



# गुल्लक Gullak



Sr. No. 83 | Year 8 | Issue 7 | 1 July 2016 | Pg. 4 | ₹ 35 | Editor: Dr. Dilip Rajgor

Your Complete Monthly Newspaper for Coins, Medals, Paper Money, Collectibles, Antiquities, Decorative Arts & Hobby

## What a Pawn Shop in Las Vegas can Teach us about India's Heritage

By Girish Shahane ([scroll.in](http://scroll.in))



*Narendra Modi made a big deal out of repatriated antiquities – but the future lies in buying them*

Sometime in the next few days, I will visit the most famous pawn shop in the world. The Gold & Silver Pawn Shop on South Las Vegas Boulevard is the site of *Pawn Stars*, one of the most popular reality television shows in the United States, and a programme I watched regularly when the History channel began screening it in India a few years ago.

If I had my way, I'd make at least one season of *Pawn Stars* required viewing for all bureaucrats involved in India's culture sector. Narendra Modi might profit from watching it as well. He is in the United States yet again, and yet again making uninformed remarks about India's past. During a ceremonial repatriation of smuggled antiquities, Modi backdated the Konark temple by some 1,250 years. Perhaps it was because the temple was built in an era defined by Hindutvavadi history as one of Hindu enslavement (since when did slaves build grand shrines?). Or perhaps it was down to the Hindu right's love of making everything Hindu older than it actually is.

### The show

Before explaining *Pawn Stars's* relevance to India's heritage and antiquities, let me briefly introduce the show. It features a shop run by Rick Harrison, his father the Old Man, his son Big Hoss, and a sidekick named Chumlee. The names say a lot about the protagonists, who often seem like stereotypical macho Americans – obese, loud, in love with cars, bikes and guns, the kind who would never step inside an art museum. They are set apart because they buy and sell items far beyond the traditional pawnshop staples of jewellery, gold and silver. They deal in stamps, paintings, antique machines, sports memorabilia, rare coins and banknotes, playing cards, gas masks, in fact almost anything anybody could dream of buying or selling, including, of course, cars, bikes, and guns.

They reach out to experts when their own valuation skills prove inadequate. One guest on the show might validate a signature on a baseball bat, another suggests a price for a 1930s puppet, a third judges if a 17th century manuscript is genuine or forged, and so on. Many of the criteria used to value such items are common though the pieces themselves seem entirely unrelated. Condition, provenance, rarity, historical importance, such yardsticks apply to cars, cannons, coins, curios, and canvases alike. *Pawn Stars* reminds us that art and heritage are not things that occupy some rarefied dimension, but part of a continuum of material culture.

Most things humans create depreciate in value and ultimately become entirely worthless. A tiny minority remain interesting and appreciate in price because of their aesthetic or historical properties. Judging exactly how valuable they are involves understanding them intimately, for anything of value can and will be faked, and because the most minute flaw can have a disproportionate effect on price. *Pawn Stars* demonstrates how a market for artefacts creates an ecosystem of expertise around it.

### The question

In his speech at Blair House, Narendra Modi spoke of antiquities being dug up and smuggled abroad. It raises the question: Why are these pieces smuggled abroad at all? Wouldn't it be much easier to sell them in India? The sad truth is that for all our nationalistic chest thumping the demand for Indian artefacts is greater outside India than within the country. Rick Harrison in Las Vegas might be interested in a Kushana sculpture a client brings in, but no saudagar in India would take a second look at it. Even if one did, who would authenticate and value such a piece? There are a few well-qualified museologists and academics in India, but they work in isolated pockets, and might be reluctant to involve themselves in commercial transactions thanks to the Antiquities Act of 1972, which created massive barriers to buying, selling, and even possessing heirlooms, old jewellery and ancient art.

Without a flourishing market in a field, expertise in that field tends to crumble. The state can, and should, support a system of universities and museums where competence is built around understanding the context and meaning of artefacts thoroughly rather than valuing them in the present day, but though the framework used by academics and auctioneers is far from identical, the two are substantially related.

One of my favourite moments from a visit to Hong Kong a couple of years ago was walking through an exhibition of Chinese artefacts to be sold by Christie's and looking at the little booths where potential buyers or their representatives sat scrutinising through magnifying lenses vases or sculptures they were interested in acquiring. China opened up its internal antiquities trade a few years ago, and has quickly become one of the largest markets for heritage artefacts in the world. Of course, Chinese collectors are mainly interested in their own material heritage, but there is enough of that to fill hundreds of museums, public and private.

As a result of the boom in internal demand for Chinese antiquities, the flow of trade has been reversed for the first time in history, with goods flowing from Europe and North America into China. In fact, demand is so high that crime cartels have taken to stealing Chinese artefacts from Western museums and smuggling them into China. Don't be surprised if in the future we hear of China repatriating stolen Chinese treasures to France.

### **The law**

India's outdated Antiquities Act places an intolerable burden on private collectors while keeping the operations of state-run bodies opaque. In its stead we need a law that makes government collections and procedures transparent while allowing citizens their privacy. Increased demand anywhere, whether inside India or abroad, will cause a spurt in damage, desecration and thievery. Hand in hand with opening up the trade in antiquities, we will need to protect heritage sites better, and document in situ artefacts comprehensively (we should do that anyway, whether or not trade is liberalised). We also ought to remove import restrictions, provide incentives to private museums, and encourage individuals to donate collections to public institutions.

I look forward to the day when, desiring to sell a Deccan miniature or an 18th century Kashmiri carpet, its Indian owner can approach a local auction house or antique specialist without traversing a labyrinth of red tape. Who knows, the collector might even be able to hawk it at a pawn shop round the corner.

## **India: A Tale of Two Markets**

*While the contemporary market thrives, the regulations regarding Antiquities desperately need reform*

*By Dr. Naman P Ahuja*

The media in India and abroad is filled with reports about the unprecedented rise of the Indian art market, yet there has been little discussion about the difference in operation between the contemporary and antiquities markets; or the market for antiquities within India and internationally. Awe inspiring statistics are frequently published: Indian art has, allegedly, appreciated a staggering 10% faster annually than the stock market since 2000, about 500 million US dollars worth was sold in 2006 and significantly, none of these figures consider the largely unregulated market for antiquities. The antiquities market has in fact been forced underground as the very draconian policies created to protect heritage, have become instruments for corruption, prohibiting the collecting of historical art in the country in which it was made, and forcing traders to smuggle our heritage abroad.

The reasons for the astronomical rise of contemporary art are apparent: the opening of the economy, the freedom given to both resident and non-resident Indians to compete in a global market and the ease with which paintings can be bought and sold, imported and exported. While the market for contemporary art has grown more transparent and legitimate over the past ten years, the trade in antiquities in India remains corrupt and operates largely on unaccounted cash transactions.

### **A faulty framework**

The current Indian Government policy is set out in the Antiquities and Art Treasures Act of 1972. Its guiding principles are "to regulate the export trade in antiquities and art treasures, to provide for the prevention of smuggling of, and fraudulent dealings in, antiquities [and], to provide for the compulsory acquisition of antiquities or art treasures for preservation in public places". An antiquity is defined as something over 100 years old (subsequently extended to include manuscripts and documents that are 75 years old).

The act states that it is illegal to export any antiquity unless authorised by the central government, and that an antiquity may be sold within India only under a licence. Importantly however, the government retains the right to over-ride private ownership of art works, and can order the compulsory purchase of a work at a price

determined by its appointed valuers who, incidentally, have no published national price-index for such objects to refer to and remain reluctant researchers of international pricing.

There is also a Treasure Trove Act of 1878, covering "anything of value hidden in the soil". When a piece worth more than 10 Rupees (!) is discovered, the finder must inform the landowner and local authority and deposit the treasure or give security for its custody. Concealment is a criminal offence. If declared ownerless, the finder receives three-quarters and the landowner one quarter of any sale price. The government, however, has the right of pre-emption.

The laws make it hard for individuals to own antiquities freely. For a start, because there are no transparent, public auctions of antiquities in India, there is no sound way of establishing their true market value. As a result, it is blatantly unfair when the government decides to compulsorily acquire an antiquity because the owner of the work is forced to accept a price established by government-appointed nominees who are, at best, ill-equipped to make a valuation.

It is also illegal, at present, for an individual who spots a historical object on sale to acquire it unless he can verify that the vendor is licensed. Yet farmers regularly find things in their fields, which are passed on to the thousands of middlemen in the art trade in India. Rubbish collectors sell off old household goods in every city, and which keen collector has not gone scavenging for treasures amongst rag-pickers, who must all, as per current regulations, seek licenses!

The law invests officialdom with powers which risk engendering corruption. It is widely known that bribes have to be paid to get a licence to sell antiquities, to get "non-antiquity" certificates to be able to export them, to even register an antiquity with the authorities. Collectors in India have been left frustrated and the best art collections have been forced under cover. Some collectors have shifted their resources to the more transparent market for contemporary art.

The problem is that this framework has become regressive and counter-productive. Only a handful of art smugglers have ever been brought to book using these laws, while thousands (if not tens

of thousands) of Indian antiques have been exported since 1972, while temples have been stripped of their ornamentation and sites pillaged to the point that they are rendered useless for archaeology.

There is no gainsaying the value of private collecting for a nation. The list of private collections on which India's premier museums have been founded is long. Prior to independence, India's maharajas were avid collectors, and their private museums still form some of the most significant collections of Indian art in the world. After independence, a new breed of antiquarians and professionals became prominent, such as Rai Krishnadas of Banaras who founded one of the finest collections of Indian painting, Raja Dinkar Kelkar's collections of folk art, the Sarabhais in Ahmedabad, the Birlas, Kanorias and Neotias, Rani Rajwade's collections of brassware, and Sharan Rani Backliwal's collection of musical instruments. Clearly it is beyond the ability of the government to buy all available Indian antiquities or preserve them, conserve them and display them. There is thus little choice but to involve the citizenry actively in the preservation, caring and collecting of their own heritage.

### Further problems arise over repatriation

Collectors are equally constrained by customs duties if they buy Indian works of art abroad and attempt to re-import them. In 2003-04, Vijay Mallya, an MP and industrialist, attempted to bring back a sword that once belonged to Tipu Sultan (1750-1799) which he had bought from the family of Scottish general David Baird for £175,000. Despite a personal appeal to India's finance minister, P. Chidambaram, he was expected to pay customs' duties, and provide documentation to show the legal export and re-entry of the object. He ended up lending the artefact to the Asian Art Museum of San Francisco instead.

Mr. Mallya is at one end of the spectrum: there are problems at the other end as well. It is inevitable that large quantities of lesser value artefacts are found as a result of normal agricultural and economic activity. Yet unsympathetic laws will continue to result in the destruction of the archaeological record unless a proper system of reward exists, since finders usually channel such objects into an illicit market. Anecdotal evidence suggests that the costs of bribes or adhering to the law potentially so damaging, that finders are deliberately destroying pieces rather than run the risk of being caught with them.

Most source countries across the world have some form of control over the export of archaeological material. These range from the pragmatic (the UK, Germany, the Netherlands) to the draconian (India, Greece, Turkey, Egypt). The fiercest laws were passed at different times, but almost always in the interest of nationalism. These laws have been designed to foster a belief in outside cultural imperialism, and are both a symptom and a source of a deep emotional feeling, and though these laws have proved remarkably ineffective, their emotional basis makes it difficult for the relevant authorities to adjust them. These laws are also by no means uniform; for whereas some countries (Egypt, Turkey) have taken the drastic step of "nationalising" all antiquities (even when privately owned for generations), others have allowed private ownership, and dealing, to continue. The latter case usually involves an embargo on export which can produce a false, two-tiered market. In India, the central government's reservation of the right to "acquire" any object, could be seen as tantamount to "state theft". Collectors and dealers are left with no choice but to dispose off their collections by smuggling them out of India. The laws are having a diametrically opposed effect to that which was intended.

### What the market needs

The Indian art market needs infrastructure. Unlike more

sophisticated markets, there is little by way of information, few critics, few curators, no indices and, unlike the contemporary art market, the antiquities market is largely operating underground. The current legal framework is founded on an attitude in which an open market stands opposed to national interests, for which the most archaic and draconian form of protectionism was enforced. This has killed the domestic market for antiquities, while the international demand for them has remained consistent.

About four years ago, the Chinese government approached the US to impose an embargo on the import and sale of Chinese art older than 70 years. The Chinese wished to protect their heritage and the US was keen to placate them. However, it is worth noting two observations pertinent to the Indian situation. In 2004, Sotheby's and Christie's recorded \$224m in their world-wide sales of Chinese art. Of that, totals at their American branches added up to only \$34m.

American buyers are not the biggest collectors in the international market for Chinese works: auction houses in China, established with the support and protection of the Chinese government, sold \$680 million of Chinese art last year alone. In fact, it is the Chinese themselves who have become the dominant force in the international Chinese art market. This is now the situation with Indian art as well, where the strength of Indian buyers has already been noted by the international art auction houses. Yet, it remains difficult for auctioneers to sell antiques in India.

The biggest irony of all is that, in any case, a desire for the possession of art objects is no longer the main driving force for the desecration of or pillaging of ancient sites. The Indian government has built dams like Nagarjunasagar and the Sardar Sarovar knowing that the archaeological context will be sacrificed. It is the advance of man: urbanisation, the cutting down of forests, the construction of metros, roads, dams and expanding agriculture which is now the biggest source of destruction.

An adjustment of the present laws to encourage legitimate domestic trade would be effective in restricting the smuggling routes on which the illicit international trade depends. The easing of the sale of such items within India will go a long way in preserving national heritage as awareness of art, history and heritage increase. This in turn will make the market more conscious about the authenticity of objects offered for sale. Once the environment to love and invest in art becomes more transparent, the growth in the Indian antiquities market will receive its next major impetus. And that impetus, could potentially, be at least as significant as the current contemporary art market boom.

*The writer is Associate Professor of Indian Art and Architecture at Jawaharlal Nehru University This synopsis is from a larger report prepared at the request of the Taskforce on Cultural & Creative Industries, Planning Commission of India.*

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## Calendar of Events 2016-17

Month	Date	Place	Event	Venue
July	1-3	Salem	Tamilnadu Salem Coin Expo 2016	Vasavi Mahal, Salem Town, First Agraharam, Salem, Tamil Nadu - 1
July	1-3	Tiruchirapalli	Global Currency & Coin Expo 2016	Rajeshwari mahal, Ramba Urvasi Theatre premises, Tiruchirapalli (TIRUCHIRAPALLI NOTAPHILY SOCIETY)
July	8-10	Thiruvananthapuram	Travancore Expo 2016	Bhagyamala Auditorium, Chandrasekharan Nair stadium, Palayam, Thiruvananthapuram
July	15-17	Bangalore	Nanyadarshini -2016	Shikshakara Sadan, K. G. Road, Majestic, Bangalore - 560 002. Karnataka Numismatic Society
<b>July</b>	<b>xx</b>	<b>Internet</b>	<b>Rajgor's Auction 52</b>	<b>3.00 pm onwards</b>
July	22-24	Bikaner	Bikaner Trade Coin & Currency Fair	Suraj Bhawan, Asanya Chok Near Haritage Rampuria haweli, Bikaner Rajasthan. (Mahendra Baradia 9351219795)
<b>August</b>	<b>xx</b>	<b>Internet</b>	<b>Rajgor's Auction 53</b>	<b>3.00 pm onwards</b>
August	5-7	Ahmedabad	8 <sup>th</sup> Annual Ahmedabad Coins & Currency Fair	The President Hotel, C.G. Road, Opp. Municipal Market, Navrangpur, Ahmedabad
<b>September</b>	<b>xx</b>	<b>Mumbai</b>	<b>Rajgor's Auction 54</b>	<b>3.00 pm onwards</b>
September	23-25	Mumbai	14th Coin & Stamp Exhibition	World Trade Centre, Cuffe Parade (Mumbai Coin Society)
October	21-23	Jabalpur	Puratatva Mudra Utsav 2016	Jalsa Hall, 4th Floor, Hotel Grend Samdariya, Jabalpur, M.P.
November	4-6	Tirunelveli	Nellai Coin Exhibition	
November	11-13	Delhi	Delhi Coin & Stamps Exhibition	AIFACS, 1 Rafi Marg, New Delhi 110 001.
December	9-11	Pune	Coinex - Pune 2016	Sonal Hall, Karve Road, Pune (Shri Basti Solanki) International Collector's Society of Rare Items
December	10-12	Jamshedpur	Jharkhand Jam Coin -2016	Tulsi Bhavan, Inner Cir, Bistupur, Jamshedpur, Jharkhand
December	23-25	Kolkata	Mudra Utsav 2016	Haldiram Banquet Hall, Ballygunj, Numismatic Society of Kolkata
January	6-8	Nashik	Rare Fair 2017	Indraprastha Hall, Old Gangapur Naka, Gangapur Rd, Nashik - 422002.

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