestions advanced by His Excellency the Viceroy.[43]

They requested the darbar to provide the exact details of the arrangements they had made to take care of the ancient buildings in the state. They drew attention to the darbar's previous letter dated 30 June that stated that nothing had been done with regard to the preservation of monuments in the state. Thus, it drew attention to the inconsistency in detail that the darbar had provided to the state. It therefore requested for specific details including the name of the engineer and the buildings that were under repair along with the budget allocations that the darbar had set for both. Not wishing to offend the Maharaja however, the letter was worded as to be sympathetic to the reasons put forward by it:

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[42] Letter from the Office of Agent to the Governor-General in Central India, No. D.O. 88319 to S.M. Fraser Foreign Secretary, dated 31 August 1905, CIA, GB, 1903, Nos. 281-D/1903-06, NAI

[43] Letter from H.V. Cobb Political Agent of Gwalior to Rao Raja Raghunath Rao Dinker Political Secretary to the Maharaja Scindia, D.O. NO. 9232 of 1905, dated 27th October 1905, CIA, GB, 1903, Nos. 281-D/1903-06, NAI

> I ask for this information in no inquisitorial spirit but simply to enable me to place the Darbar's case more satisfactorily before the Honorable the Agent to the Governor General and the Government of India… I sympathise with the Darbar in their feeling of obvious vexation at Mr. Marshall's notice of Gwalior in his report. His remarks were no doubt written in ignorance of the facts mentioned by you in your letter under answer and much must be forgiven to enthusiasm and zeal in work….I feel sure that when Mr. Marshall learns how much interest the Darbar is now showing in the matter he will be as ready to praise as to blame.[44]

The language in the letter indicated sympathy to the reader for the indignation of the darbar, wherein Marshall's remarks were mentioned with regard to 'zeal' and 'enthusiasm' and in 'ignorance' of the darbar's work and intentions. However, the diplomatic language cannot be mistaken for leniency. The specificity of details asked for were for the verification of the narrative, and the darbar got the signal. It follows the letter with details of the said appointed engineer and the sanctioned budget details for the repair work, bringing an end to the episode and avoiding a diplomatic conflict.[45]

The Gwalior case was not an isolated event. Officers traversing from different States observed and reported on the state of ancient monuments and archaeological sites that they came across. In August 1926, the Foreign & Political Department received a report regarding a letter from a JC Fernandes to the Viceroy regarding the state of

[44] Ibid. p.1
[45] Copy of Demi-official letter No. 298, from the Rao Raghunath Rai Dinker, Political Secretary to His Highness the Maharaja Scindia, Lashkar, to the Resident at Gwalior, dated the 17 January 1906, CIA, GB, 1903, Nos. 281-D/1903-06, NAI

monuments he encountered on his visit to Cochin.[46] Horrified at the 'wanton destruction' of historical sites in the region, Fernandes elaborated in detail how the local Panchayat had built a road cutting in the middle through important sites in Travancore, including a fort in Krishnankotta. He called into question the seriousness of the Cochin darbar's commitment to the protection of historical remains in the state from the local panchayats and pointed out the deplorable condition of historical fortresses at Ernakulam and Krishnakotta. The Foreign & Political Department forwarded the letter to the Agent of the Madras States, asking him to bring the matter "unofficially to the notice of the Darbar and suggesting to them that they might devote their attention to the question of conservation".[47] The Cochin darbar took prompt measures to rectify the situation, as CWE Cotton, Agent to the Madras States wrote back six months later:

> …the Cochin Darbar whose attention was drawn to the above subject state that, with the services of a full times Archaeologist now at their disposal, they hope to conserve the Ancient monuments in the State more satisfactorily.[48]

These instances are marked with meaning because they reflect a relationship of power that the British state shared with its Princely state counterparts in matters of manoeuvring them to pay heed to the historical conservation project. Despite conservation seeming like a mundane subject, Princely darbars were closely monitored and expected to comply with government diktats.

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[46] 'Preservation of monuments in Cochin State', *Proceedings,* Foreign & Political Department, Internal Branch, 1926, Nos. 320-I, NAI

[47] HR Lynch Blosse Deputy Secretary to the Foreign & Political Department to Agent to the Madras States, dated 24 August 1926, ibid., p.2

[48] CWE Cotton Agent to the Madras States to Deputy Secretary to the Foreign & Political Department, dated 11 April 1927, ibid., p.3

Preservation in Independent India: Legislation in the Twentieth Century

After India attained independence in 1947, the new government took over its affairs, including the maintenance of monuments and antiquities. The first legislation passed on the subject was the Ancient and Historical Monuments and Archaeological Sites and Remains Act of 1951. It was a national declaration that was passed through an act of parliament that affirmed the continuance of the Ancient Monuments Preservation Act of 1904 on the registered monument sites.[49] It recorded 365 monuments and 76 sites containing archaeological remains. It further elaborated on two categories of protected archaeological areas- 'ancient and historical monuments' and 'archaeological sites and remains of national importance'. This differentiation was a development in how sites of monuments and antiquities had been categorised previously. Earlier monument sites were listed according to their visible built structure, while antiquities and archaeological remains were listed separately as they were catalogued in museum and antiquarian collections. Ancient mounds and sites from where these antiquities were recovered were recorded in the reports of various archaeological experts covering the area, but until the discovery of the Harappan Civilisation in 1921, these sites were not demarcated as separate protected areas.

This demarcation, as well as the official recognition of 'protected areas' for any site of historical and archaeological interest was formalised through the Ancient Monuments and Archaeological Sites and Remains Act of 1958 (Act XXIV of 1958).[50] This Act repealed the 1904 Act to take over as the national legislation

[49] *Ancient and Historical Monuments and Archaeological Sites and Remains Act of 1951 (Act LXXI of 1951)*, Madras: The Fort St. George Gazette, 11 December 1951, http://asichennai.gov.in/monuments_acts_rules.html

[50] *The Ancient Monuments and Archaeological Sites and Remains Act of 1958 (Act XXIV of 1958),* http://asichennai.gov.in/monuments_acts_rules.html

governing the management of monuments, archaeological sites, antiquities and excavation activities in India. Akin to its 1904 counterpart, this Act was passed 'to provide for the preservation of ancient and historical monuments and archaeological sites and remains of national importance, for the regulation of archaeological excavations and for the protection of sculptures, carvings and other like objects'.[51] While it retained provisions with respect to maintenance agreements and protection of registered ancient monuments by the central government, it differed on some crucial aspects. Firstly, it defined the criteria for an 'ancient monument' and 'antiquity' as comprising of historical objects being at least 100 years old, something that the previous Act had not done.[52] Secondly, it removed the involvement of the commissioner in bringing historical monuments under the protection of the Act and to act as mediator in cases of disputes between the owner and the government. Instead the Director General of the ASI was now responsible for bringing monuments under the Act, as well as taking over their guardianship once they were brought under its purview.[53] By making the Director General a part of the legislation, the 1958 Act deeply integrated archaeological officers into the actual implementation of its provisions. Furthermore, it identified provisions for 'protected areas' which comprised of 'any archaeological site and remains which is declared to be of national importance'.[54] This section of the Act specifically catered to prohibiting activities like mining, quarrying, construction or blasting using explosives in any area that was identified as having archaeological importance.[55] It highlighted how the new legislation was attempting to reconcile the needs of urban planning and economic development of independent India with the preservation of historical heritage. The

[51] Ibid., p.1
[52] Section (2) subsection (a&b), ibid., p.3
[53] Section (5), ibid., p.6
[54] Section (2) subsection (i), ibid., p.5
[55] Section (19)

section was novel in contrast to its 1904 counterpart which put forward protective provisions for monuments, antiquities and excavation sites, but did not provide for the creation of any 'protected areas'.

Lastly, as Deborah Sutton argues, the 1958 Act crucially differed from its predecessor by removing the conflict between the concepts of antiquity and religion attached to historical monuments.[56] The colonial government had struggled with separating the identity of a historical monument with its religious affiliations. In the case of Hindu temples especially, the government was constantly weary of the intervention of Indian priests, temple committees and devotees who interfered in the attempts of the preservationists to carry out repair and maintenance work. Their policy of non-intervention in religious matters prevented them from taking over the management of these buildings or to acquire them under any law. The task of conservation work, that emphasised on maintaining the historicity of a building clashed with the ritual practices of the devotees- pouring milk, smearing vermillion and turmeric on the idol sculpture and excessive physical contact with the sculptures, walls panels and carvings of the temple. According to Sutton, the 1958 Act eased this conflict by making the government responsible for preventing 'pollution' and 'desecration' in a place of religious worship under the Act.[57] While this provision had existed in the 1904 Act as well, it was not until Indian archaeological staff began to be recruited in greater numbers in the 1930s that the government was able to carry out preservation work with greater ease.[58] They were familiar with the religious peculiarities of each historical building and were able to design and execute preservation work in accordance with local beliefs and practices. This laid the foundation for a more

[56] Deborah Sutton, 'Devotion, Antiquity and Colonial Custody of the Hindu Temple in British India', *Modern Asian Studies*, Vol. 47, No. 01, January 2013, p.164
[57] Ibid., p.164
[58] Ibid., p.161

inclusive conservation approach between temple custodians and archaeological departments in the successive decades, who guided one another to maintain the historicity of a building without attempting to detach it from its religious identity.

Conclusion

The evolution of archaeology and monument preservation priorities in India in the 1920s and 30s highlight how the government was taking cognisance of Indian monuments as a reflection of the country's identity around the world. John Marshall's assertions that Indians held dear to their national heritage as a means of contrasting themselves from British rule was a leap from nineteenth century preservationists who asserted that Indians neither cared for nor took any measures to protect their monuments. He went on to argue:

> The Indian people, being subject to a Foreign government attach far more value to the maintenance of their own national traditions and their national monuments than Englishmen do…. I am well aware how little regard has been paid in the past to Indian sentiment but at the risk of appearing un-British, I cannot help stating my conviction that we should have found our path in India much smoother if more attention had been paid in this and other matters [related] to national sentiment. [59]

Nayanjot Lahiri argues that Marshall was making these statements with a larger objective in mind. He was appealing to the central government for limiting cuts to the archaeological budgets and he felt that using the argument of nationalist sentiment

[59] Nayanjot Lahiri, *Finding Forgotten Cities*, Ranikhet: Permanent Black, 2005, pp. 183-184

would make the government take notice.[60] However, the fact that nationalist sentiments could be perceived as a convincing argument reflects the shift that Indians were able to create through their increased political participation. The impact of Indian aspirations could be seen in multiple levels of government policy and administration, including preservation of monuments and antiquities. It also enabled a new generation of Indian scholars who expressed their nationalist aspirations by focussing on regional histories and archaeology. These scholars were inhabiting two parallel worlds- the official government departments dedicated to archaeology and preservation and private Indian bodies that pursued regional archaeological research independently. In this manner, they were able to contribute to both spheres- by providing crucial support to their government employers and expanding the scope of archaeological research and preservation practices in larger parts of the country.

Even though the 1904 Act was successful in bringing the importance of historical heritage preservation to the forefront, it had to take into account the difficulties in implementing such an endeavour. These difficulties pertained not only to the sheer volume of administrative paperwork that had to generated, but more complex problems of making other laws compatible with the project and the ability of the government to carry out conservation work in areas of political upheaval. But it offered the government an opportunity to influence areas where it could not make direct interventions- princely states. Akin to the doctrine of indirect rule, the preservation of monuments and antiquities in these states helped the government monitor and direct them in the manner in which they should maintain their buildings. Such interactions took place in an 'unofficial' capacity, but were effective in making these states take notice of what the government wanted them to do.

[60] Ibid., p.184

The legacy of monument and antiquity preservation in independent India was reflected in the successors to the 1904 Act in 1951 and 1958. These legislations were impactful in discontinuing the dependence of the ASI to the provincial governments in monitoring which monuments were to be added under the 'protected' status and made the Director General their official guardian. They also reflected the evolving nature of challenges faced by a country in the throes of urban development and economic growth. Heritage management had to now be planned hand-in-hand with infrastructural development and planning urban spaces for residences, offices and public utilities.

Epilogue

"A major consideration of tourism development will be to preserve our cultural and natural heritage which constitutes the major tourism resources of the country. Despoliation of the natural environment of archaeological monuments…clandestine selling of antiques and vandalism- these are some of the negative aspects of tourism which can lead to the depletion of tourism resources of the country."[1]

-Tourism Policy 1982,
Ministry of Tourism, Government of India

The preservation of monuments and archaeological remains in twenty-first century India has become an integral part of the cultural identity of the country. However, they face a greater threat of destruction than in previous years. While the ASI and the central government have been making efforts to preserve and propagate the importance of historical monuments, the pressures of urban development, environmental pollution and administrative atrophy have been detrimental to their cause. The role of the ASI has been brought into especial question over recent years. In May 2018, the Supreme Court of India reprimanded the ASI for not taking adequate protection measures to preserve the Mughal monument Taj Mahal in Agra, Uttar Pradesh. The monument, declared a UNESCO World Heritage site in 1983, has been deteriorating due to the high levels of air pollution and tourist traffic in Agra. The monument is made from the fabled Makarana marble and preservation of the monument's iconic white colour has been the prime worry of conservationists and historians.[2] The marble has reportedly been yellowing and subsequently turning shades of green and black. Moreover, insect droppings and algae growth on the cenotaphs and around the walls of the Taj reflect poor-treatment for one of the most

[1] *Tourism Policy, 1982,* Ministry of Tourism, Government of India, http://tourism.gov.in/tourism-policy-archive
[2] Sanjay Dhar, 'The Taj Mahal, ASI's Paralysis and the Curious Case of the Elusive White', *The Wire,* 20 May 2018, https://thewire.in/urban/taj-mahal-yellow-asi-supreme-court

well-known historical monuments of the country.

How far is the ASI to blame?

The Supreme Court bench, headed by M.B. Lokur and Deepak Mehta blamed the ASI for not being able to carry out its responsibility as preservers of the monument, and even went so far as to question the need for the body. They asserted that in light of the Survey's negligence, it might be prudent to explore dissolving it altogether![3] However, it is worth looking at the challenges that the body faces in preserving Indian monuments and historical remains today. The ASI is responsible for over 3650 historical monuments and archaeological sites in the country today. Of all the monuments under its protection, 122 are ticketed to allow public access.[4] It has been accused of not being able to adequately or accurately carry out the preservation of monuments. But as the biggest custodian of Indian architectural heritage, the ASI is strapped for funds and stretched thin in terms of personnel it can deploy to carry out proper preservation work. In 2010, it stated that it could not spare any manpower for appointing a single person for the full-time care of any monument.[5] of The Ancient Monuments and Archaeological Sites and Remains Act of 1958 made the Director General of archaeology as the primary guardian of all monuments that were brought under the protection of the Act.[6] This made the ASI responsible for undertaking preservation measures for all protected sites and monuments but did not give it any

[3] 'Supreme Court Pulls Up ASI for Failing to Take Steps to Preserve Taj Mahal', *The Wire,* 9 May 2018, https://thewire.in/urban/supreme-court-pulls-up-asi-for-failing-to-take-steps-to-preserve-taj-mahal

[4] *Archaeological Survey of India,* Ministry of Culture, Government of India, http://asi.nic.in/monuments/ (hereafter ASI)

[5] Nayanjot Lahiri, 'Making of a Monumental Crisis', *The Hindu,* 7 July 2017, https://www.thehindu.com/todays-paper/tp-opinion/making-of-a-monumental-crisis/article19227713.ece

[6] Section (5), *The Ancient Monuments and Archaeological Sites and Remains Act 1958 (Act XXIV of 1958),* http://asichennai.gov.in/monuments_acts_rules.html

substantial powers. Furthermore, it has limited jurisdiction to affect policy on subjects beyond monuments and archaeology. The Taj had been in danger from environmental degradation since the 1970s when the ASI had petitioned the Uttar Pradesh government against the setting up of an Indian Oil Corporation (IOC) refinery in Mathura in 1977. They argued that the sulphur-dioxide flames from the refinery might be detrimental to its marble. In response to this, the IOC consulted an Italian firm TECNECO and went on to set up the refinery in 1982 following its reports. Seeing the harmful effects of pollution on the monument, in 1996 the Supreme Court ordered the creation of a Taj Trapezium Zone (TTZ), a 10,400 sq. km area around the Taj Mahal to protect it from the harmful effects of industrial pollution. The factories and refineries set within this zone were instructed to switch from coke and coal-based fuel to natural gas or else relocate outside the zone.[7] However, the rising levels of air pollution in Agra, especially during winters and the celebration of popular festivals have hastened the yellowing of the Taj Marble, and the ASI finds itself in precarious position with the judiciary as a result.

Additional to environmental factors, the pressures of urban development and economic growth have competed with the maintaining the geographical integrity of monuments. The 2010 amendment to the 1958 Act- the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act of 2010 have put forward specific provisions against encroachment of monument spaces. Characterising monument and archaeological spaces as 'protected areas', the Act specifies:

[7] 'Why is the Taj Trapezium Zone and Why is it Called So?', *The Times of India,* 4 May 2008, https://timesofindia.indiatimes.com/Why-is-the-Taj-Trapezium-Zone-and-why-is-it-called-so/articleshow/3008537.cms

> Every area beginning at the limit of the protected area or the protected monument, as the case may be, and extending to a distance of one hundred metres in all directions shall be prohibited area in respect of such protected area or protected monument.[8]

However, infrastructural developments like roads, flyovers, residential spaces and public transport are in danger of encroaching into areas designated for monuments. The Nizamuddin Dargah baoli in New Delhi, one of the last step wells still standing from the medieval period, faces heavy encroachment from houses being built in its immediate vicinity- a direct contravention to the 2010 Act. The ASI sent notices to the concerned householders to vacate or restrict construction around the area, but the long punitive procedure involved in taking bureaucratic action tied their hands.[9] In another case, the Mughal monument of Sarai Shahji in Delhi had been illegally occupied by ragpickers in 2012.[10] On being asked to vacate by the ASI, the occupiers filed a case of land ownership against it. The high court ruled in the ASI's favour and the illegal occupants were forced to vacate. However, these instances just show the hurdles the body has encountered in the face of urban growth.

[8] Section (20A), *The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act of 2010,* http://asichennai.gov.in/monuments_acts_rules.html
[9] Baishali Adak, 'With New Constructions Around, Nizamuddin Dargah Baoli Faces Threats to Its Survival', *The Times of India,* 16 April 2016, https://www.indiatoday.in/mail-today/story/when-heritage-pays-the-price-of-negligence-318232-2016-04-16
[10] Richi Verma, 'Action Against Encroachments in Sarai Shahji Monument', 24 February 2012, *The Times of India,* https://timesofindia.indiatimes.com/city/delhi/Action-against-encroachments-in-Sarai-Shahji-monument/articleshow/12010935.cms

'Hindu' and 'Muslim' Monuments: Stories of Appropriation

The inability of the ASI to preserve prominent monuments like the Taj has been compounded by the political wave of strong Hindutva sentiments in India. This has arisen due to the characterisation of Indian monuments as 'Hindu' and 'Muslim'- a legacy left by the colonial government which analysed Indian architecture through the lens of religion. The assertions made by such activists are of two kinds. The first kind argues that many 'Muslim' monuments of repute were actually built on the sites of ancient Hindu monuments. The Babri Masjid, built in 1527 by Mughal general Mir Baqi, was demolished in Ayodhya in 1992 by members of the Bhartiya Janata Party (BJP) and Vishwa Hindu Parishad (VHP). They stated that the mosque had been built on the site of the *Ram Janambhoomi* or the birthplace of the god Rama. Organising an elaborate rally, BJP and VHP members mounted an attack on the monument and tore it down on 6 December 1992, at the shock of archaeologists, historians and preservationist worldwide.

The second argument states that 'Muslim' monuments were actually built by Hindus and appropriates them as a part of ancient Hindu culture. In a smaller instance, a Tughlaq-era tomb in Delhi was appropriated by residents of Humayunpur village in May 2018, who placed Hindu idols inside the building and declared it a temple.[11] The outer walls of the tomb were painted white and saffron and a plaque placed outside called it a 'Shiv Bhola Temple'. Even Taj itself, built by Mughal emperor Shahjahan for his wife Mumtaz Mahal in 1648, has become the object of ire from right-wing Hindu activists. In April 2015, six lawyers filed a case stating that the mausoleum

[11] 'From Tomb to Temple: Tale of Monumental Neglect', *The Times of India,* 5 May 2018, https://timesofindia.indiatimes.com/city/delhi/from-tomb-to-temple-tale-of-monumental-neglect/articleshow/64035784.cms

was actually a 'Shiva mandir'.[12] In June 2018, the western gate of the monument was pulled down by VHP activists who claimed that it blocked the way to the Siddheswar Mahadev Mandir. Such incidents are reminiscent of the trope of Indian 'vandalism' that was put forward by colonial preservationists. The Indian publics have claimed their Indian monument heritage not as a representative of a historical past, but as a representation of a desired religious identity. Historical accuracy and preserving architectural authenticity are sacrificed at the altar of communal appropriation and political agendas.

Hope for Preservation: The Role of Tourism and Non-Governmental Bodies

Fortunately, all is not lost. Monument preservation has become an integral part of the tourism industry of the country. This integration has given a boost to many monuments, who are maintained by the Ministry of Culture, Ministry of Tourism and non-governmental bodies like the Aga Khan Trust for Culture (AKTC) and the Indian National Trust for Art and Heritage (INTACH). The 1982 Tourism Policy document by the Ministry of Tourism elaborated on the intrinsic role that monuments and archaeological resources of India played in boosting tourist traffic:

> Various surveys and studies have confirmed that the biggest element in attracting international tourists to India is our historical and archaeological monuments.[13]

This document, which laid out the orientation and the plan of action that the

[12] Andrew Marszal, 'Was the Taj Originally an Ancient Hindu Temple?', *The Telegraph,* 1 December 2015, https://www.telegraph.co.uk/news/worldnews/asia/india/12027696/Was-the-Taj-Mahal-originally-an-ancient-Hindu-temple.html
[13] *Tourism Policy, 1982,* Ministry of Tourism, Government of India, http://tourism.gov.in/tourism-policy-archive, pp. 6-7

government had devised for shaping India into a global tourist hub, identified historical monuments as a part of its 'cultural tourism'. It recognised that monuments are not just tangible representatives of the past but a part of the cultural identity of a country. In 2010, the AKTC joined hands with the ASI, the Central Public Works Department and the Municipal Corporation to revamp the Hazrat Nizamuudin Basti in Delhi as a part of the former's 'Historic Cities Programme'.[14] The partnership was novel because it brought together governmental and non-government body to carry out preservation measures in a densely populated area. The project, which also included conservation work on the Sunder Nursery and the Humayun's Tomb, managed to unify areas of cultural significance and make them even more accessible for the public. Similarly, the Indian government's recent project- 'Monument Mitras' or 'Adopt a Monument' has given impetus to private bodies who can 'adopt' a monument for a specified period of time. In April 2018, the Dalmia Bharat Group adopted the iconic Red Fort in Delhi for twenty-five crore rupees for a period of five years. An MoU signed between the Ministry of Tourism, ASI and the Dalmia Group enables the Group to "construct, landscape, illuminate and maintain activities related to provision and development of tourism activities related to provision and development of tourist amenities".[15] The move drew flak from historians like Irfan Habib and Shireen Moosvi, who felt that the move was akin to the government brushing its hands off the conservation of the monument by corporatizing it.[16] Their reservations towards the lack of historians, archaeologists and preservation experts involved in the Dalmia Group's functioning is the backbone of academic resistance to

[14] Sweta Dutta, 'Nizamuddin Basti, A Transition for the Future', *The Indian Express,* 12 July 2010, https://indianexpress.com/article/cities/delhi/nizamuddin-basti-a-transition-for-the-future/

[15] Indemnity Clauses, *Adopt a Heritage*, 13 April 2018, www.adoptaheritage.in/moupdf/Red%20%20Fort%20MoU.pdf

[16] Anuja Jaiswal, 'Historians Object to Centre's Move to Give Red Fort for Upkeep to Corporate Group', *The Times of India,* 29 April 2018, https://timesofindia.indiatimes.com/city/agra/historians-object-to-centres-move-to-give-red-fort-for-upkeep-to-corporate-group/articleshow/63955526.cms

the project. However, the project may be key to helping bodies like the ASI take better care of monuments by extending financial and manpower where the body struggles to keep afloat. The project has been designed to facilitate tourism facilities at these monument sites and do not aim to take over the alteration of the structure in any manner. But since the objective of privatisation of services predominantly involves profit-making, it would be prudent for government bodies like the ASI and the Ministries of Tourism and Culture to not shake their hands off the responsibility of heritage preservation in the country altogether. As history remembers Viceroy Elgin, who did not see the point of state protection of archaeological heritage in the 1890s, the cause of preservation in 2018 India still requires state involvement, and may always do so.

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