

3. Pursuant to that, Secretary, Culture, Tourism, Antiquities and Archives Department, present submits list of protected sites/monuments under the Antiquities Act 1975 as under:-

LIST OF PROTECTED SITES/ MONUMENTS UNDER ANTIQUITIES ACT 1975

Hyderabad District

1.	Tomb of MianGhulam Shah Kalhora	Kalhora Colony, Hirabad, Hyderabad	I
2.	Boundary Wall of Pucca Fort, Hyderabad	Near Shahi Bazar, Hyderabad	I
3.	Old Offices and Tajar (Treasury) of Mirs	Inside Pucca Fort, Hyderabad	I
4.	Tomb of MianGhulamNabiKalhoro	Hirabad, Jail Road, Hyderabad	I
5.	Haram of TalpurMirs	Inside Pucca Fort, Hyderabad	
6.	One Enclosures containing Tomb of TalpurMirs	These Tombs are situated in Hirabad, District Hyderabad	II(A)
7.	Tower now used as New Water Tank	Inside Pucca Fort, Hyderabad	III
8.	Two Mosques and a Tomb	Near TandoFazalTown, District Hyderabad	I
9.	Tomb of Sarfaraz Khan Kalhora	Sarfaraz Colony, Hyderabad	I
10.	Masque of Mirs	Ward E, inside Pucca Fort, Hyderabad	I
11.	Tajar (Treasury) of Mirs	At Pucca Fort, Hyderabad	I

Sanghar District

12.	Qubba Mir Shahdad	Near ShahpurChakar Tehsil, Shahdadpur, District Sanghar	I
13.	AncientCity Remains Brahmanabad (Mansura)	DehJamrao, TalukaSinjhor, District Sanghar	II
14.	Mound Thulh	DehKotBijar, TalukaSinjhor, District Sanghar	III
15.	Graveyard	Tehsil Shahdadpur, District Sanghar	III

Badin District

16.	Ruins of Old City at Badin	Village Ali Shah Goth, District Badin	III
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Tando Muhammad Khan District

17.	Buddhist Stupa	Near Tando Muhammad Khan, District Tando Muhammad	I
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Matiari District

18.	Hala Monuments (Mirs Tombs)	Situated northern side from Hala Town, Matiari	I
19.	Mai Khairi - Ji - Masjid	Misri Shah Mohallah, Nasarpur Town	II
20.	Nasar - Ji - Mosque	Misri Shah Mohallah, Nasarpur Town	II
21.	Kirarh - Ji - Masjid	Misri Shah Mohallah, Nasarpur Town	II

TandoAllayar District

22.	Wahyoan Tomb	Situated on the way from TandoAllayar to Tando Adam, District TandoAllayar	
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Shaheed Benazirabad District (Nawabshah)

23.	Buddhist Stupa (Thul Mir Rukun)	Village Thul Mir Rakun, District Nawabshah.	III
24.	Tomb of Mian Noor Muhammad Kaihora	Deh Village Noor Muhammad, 17 miles from Daulatpur, District Nawabshah	I
25.	BhiroBham Mound	Deh. 67 Nasrat, Taluka and District Nawabshah	I

Thatta District

26.	Brick Dome to the North East of the Tomb of Mubarak Khan (Tomb of Sister Fateh Khan)	ThattaMakli Hill, District Thatta	I
27.	Tomb of Mubarak Khan S/O Jam Nizamuddin	ThattaMakli Hill, District Thatta	I
28.	Tomb and compound wall of Yellow Stone at a Distance from and to the south of Jam Nizamuddin.	ThattaMakli Hill, District Thatta	II
29.	Tomb and enclosure to the South East of above	ThattaMakli Hill, District Thatta	II
30.	Tomb and enclosure to the West of the above tomb	ThattaMakli Hill, District Thatta	II
31.	Brick Dome to the South of the Tomb above	ThattaMakli Hill, District Thatta	II
32.	Sultan Ibrahim and other, Tomb wrongly known a amir Khalil's Tomb	ThattaMakli Hill, District Thatta	I
33.	Tomb and compound wall of the yellow Stone to the South of Mirza Muhammad BaqiTarkhan Tomb Wrongly called Mirza Isa Khan's Tomb.	ThattaMakli Hill, District Thatta	I
34.	Brick enclosure of MirzaBaqiBaigUzbek's Tomb it lies south of Nawab Isa Khan the Younger Tomb	ThattaMakli Hill, District Thatta	
35.	Dabgir, Mosque	Thatta Town Sijawal Road, Thatta	I
36.	Graveyard Makli Hill	Thatta Northern at Makli Hill, District Thatta.	II
37.	Graveyard known as Goth Raji Malik MuqamQadim Shah.	Village Abdullah Khan Deh Raj Malik Gharo and Sakro Road, District Thatta	I
38.	Sonda Graveyard.	Between Hyderabad-Thatta on National Highway at Sonda Village	I
39.	Jam Nizamuddin's Tomb	ThattaMakli Hill, District Thatta	I
40.	Baradari	ThattaMakli Hill, District Thatta	I
41.	Tomb of Amir Sultan Muhammad S/o, Amir Hajika	ThattaMakli Hill, District Thatta	I
42.	Nawab Isa Khan, The Younger Tomb.	ThattaMakli Hill, District Thatta	I

43.	MirzaTughralBaig's Tomb	ThattaMakli Hill, District Thatta	I
44.	MirzaJani and Mirza Ghazi Baig	ThattaMakli Hill, District Thatta	I
45.	Stone Masonry Enclosure Containing the Tomb of Mirza Jan Baba and 12 other of Tarkhan Family wrongly known as Tomb of Zanan of Nawab Isa Khan.	ThattaMakli Hill, District Thatta	I
46.	Mirza Muhammad BaqiTarkhan's Tomb wrongly called Mirza Isa Khan's Tomb.	ThattaMakli Hill, District Thatta	I
47.	Stone Masjid with a Dome one Stone Pillars by side MirzaJaniBaig's Tomb.	ThattaMakli Hill, District Thatta	I
48.	Brick Masjid and Enclosures near NawabShurfa Khan's Tomb supported to be the Tomb of Sayyed Amir Khan.	ThattaMakli Hill, District Thatta	II
49.	Stone Masjid with Enclosure to the South of Mirza Muhammad BaqiTarkhan Tomb, Tomb of HabshadBaig.	ThattaMakli Hill, District Thatta	II
50.	Tomb of Mirza Muhammad Isa (I) Turkhan.	ThattaMakli Hill, District Thatta	I
51.	Brick Tomb Near the Tomb of AuliaPir.	ThattaMakli Hill, District Thatta	II
52.	Tomb with Super Structure on Stone Pillars to the North of the tomb of Jam Nizamuddin.	ThattaMakli Hill, District Thatta	II
53.	Brick Structure to the North of Tomb of Jam Nizamuddin.	ThattaMakli Hill, District Thatta	II
54.	Tow Pavilions on Stone Pillars Over the Tombs to the South West of Tomb of Jam Muhammad.	ThattaMakli Hill, District Thatta	II
55.	KalanKot	ThattaMakli Hill, District Thatta	II
56.	Nawab Amir Khan's Mosque	ThattaMakli Hill, District Thatta	II
57.	Building with two Domes near the CivilHospital, Thatta	ThattaMakli Hill, District Thatta	II
58.	Jama Masjid	Thatta City, District Thatta	I
59.	SasyunjoTakar, MirpurSakro (Banbhore)	DehMirpurSakro, District Thatta	II
60.	Archaeological Site of Banbhore		
61.	Jam bijar Fort, MirpurSakro	DehPalejam near Ran Pathani Railway Station, District Thatta	III
62.	Tomb of NawabShurfa Khan	Makli Hill Monuments, Thatta	I
63.	Jamia Masjid	ThattaMakli Hill, District Thatta	

Karachi District

64.	Chaukandi Tombs	18 miles away from Karachi north of Karachi Thatta Road	I
65.	Lakho Shaikh (Baloch Graveyard)	Baloch Graveyard on South East of Malir Cant., Karachi	II

66.	Quaid-e-Azam House Museum	Fatima Jinnah Road, Karachi	
67.	Quaid-e-Azam Birth Place Museum	Kharadar Karachi	
68.	Khaliq Dina Hall & Library	M.A. Jinnah Road, Karachi	
69.	Mohatta Palace	Clifton, Karachi	
70.	Frere Hall	Karachi	

Jamshoro District

71.	Lakhmir-ji-Mari	Deh Nang, Opposite Police Post Sehwan, District Jamshoro	III
72.	DambBhutti (Mound)	DehNarpivar, TalukaSehwan, District Jamshoro	III
73.	Masum-ji-Bhuti (Mound)	DehKerchatMahal, District Jamshoro	III
74.	KohtrassBhuti	DehKirchat Tehsil Kohistan, District Jamshoro	III
75.	Otham-jo-Bhutti	DehKerchat, TalukaMahalKohistan, District Jamshoro	III
76.	Sehwan Fort	TalukaSehwan, District Jamshoro	III
77.	FortRaniKot	MahalKohistan, Deh Rani Kot, District Jamshoro	III
78.	Mound Amri	Village Amri, Right side of Indus Highway Sub-Division, Kotri, District Jamshoro	II

Dadu District

79.	Piyaro-ji-mari (Mound)	DehShouk, TalukaJohi, District Dadu	III
80.	AliMuradVillage Mound	DehBehlil Shah, TalukaJohi, District Dadu	III
81.	Loham-jo-Daro	DehPalah, District Dadu	III
82.	PandhiWahi (Mounds)	Village WahiPandhi, TalukaJohi, District Dadu	III
83.	Tomb of Yar Muhammad Khan Kalhora and Mosque	DehKhudabad, District Dadu	--
84.	Jamia Mosque	Village Khudabad, District Dadu	I

Larkana District

85.	Buddhist Monastery & Pre-historic Remains of Moenjodaro/ Buddhist Stupa on the Pre-historic remains near Moenjodaro	Larkana	
86.	TajjarBuilding	Larkana	--
87.	Tomb of shah Baharo	Near Fruit Market at Larkana City	--
88.	SquareTower	Larkana	--
89.	Jhukhar Mound	Taluka and district Larkana	II
90.	Three groups of Mounds known as DhamrajoDaro	Lies north west to the village Dhamrao, Six miles from Badah Railway Station on BadahMehtarKucha Road, District Larkana	III

Ghotki District

91.	Mound Mumal-ji-Mari	DehMathelo, Near MatheloTown, Taluka and	III
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District Ghotki			
Sukkur District			
92.	Shrine known as Styan-jo-Than	Taluka Rohri	--
93.	Lakhian-jo-Daro Site	Site Area Sukkur, 20 K.M. from Sukkur City	II
94.	Stone Tool Factory (Prehistoric)	Rohri Hill range from Rohri to Sukkur	--
95.	Mir Masum's Minar	Minara Road, Sukkur at Sukkur City	I
96.	Mir Masum Shah tomb and Minar	Sukkur City	--
97.	Cantilever Bridge	On Indus river Between Sukkur and Rohri	I
98.	OM Kanhiyalal Cottage	Bundar Road, Rohri	II
99.	Entire Area of Bakkar Fort including the Wall and Tomb of Hazrat Khatib Sadaruddin Muhammad	Between Rohri and Sukkur	II
100.	Stone Tool Factory (East of Cement)	Rohri, District Sukkur	--
Khairpur District			
101.	Naro Waro Dhoru Mound	Deh Naro Dhoru, Two miles east of Tando Masti, District Khairpur	III (a)
102.	Diji-ji-Takari	Near Kot Diji Fort, District Khairpur	I
103.	Fort at Kot Diji	Deh Ghaunro, Taluka Kot Diji, District Khairpur	
Mirpurkhas District			
104.	Main Buddhist Stupa (Kahoo-jo-Daro)	Taluka & District Mirpurkhas	III
105.	Tomb of Arzi Khan Khokar	Chitori Goth Deh No.24, District Mirpurkhas	II
106.	Tomb of Mir Khan Talpur	Chitori Goth Deh, No.24, District Mirpurkhas	II
107.	Tomb of Mir Jado	Deh 24 miles, Chitori, District Mirpurkhas	II
108.	Tomb known as Mir Murad Khan	Chitori Goth Deh No.24, District Mirpurkhas	II
109.	Tomb of Musa Khan	Chitori Goth Deh No.24, District Mirpurkhas	II
110.	Tomb of Mir Rajo	Chitori Goth Deh No.24, District Mirpurkhas	II
111.	Brick Tomb known as Shaheed Kapri Baloch	Chitori Goth Deh No.24, District Mirpurkhas	II
112.	Tomb Northern West of No.80 above (Name not known)	Chitori Goth Deh No.24, District Mirpurkhas	II
113.	Tomb North West of No.81 above (Name not known)	Chitori Goth Deh No.24, District Mirpurkhas	II
114.	Stone Tomb West of No.82, above (Name not known)	Chitori Goth Deh No.24, District Mirpurkhas	II
115.	Tomb of Mir Fateh Khan Mir Mirza Khan	Chitori Goth Deh No.24, District Mirpurkhas	II
116.	Tomb known as of Females of Mir Dynasty	Chitori Goth Deh No.24, District Mirpurkhas	II
117.	Tomb of	Chitori Goth Deh No.24, District Mirpurkhas	II

	AuliaPirChitoriBadshahQureshi		
118.	Old Structures of a tomb and a Mosque	Chitori Goth Deh No.24, District Mirpurkhas	II
119.	Old Ruined Mosque	Chitori Goth Deh No.24, District Mirpurkhas	II
120.	Brick Tombs unknown	Chitori Goth Deh No.24, District Mirpurkhas	II
Umerkot District			
121.	Mound at ShadiPhali	DehKhudaBux, District Umerkot	III
122.	Birth Place of Akbar the Great	2 K.M. away on north of UmerkotTown, District Umerkot	II
123.	Umerkot Fort	Taluka and District Umerkot	I
Tharparkar @ Mithi District			
124.	Mound at Bhiro, Sherwah/NautojoDaro	Village Bhiro, District Tharparkar	III
125.	A stone Mosque with white Marble Pillars Bhodesar	Situated at the bottom of Karoonjhar Hill TalukaNagarparkar District Tharparkar	II
126.	Temple No.I,II, III & IVBhodesar	Situated at the bottom of Karoonjhar Hill TalukaNagarparkar District Tharparkar	II
127.	Naukot Fort	1½ miles from the NaukotTown, District Tharparkar	III
128.	GoriTemple	Village Gori, Post DanoDandhal, TalukaNagarparkar, District Tharparkar	II
129.	JainTempleVirwah	Virwah, District Tharparkar	

4. Can one take an exception to the historical value (s) of all such **'protected sites / monuments'**, declared / notified under the Ancient Monument Preservation Act 1904 and subsequently notified under the Antiquities Act 1975? The answer to this can be nothing but a big **'NO'**. The Culture, Tourism, Antiquities and Archives Department was / is established with the sole purpose to ensure protection / preservation of these properties with their **"antiquity"**. It shall never be sufficient to give such properties in the relevant list or notification but requires much more including, but not limited to:-

- a) continuous control and management of such properties;
- b) managing these properties in such manner and fashion that none trespass into such properties;
- c) assuring that none cause any harm or damage to **'antiquity'** thereof in any manner including removing / damaging anything from such properties;

These are all to be done by the department so that value of such declared / notified properties are assured to be as they **must be**.

These properties, needless to remind, have their independent value, as is evident from its meaning, provided by Section 2 (c) of the Act as:-

*“(i) any ancient product of human activity, movable or immovable, illustrative of art, architecture, craft, custom literature morals, politics, religion, warfare or science or **of any aspect of civilization or culture**”*

Let the generation or world know the **civilization** or **culture** of past generation is responsibility of all those wherever such properties are found which one can't unless the same are protected / preserved, as insisted under the Act.

5. Accordingly, the department shall also submit the detail report as to how and what steps are being taken so as to ensure preserving '**antiquity value**' thereof. The report shall also include earlier and present picture (s) of these properties so as to see how these properties are being protected / preserved. Besides report shall also include pictures from google.

6. During hearing of listed applications, learned counsel for plaintiff contends that they have been condemned unheard while declaring their property viz. **Saddar Mansion** as **heritage** though direction were issued by the divisional bench of this court whereby departmental committee was required to provide opportunity of hearing. A full and proper hearing of those, having interests in such like (private) properties, was / is necessary and same cannot be taken while taking any decision effecting the status of such properties. When confronted, the Secretary present alongwith A.A.G. contends that this issue can be resolved and they will allow proper opportunity of hearing to the plaintiff.

7. At this juncture Secretary further contends that they are going to recruit **Tour guides** having requisite qualifications enabling the local as well as foreign tourists to provide them basic knowledge and cultural history and historical knowledge in scientific manner by the use of modern gadgets. Accordingly department shall ensure said appointments, preferably within six months.

8. Before talking about detailing basic knowledge and cultural history and historical knowledge, it is necessary to ensure protection / preservation of **antiquity value** thereof which the department shall have to acknowledge and admit. The damage / harm to such properties, I am to insist, can result in destroying the **'antiquity'** of such properties thereby leaving nothing but a **'building'** or a place, having no value at all. Here, it is also worth adding that the Act *itself* puts the department under heavy duty thereby:-

Section-19. Prohibition of destruction, damage etc of protected antiquities.—(1) No person shall except for carrying out the purposes of this Act, destroy, break, damage, alter, injure, deface or mutilate or scribble, write or engrave any inscription or sign on any antiquity or take manure from any protected antiquity.”

However, it is regret to admit that what normally is witnessed is *otherwise*. Thus, department is required to own its responsibility on war-basis thereby assuring that there does not come any further loss/ damage or defacing to such protected properties.

9. This is what the Department has to ensure which I hope shall be ensured in future. Further he contends that there is no concept of endowment fund to preserve the properties under the Antiquities Act and those are public properties having ancient history.

10. Under these circumstances, Secretary is also agreed that they will place summary with regard to **creation of endowment fund keeping a room for public at large to join being stake holders while become member of the fund, to reserve/preserve ancient properties as mentioned in above referred properties as notified under the Antiquities Act 1975.**

11. Needless to mention that properties under Ancient Monument Preservation Act 1904 Antiquities Act 1975 are not owned by any private person. The matter of ancient properties can not be equated as private properties under the Heritage Act 1994 but that of **antiquities** therefore judicial propriety demands serious attention on above reflected properties hence **District and Sessions Judges all over Sindh shall depute Magistrate of concerned jurisdiction who shall visit the sites as referred above.** They would be competent to call any respective authority to **restore and preserve the dignity as well antiquity value of ancient property as referred above within their territorial jurisdiction.** Besides, Deputy Commissioners shall also visit ancient properties in their respective areas on quarterly basis and ensue that same remain alongwith Antiquities Department and no damage / loss is caused to such properties. Secretary shall submit detail report regarding creation of endowment fund and restoration of referred properties in their original form. Needless to mention that Mohatta Palace (ancient monument) matter is subjudice in another proceeding therefore this order will not prejudice those proceedings.

12. With regard to subject matter property defendant No.2 shall hear the plaintiff and pass appropriate order in accordance with law within three months.

To come up after three months. Office shall fix this matter before same bench as it is a part heard matter. Learned MIT-II shall ensure compliance of this order.

J U D G E

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