

Repatriation of Lost Images

(2021-2022)

A Thesis

**In Partial Fulfillment of The Requirements for the Degree of Master
of Arts in Nepalese History, Culture and Archaeology**

By

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LETTER OF RECOMMENDATION

Mrs. Diana Tamrakar has prepared this thesis entitled “**Repatriation of Images (2021-2022)**” under my guidance, direction and supervision for her partial fulfillment of a Master’s Degree in Nepalese History, Culture and Archaeology under the Faculty of Humanities and Social Sciences of Tribhuvan University. She has worked in accordance with my suggestions and guidance. I am satisfied with her work. I, therefore, would like to recommend the thesis for evaluation and examination.

Dr. Tina Manadhar
Thesis Supervisor
April 15, 2024

APPROVAL SHEET

This thesis prepared and submitted by **Mrs. Diana Tamrakar** entitled “**Repatriation of Images (2021-2022)**” has been accepted as partial fulfillment of the requirement for the Master's Degree of Arts in Nepalese History, Culture and Archaeology.

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LIST OF ACRONYMS

A.D.	Anno Domini
AMPA	Ancient Monument Preservation Act
B.C.	Before Christ
B.S.	Bikram Sambat
C.M.	Centimeter
DOA	Department of Archaeology
UNESCO	United Nations Educational, Scientific and Cultural Organization
USA	United States of America

GLOSSARY

Aayud	-	Weapons of idol hold in hand
Adho bastra	-	Lingerie
Ardhanarishwor	-	Half Shiva half Parvati
Bahan	-	Weapons of idols (god and goddess)
Bajas	-	Instruments
Bhojapatra	-	Ancient written text paper
Cheber	-	Buddhist clothes
Darpan	-	Mirror
Dharko	-	Lines
Gadha	-	Bishu weapon
Ganas	-	Attendants
Guthi	-	Group of people formed to perform social task
Garvagriha	-	Idol main place
Hawa dari	-	Hole on back side of stone sculpture
Isthanaka mudra	-	Foot posture of the statue
Jwalabali	-	Fire texture on the back side of the idol
Kammar bandh	-	Waist Band
kshyma puja	-	Offering forgiveness worship to god
Kirita mukut	-	Crown

Lape	-	A special type of plaster used in stone sculpture
Lalmohar	-	A kind of seal
Lalityapurna vab	-	Amorous
Mala	-	Small round beads
Naal	-	Flower stem
Naag and Nagini	-	Male and female snake
Nilakamala	-	Flower
Padma beej	-	Seed
Pustak	-	Book
Puspa	-	Flower
Puspha kundal	-	Flower Earrings
Riddhi and siddhi	-	Ganesh wives
Rudrachya	-	A type of ornament worn by shiva
Salvanjika	-	Strut in salvanjika pose
Sakti	-	Female Diety
Sankha	-	Animal cell and one of the weapon of bishnu
Sukhasana	-	Comfortable sitting position
Tadapatra	-	Leaves used to write text in an Ancient Period
Trisul	-	Trident
Tudal	-	Support projecting roof
Urda bastra	-	An expression of art in textiles

CHAPTER ONE

INTRODUCTION

1.1. Background of the study

Hinduism and Buddhism are the predominant religions in Nepal, with a long-standing tradition of worshiping nature as deities and this practice dates back to ancient times. Human culture, shaped by knowledge, skills, and available resources, comprises tangible and intangible elements, each holding significant importance in people's lives. Nepal boasts a rich artistic and historical heritage, evidenced by a plethora of artifacts crafted from materials like bronze, stone, copper, wood, and paintings, providing insight into cultural history. Many sculptures, primarily created for religious purposes, continue to hold profound significance today.

“Heritage” in the broadest sense is that which is inherited. Everything which the ancestors bequeath may be called heritage: landscapes, structures, objects, traditions. (Heritage council). There are natural and cultural heritage which are defined by ICOM and World Heritage Convention 1972.

Cultural heritage encompasses the customs, practices, places, objects, artistic expressions, and values that have evolved within a community and are transmitted from one generation to the next. It is commonly categorized into two main types: intangible cultural heritage and tangible cultural heritage, as defined by the International Council on Monuments and Sites (ICOMOS) in 2002. These cultural and historical treasures, chosen for preservation, possess inherent value in the present, providing glimpses into Nepal's illustrious history.

The tradition of worshipping idols has started since pre historic times. In upperpaleolithic era the iconographic features of idols had distinct figure with unnatural enlarged breast, buttock etc. In Rig Vedic period whether idols were built or not its controversy (Subedi, 2022, p. 51). But in post Vedic period the tradition of making idols and worshipping idols became popular. In the Indian subcontinent from Indus valley civilization different stone and mud idols of female and male idols were made and worshipped. As different Hindu idols were found during excavation in

Indus valley civilization. In Nepal the tradition of making and worshipping idols can be traced back to the 3rd century (Bangdel,1982 p.27.) During the Lichchhavi period idols were made from soft stone but later artists chose black and strong stone for the idols. Nepali artists have poured their utmost artistic skills into creating these artifacts, ensuring their uniqueness, value, and lifelike appearance by adhering to the correct proportions based on physical structures. To ensure longevity and enhance attractiveness, they apply a special coating known as ("*lep*") during the finishing touches of the idol-making process. Different Buddhist and Hindu images were built and worshipped at that period of time. The Malla period, known for its artistic achievements, saw the use of metals to craft various idols, particularly during the flourishing of Buddhist tantrism. Following the 18th century A.D., Nepal came under the rule of the Shah dynasty, during which Hindu and Buddhist idols continued to be crafted. These artworks hold significant religious importance, embodying deeply held beliefs and values. Their unique iconographic features and inscriptions serve as invaluable historical records, shedding light on Nepal's authentic history. Above all, these cultural treasures carry profound emotional significance and remain deeply cherished. Besides the religious importance, art and artifacts are an object of passion, beauty, attraction and source of material benefit that is moveable object from the very inception of human civilization, regular transactions of art as commodity via selling, robbery or gift have a common phenomenon (Dhungel, 2010, p.4). Nepal has never expected of robbery, trafficking or black market until 1950s (Dhungel, 2010, p.4). In decades of 1970s and 1980s Nepal lost considerable size of religious idols of both Hindu and Buddhist (Dhungel, 2010, p.4).

In Nepal, the sanctity of religious artifacts, revered and worshipped daily, is deeply ingrained in human mind, making the idea of them being looted or stolen seem unfathomable. However, historical accounts show a different picture, revealing instances where priceless relics were plundered during periods of conflict and conquest. These acts of pillage, often motivated by greed and power, have resulted in the loss of numerous significant artworks and artifacts over the centuries.

Even in the modern era, Nepal has faced challenges in safeguarding its cultural heritage. Foreigners sometimes in collusion with local intermediaries, have engaged in the illegal trafficking of valuable artifacts, exploiting the country's rich cultural

legacy for financial gain. These illicit activities have seen valuable pieces of Nepal's heritage smuggled out of the country through clandestine routes, depriving the nation of its cultural treasures and robbing future generations of their heritage.

Theft and vandalism of cultural property pose significant challenges in Nepal, as well as in various other countries globally. UNESCO records reveal alarming statistics, indicating widespread incidents of cultural heritage theft worldwide. For instance, in the Czech Republic, 10% of the total heritage was stolen in a single year, while Ukraine reported 850 cultural objects stolen in 1998. In Turkey, authorities seized 10,000 cultural objects from 560 thieves in 1997, and Germany witnessed the theft of 2,345 masks in 1998.

The scope of cultural property theft extends to rare manuscripts, with 89 stolen from Russia's national library in 1996. Iraq suffered a massive loss of over 4 million cultural objects in 1991, while Greece reported the theft of 9,619 cultural objects in 1998. Peru faced looting of objects from 100,000 ancient tombs, and Belgium reported 9,519 cultural objects stolen in the same year.

The problem persists into the late 1990s and early 2000s, with Austria losing 360 artifacts in 1999, Italy reporting 24,598 lost artifacts in the same year, and Australia experiencing the loss of 2,074 artifacts in 1998. Additionally, thousands of coins were lost from churches in Cyprus, and security forces in Italy confiscated 12,000 artifacts within five years. In the UK, an insurance company paid approximately 1 billion dollars in insurance claims for lost cultural properties in 1995.

Repatriation refers to the process of returning culturally significant artifacts to their nation, central government, or indigenous people of their native land from which they were taken, looted, or stolen. It involves the act of restoring stolen objects to their homeland or rightful place through legal procedures.

In 1989, Historian Bangdel published "Stolen Images of Nepal," documenting 227 stolen idols from various regions of Nepal. Similarly, in 2006, historian Shick authored "The Gods are Leaving the Country," which included numerous statues in their original forms. These books were crucial in documenting the thefts and have facilitated efforts for repatriation. While some important heritages have been returned

or are in the process of repatriation, many remain in foreign museums or private collections.

The growth of tourism in Nepal brought both positive and negative impacts to the country. While thousands of tourists began arriving in Nepal around 1950, the negative aspect of tourism included the vandalism and theft of Hindu and Buddhist idols, which are significant cultural assets of the country. These cultural treasures have been stolen and traded to various foreign countries over many years, with instances dating back to around the 1960s. Theft and vandalism of cultural objects persisted through the 1960s, 1970s, 1980s, and 1990s, although there was a notable decrease in such incidents around 1990 due to the concerted efforts of police forces from various countries. During the 1980s and 1990s, police recovered over 1500 cultural objects, with the Department of Archaeology also playing a crucial role in their recovery. According to the Department of Archaeology, between 1960 and 1980, over 500 idols and cultural heritage items were stolen from Nepal.

The return of these significant stolen heritages to Nepal is imperative. However, proving the origin of these stolen artifacts can be challenging. Nevertheless, various government and private organizations are actively involved in the repatriation efforts. Thanks to the dedication of numerous journalists, diplomats, and heritage activists, many stolen heritages have been successfully returned to their original locations. This has brought immense joy to the people, who are delighted to see their gods and goddesses restored to their rightful temples. While some of the returned artifacts are displayed in the National Museum of Chauni, others are housed in different museums and police stations due to security, preservation, and conservation concerns.

1.2. Statement of the Problem

The widespread theft and vandalism of cultural artifacts in Nepal represent a formidable obstacle to the safeguarding of the country's cultural legacy. Despite concerted efforts by various governmental and non-governmental entities, a considerable number of these pilfered artifacts remain dispersed beyond Nepal's borders, housed in foreign museums or held in private collections. This persistent

challenge not only deprives Nepal of its invaluable cultural heritage but also erodes its distinct cultural identity and historical legacy. Therefore, there is an urgent imperative to delve deeper into the scope and magnitude of this issue, to discern the underlying factors contributing to its perpetuation, and to formulate effective strategies aimed at facilitating the repatriation of stolen cultural artifacts to their rightful home within Nepal's borders.

- i. What types of cultural heritages were lost and subsequently returned between 2021 and 2022?
- ii. Why is the legal procedure for repatriating lost cultural heritages to their original country challenging?
- iii. How are tangible and intangible aspects associated with returned cultural heritages addressed?

1.3. Research Questions

- i. What type of heritages were lost and returned between 2021 to 2022?
- ii. What is the legal procedure and how challenging is it to return lost heritages back to its original country?
- iii. What kind of tangible and intangible aspect are they associated with?

1.4. Objectives of the study

The objectives of this research paper are as follows: -

- i. To identify and classify the types of cultural heritages that were lost and subsequently returned between 2021 and 2022.

- ii. To analyze the legal procedures involved in repatriating lost cultural heritages and assess the challenges encountered during the process.
- iii. To examine the tangible and intangible aspects associated with returned cultural heritages and evaluate how they are addressed upon their return.

1.5. Literature review

The campaign to recover the lost heritage has begun with good enthusiasm. Many people, including the Department of Archaeology, are supporting the repatriation from the individual level to the institutional level. Journalists, diplomats and heritage activists are trying to return the lost heritage to its original land. There has been no academic research on repatriation and its importance for the nation and nationality yet. Therefore, this research has met the academic criteria and it helped the scholars to study this field in the future.

Lain Singh Bangdel (1998) "*Stolen Images of Nepal*" provides pictures of lost heritage from different parts of Nepal. This is very important evidential literary source to prove origin of those heritages. It has played important role in repatriation since many decades. After him, other writers and scholars have followed his path to write about the lost art of Nepal. That is why he is a pioneer in advocating for lost heritage in Nepal.

Mohan Prasad Khanal (1995) in his book "*Nepali murtikala prammva dekhi uttar Madhya kaal samma*" (Ancient to later medieval) has explained about the iconographic features of the sculptures from the ancient to the later medieval period which is a very useful book in this research.

Jorgen Shick in his book (2006) "*The gods are leaving the country*" lists hundreds of idols in their original form. These books have played an integral role in documentation and effectively help in recovering stolen properties.

Ramesh Dhungel (2010) "*The lost Heritage*" subtitled *Hindu and Buddhist art of Nepal at the Metropolitan Museum of art, New York* cover the information about the

Buddhist and Hindu god's images lost from Nepal and reached to Metropolitan Museum of Art, New York city of United State of America. It also includes a brief description of the iconographic characteristics of those images. This book only provides information about lost heritage. This is centered in one museum however gives quintennial information of arts objects that were lost.

Rabindra Puri (2020) in his journal "*Namuna Ghar*" provides information about lost heritage and its replica is kept in Stolen Art Museum in Bhaktapur which also provides information about stolen art and heritage of Nepal.

Bina Paudel and Prem Kumar Khatri (2079) "*Rastriya Sangralayako Kala Sampada*" Vol-6 Subtitle(*Bidesiyera Firta Aayeka Nepali Kalasmpadako Bewasthapan ra Bibaran*) in their book provides information about the repatriation of images that are displayed in Nation Museum, their iconography features and management process in museum.

Published by Patan Museum Vol-5 journal titled "*Nepalma murti nirman ra choriko itaash abum sowesh firtako kanuni adhar*" prepared by Sarita Subedi provides information about the repatriation of Nepal idols legally and the history of development of idols in Nepal which is very impotant for my research.

Published by His Majesty Government, Department of Archaeology and prepared by Ram Bahadur Kuwar "*Recovered Images of Nepal* " has described the repatriated images of Nepal in volumes - I has described its iconographic features of hindu and buddhist god and goddess which are very crucial book for my research.

Ancient Monument Preservation Act 2013 prohibits the exchange, sale, export and collection of illegal items which was legally stop after this act was act promulgated. This act helps legally for prohibition of export of illegal cultural property to outside world. So, this act helps in my research as the legal procedure in Nepal.

From article 17A of *Ancient Monument Preservation Act 2013*, If any Ancient Monument Act or archaeological object is received in the archeology department, the local head office, concerned and the relevant village development committee or municipality recommend for restoration from the Act, the archeology department shall repatriate the repatriation through the Ancient Monuments Act.

United Nations Education, Scientific and Cultural Organization (UNESCO) 1970 convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural properties is the legal procedure that helps to return the cultural heritage properties that are illegally reached to outside the country. Nepal also became the part of this convention that gives the legal way to return the heritage from international country. This convention is also an important study for this research that gives the way to return illegal exported heritage to our country Nepal.

1.6. Research Methodology

The research methodology employed in this study is qualitative in nature, aiming to explore the repatriation of cultural heritage artifacts to their native places. Data collection methods include semi-structured interviews with open-ended questions With key informants, such as government officials responsible for legal processes, freelance activists advocating for repatriation efforts, and local residents affected by thefts of cultural artifacts. Personal observation of the locations from which the artifacts were stolen and where they are subsequently placed, either back in their native places or in museums, adds depth and context to the research findings.

Additionally, secondary sources consultation of relevant books and articles on the topic were also done in the data collection process. The qualitative approach allows for an in-depth exploration of the repatriation process, including the perspectives of various stakeholders and the socio-cultural implications of returning cultural heritage to its original context.

1.6.1. Research Design

The research design for this research encompasses a qualitative exploratory study, aiming to understand the complexities surrounding the repatriation of cultural heritage artifacts. The study employs a combination of purposive sampling and snowball sampling techniques to select key informants, ensuring representation from relevant stakeholder groups. Data collection methods, including interviews, were conducted to gather comprehensive insights and validate findings. Narrative analysis is used to analyze the qualitative data, identifying patterns, themes and perspectives

related to the repatriation process. The research design allows for flexibility and adaptability to capture emergent themes and nuances during data collection and analysis.

Ethical considerations, such as informed consent and confidentiality, were prioritized throughout the research process to ensure the protection of participants rights and privacy.

Hence, the research is about the repatriation of lost images (2021-2022). This research has required time frame for the study and only includes the repatriated lost images only. Research is a focused approach. The research is qualitative in nature, therefore, it does not apply any statistical data, numerical data, tables, and charts.

1.6.2 Nature and source of the data

In this research, both primary and secondary data are used as source of information. Research chosen sample is both purposive in nature. The data is thus qualitative in nature.

1.6.3 Data Collection Techniques

The research is conducted among the experts, consultation with officers, social activists and the local people where repatriation took at original place. Multiple tools were used for collecting data from primary and secondary sources.

In this research people with the concerned topic was interviewed. It involved field visit and observation in related field. Similarly, secondary data was collected from various published articles, unpublished research thesis, internet, journals, newspapers, books etc.

Three sets of question schedules were made, acknowledging the significant roles played by interviewers representing diverse perspectives, including government officials, freelance activists, and local stakeholders. These question schedules were tailored to include insights specific to each stakeholder's expertise and engagement with

the repatriation process, ensuring a comprehensive understanding of the complexities involved and facilitating more specific data collection.

Thus, the most important type of data collection are primary source of data collection and secondary sources of data collection which are described below.

1.6.3.1 Primary sources

In primary sources of data collection, the researcher interviewed the experts consult with the officers of Department of Archaeology, officers of National museum chauni, officers of Patan Museum and social activists. Specially the most important way to achieve data is from consulting with experts and government bodies. Experts and Government bodies have provided their valuable information about the subject and suggested away to find important data about the research.

The researcher personally visited the site for observation to accomplish the objective, and scrutinized each and every icon, images and sculptures.

Researchers took Photographs of the images and idol are taken from the site and from the display area of National Museum Chauni.

Videography is also one of an important way of data collection which is done on the site where the idol are in-situ after repatriation as they should be kept in safe guarding purpose.

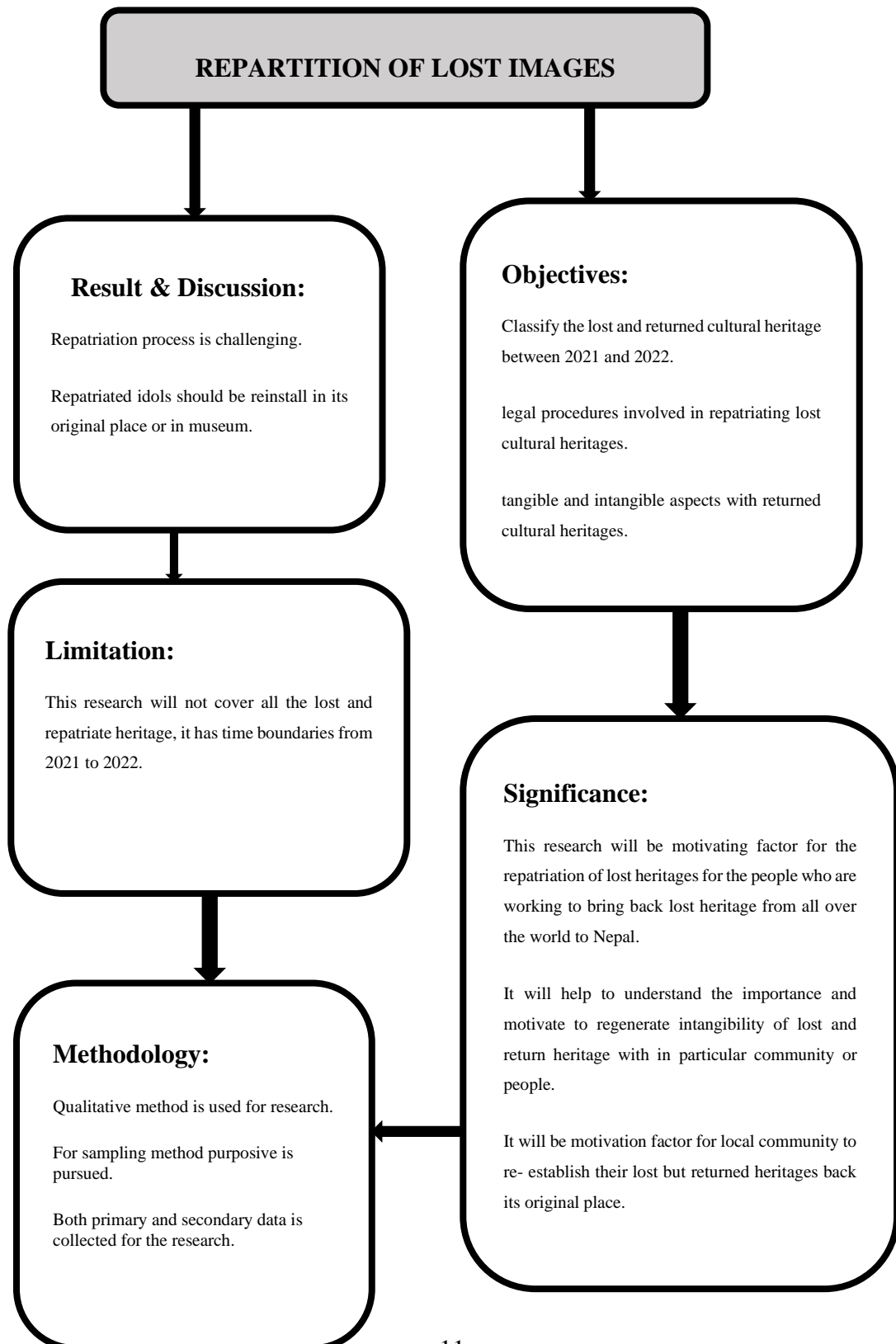
1.6.3.2 Secondary sources

Secondary sources of data collection are from subject related published books, published journals, published articles. Internet is also helpful for the research like Facebook, Twitter, YouTube, Blog. Some information are from old documentaries, research articles, unpublished thesis etc.

For this thesis, book published by Lain Singh Bangdel (*Stolen Images of Nepal*) provides photographs of lost heritages of different parts of Nepal was most helpful one.

All these means of data collection are used to support the research. Consultation with experts and interview with the related person helps to identify and explanation of various images reparteed from different countries to its home land.

The below diagram shows the theoretical framework of the research



1.7. Significance of the study

This research helped to motivate people the who works for repatriation of lost heritage and will help local community to regenerate the intangibility approach of lost heritage. This research will be motivating factor for the repatriation of lost heritages for the people who are working to bring back lost heritage from all over the world to Nepal. It will help to understand the importance and motivate to regenerate intangibility of lost and return heritage with in particular community or people. It will be motivation factor for local community to re- establish their lost but returned heritages back in its original place.

1.8. Delimitation of the study

This research will be limited in Repatriation of heritages of Nepal between 2021 to 2022.

1.9. Limitation of the study

The research will not cover all the lost heritages. It will include only lost and returned heritages. Also, the time boundaries will be from 2021 to 2022.

1.10. Organizations: Chapter Divisions

The research is be divided into following chapters:

Chapter One : Introduction

Chapter one presents introduction under which background of the study, statement of the problem, significance of the study, objectives of the study are discussed. Research methods that are used for the study is described.

Chapter Two : Legal procedures and challenges for repatriation of images

Chapter two is focused on the National legal procedures and International legal procedures (UNESCO) for the Repatriation of lost images.

Chapter Three : Repatriation of images and their present condition

Chapter three describes about the repatriation of images and their present condition, inventory of the repatriated images and iconography features of the images that are repatriated in 2021-2022.

Chapter Four : Tangible and Intangible features of restored idols

Chapter Four deals with the tangible and intangible aspects of restored idols.

Chapter Five : Summary, Findings, Conclusion and Recommendation

Chapter five presents the summary, findings and some recommendations are presented.

CHAPTER TWO

LEGAL PROCEDURES AND CHALLENGES FOR REPATRIATION OF IMAGES

Laws are very important for any sectors. As laws plays a vital role for Repatriation of idols which were stolen from Nepal and reached to outside the country. No. of idols were stolen during 1960 A.D- 1980A.D. For the control of such theft and vandalism in Nepal different laws were established and implemented in the country.

First for the control of this type of theft in 1952 A.D. Department of Archaeology (DOA) was established that controls no. of idols which are living the country for different reasons.

In October 31st ,1956 A.D. Ancient Monument Act 2013 was established and was enacted for lalmohar as a law to banned the export of antiquities. (page 53, Journal of Patan museum vol 5, Sarita S.)

The general conference of United Nations Educational, Scientific and Cultural Organization UNESCO meeting was held from 12th October to 14th November 1970, as its sixteen session.

2.1. Department of Archaeology (1952)

After the establishment of this Department in Nepal no. of idols export to outside world was very efficiently controlled. Department plays a vital role for security and record keeping of idols from different parts of the country. As, in Kathmandu valley is an open-air museum no. of idols were found from the lichachavi era with no social securities for the idols that gives easy access to the theft, for the control and security purpose Department of Archaeology was established.

2.2. Ancient Monument Act 2013

Ancient Monument Act 2013 was established in 31st October ,1956 A.D and published in the Gazette on 12th November,1956. This act defines about the cultural values and legal procedure for the preservation of the ancient idols that are found from ancient period.

Ancient Monument Act section 2 (a) defines:-

"Ancient Monument" means temple, monument, house, abbey, cupola, monastery, stupa, bihara etc. which have their importance 4 above One Hundred year, from the point of view of history, arts, science, architectonics or art of masonry, and this word shall also means the site of the monument as well as the human settlement or place, and remnant of ancient human settlement, relics of ancient monument, cave etc. having specific value from the national or international point of view irrespective of the fact that such settlements or places are adjoining with each other or are separate in the same area.

Ancient Monument Act section 2 (b) defines:-

"Archaeological Object" means the object made and used by human being in pre-historical period or handwritten genealogy, handwritten manuscript, golden inscription, copper inscription, petrography, wooden inscription, bhojapatra (document written on the bark of brick tree). tadapatra (document written on the leaf or bark of palmyra tree), paper, coin, house where historical event has occurred or where historically special personality has resided and things such as stone, wood, soil, ivory, bone, glass, cloth, paper or metal used by such person or some important portion of the house in which attractively scribed things are used, scribed or inscribed idol, temple of god or goddess, Buddhist cenotaph statue, tanks, things used in 5, replica of animal, birds and any movable or immovable objects, which depict the history of any country, and objects as prescribed by Government of Nepal by a Notification in the Nepal Gazette from time to time.

Ancient Monument Act section 13 defines about restriction on transfer, transaction, export or collection of ancient monument and archaeological object or curio:-

- (1) An historical, archaeological or artistic object as prescribed by Government of Nepal by a Notification published in the Nepal Gazette shall not be exported from Nepal or transferred from one place to another even within Nepal. If it is to be transferred to any place, prior approval of Government of Nepal shall be taken. Provided that, it shall not be deemed as putting any obstruction to export or transfer from one place to another within Nepal or to store at some place any curio approved and marked by Government of Nepal pursuant to.

- (2) If a person or an institution has, in its personal, traditional or ancestral any archaeological object of more than one hundred years, the owner of such collections shall have to register such object in a prescribed office within a prescribed time as prescribed by Government of Nepal in a Notification published in the Nepal Gazette.
- (2A) In cases any person or organization does not register the archaeological objects at the concerned office within the time limit. The office may give a time-limit of Thirty-Five days to such person or organization having stipulated there in that if the fine to be paid pursuant has been paid, such archaeological objects may be registered.
- (2B) If any person or organization brings the archaeological objects, he/she or it is having for registration at the concerned office within the time- limit, the office shall register those objects having imposed a fine ranging from Five Hundred Rupees to Five Thousand Rupees. If anyone does not get the archaeological objects registered in the time-limit so given, the Department of Archaeology may, on the recommendation of the concerned office, take the archaeological objects without paying the price.
- (3) Any person or an institution, willing to produce or transact in curio or is producing or transacting in curio shall hold license by registering the owner's name within the prescribed time in the office as prescribed by Government of Nepal by a Notification published in the Nepal Gazette and each curio so produced shall have been marked as approved by Government of Nepal along with the name of the seller.
- (4) The buyer of the curio also shall buy only the curio marked as approved pursuant to Sub-section (3).
- (5) Any person or an employee of an institution, who violates or attempts to violate shall be punished with a fine up to Twenty- Five Thousand Rupees or up to Five years imprisonment or both and the object relating to the crime shall be confiscated.
- (6) If the acts pursuant to this Act are followed or not, the Local Office- Chief or the official as prescribed by Government of Nepal by a Notification published in the

Nepal Gazette may enter with warrant and search the shop or museum where the ancient monument or archaeological objects and ancient handicrafts are transacted or the shop or factory where the curio is transacted produced, or the go-down, house or vehicle where such objects are stored, and may arrest and keep in custody person who is alleged to have committed the crime. The official, who hears the case, shall have the right to issue warrant under this Sub-section.

- (7) If someone gives information to the concerned official about the crime committed or attempt made to commit the crime under this section and in consequence if the accused is arrested and found guilty, the person who furnished the information, shall be entitled to get ten percent of the fine imposed on the accused.

Ancient Monument Act 2013 that plays vital role in vandalism of the idols and images of Nepal. This Monument Act 2013 provides legal quires and legal procedure to stop and aware about the looted idols and images of Nepal. Though the Act was made in 2013, the act should be revised for the easy access of awareness, conservation and preservation.(J. Ram Shrestha ,interview, July 28,2023).The Nepal government should have plan and policies for illicit valuable idols and images . It should conduct more and more awareness about our history culture to the new generation.

2.3. UNESCO Convention 1970

There was for the control of stole and vandalism of images and idols which were from the ancient period that carries emotional attachment and religious belief from the society so, for to recreate the social belief and people attachment the stolen idols and images should be return back to its original country from different museum of different countries. This UNESCO Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property was held in from 12th October to 14th November 1970 and its sixteen sessions in Paris.

Nepal sign this convention in June 1978 and became the member of this convention in 1979 which helps in returning of stolen images and idols to its home country Nepal.

This convention defines cultural property in **Article 1** as follows: -

For the purposes of this Convention, the term” cultural property” means property which, on religious or secular grounds, is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science and which belongs to the following categories:

- (a) Rare collections and specimens of fauna, flora, minerals and anatomy, and objects of paleontological interest;
- (b) Property relating to history, including the history of science and technology and military and social history, to the life of national leaders, thinkers, scientists and artists and to events of national importance
- (c) Products of archaeological excavations (including regular and clandestine) or of archaeological discoveries
- (d) Elements of artistic or historical monuments or archaeological sites which have been dismembered
- (e) Antiquities more than one hundred years old, such as inscriptions, coins and engraved seals; (f) objects of ethnological interest
- (g) Property of artistic interest, such as: (i) pictures, paintings and drawings produced entirely by hand on any support and in any material (excluding industrial designs and manufactured articles decorated by hand); (ii) original works of statuary art and sculpture in any material; (iii) original engravings, prints and lithographs; (iv) original artistic assemblages and montages in any material
- (h) Rare manuscripts and incunabula, old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections
- (i) Postage, revenue and similar stamps, singly or in collections
- (j) Archives, including sound, photographic and cinematographic archives
- (k) Articles of furniture more than one hundred years old and old musical instruments.

Article 5 defines: -

- To ensure the protection of their cultural property against illicit import, export and transfer of ownership, the States Parties to this Convention undertake, as appropriate for each country, to set up within their territories one or more national services, where such services do not already exist, for the protection of the cultural heritage, with a qualified staff sufficient in number for the effective carrying out of the following functions:
- Contributing to the formation of draft laws and regulations designed to secure the protection of the cultural heritage and particularly prevention of the illicit import, export and transfer of ownership of important cultural property;
- Establishing and keeping up to date, on the basis of a national inventory of protected property, a list of important public and private cultural property whose export would constitute an appreciable impoverishment of the national cultural heritage;
- Promoting the development or the establishment of scientific and technical institutions (museums, libraries, archives, laboratories, workshops...) required to ensure the preservation and presentation of cultural property;
- Organizing the supervision of archaeological excavations, ensuring the preservation "in situ" of certain cultural property, and protecting certain areas reserved for future archaeological research;
- Establishing, for the benefit of those concerned (curators, collectors, antique dealers, etc.) rules in conformity with the ethical principles set forth in this Convention; and taking steps to ensure the observance of those rules;
- Taking educational measures to stimulate and develop respect for the cultural heritage of all States, and spreading knowledge of the provisions of this Convention;
- Seeing that appropriate publicity is given to the disappearance of any items of cultural property.

Article 7 defines

At the request of the State Party of origin to take appropriate steps to recover and return any such cultural property imported after the entry into force of this Convention in

both States concerned, provided, however, that the requesting State shall pay just compensation to an innocent purchaser or to a person who has valid title to that property. Requests for recovery and return shall be made through diplomatic offices. The requesting Party shall furnish, at its expense, the documentation and other evidence necessary to establish its claim for recovery and return. The Parties shall impose no customs duties or other charges upon cultural property returned pursuant to this Article. All expenses incident to the return and delivery of the cultural property shall be borne by the requesting Party.

Article 11 defines

The export and transfer of ownership of cultural property under compulsion arising directly or indirectly from the occupation of a country by a foreign power shall be regarded as illicit.

Article 26 defines

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization. Done in Paris this seventeenth day of November 1970, in two authentic copies bearing the signature of the President of the sixteenth session of the General Conference and of the Director General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Articles 19 and 20 as well as to the United Nations.

Nepal after becoming the member of UNESCO 1970, It helps in legal procedures of repatriation of idols. As it gives the legal pathway for repatriation of the illicit images or idols to Nepal and also aware for the looted images and gives the bridges to the nation.

2.4. Process of Repatriation of Artefacts from Abroad

- As the idol is recognized by some concerned parties or the person in the international area (museum, personal collection, axon house) it is informed or tries to find out whether it is related to country or not.

- Under the UNESCO 1970 Convention on the means of prohibiting and preventing the illicit import, Export and transfer of ownership of cultural property, any party may seek the assistance of another state for the recovery of stolen or illegally exported cultural property imported into another state party, albeit only after the enforcement of the convention in both states.
- Once a complaint about the lost artefacts has been filed by the concerned parties to the Department of Archaeology conducted an independent research and collection of evidence.
- Comparative study will be conducted of the stolen and recovered artefacts by Department of Archaeology.
- Presentation of the report prepared by the Department of Archaeology on the Research of evidences to the Ministry of Culture, Tourism and civil Aviation.
- Take further steps required coordinate with concerned parties through Nepalese embassies or consulates general through Nepalese embassies or consulates general through the Ministry of Foreign Affairs by culture Ministry once the artifacts have been deemed worthy of being returned.

2.5. The process of re-establishing the recovered artefacts to its original place

- Plea by the concerned party to the local government with relevant evidence showing that the artefacts belong to the place.
- Plea by the local government to the District Administration Office with relevant evidence showing that the place and an additional plea for guaranteed security.
- Plea by the District Administration Office to Department of Archaeology given that the evidences are relevant.
- Handover of the artifacts by Department of Archaeology to the concerned party based on the plea put forth by the local government and the District Administration office following independent research and collection of evidence with a guarantee of conserving and managing the artefact for use as per local customer.

- According to Article -20 A of Ancient Monument Preservation Act of 1956,if the ancient Monument of the archaeological object received at DOA is requested by the concerned owner or the trustees to be given back to them for installing or for keeping it to its original place with a recommendation from the District office chief and the concerned village development committee or municipality, the Department of Archaeology may, if deemed proper ,give back the said object to the concerned owner or the trustee by causing them to enter the deed as necessary.

UNESCO 1970 helps to bring the cultural property from abroad. This convention supports against trafficking of cultural property where as Ancient Monument Act 2013 supports against trafficking under its home land.

Despite of laws and rules that comes under UNESCO 1970 or under Ancient Monument Act there are challenges to bring back the idols to its home countries.

2.6. Challenges of Repatriation of Artefacts from Abroad

Repatriation of cultural properties is not so much easy to bring back to its home land. Repatriation is Full of Challenges. Challenges are faced in various stages of the Repatriation Process:

- Before Identification
- During Research
- During Claims
- During Repatriation and
- After Repatriation

The following challenges are before identification ,during research,claims and during repatriation.

2.6.1. Source of verification (Evidence of proof)

- There should be strong source of evidence.

Evidence (documents) to claim for Repatriation

- a) In-situ historical photographs

- b) Inscriptions
- c) Colophons in manuscripts
- d) Eye Witness (Local Community)

All these evidence are needed to claim the cultural property. These evidences are collected by Department of Archaeology and coordinate with communities people for the Repatriation. (Interview, Subedi.S). In-situ Photographs is the first evidence that is collected by the help of the communities people and with the inscription around or on the image will be a strong document to prove. In-situ photographs either in Bangdel .L.S. (1989), Bangdel .L.S. (1982),Shick .J.(2006) are the major books that provides in-situ photographs. In some cases for photographs communities people may have the related photographs.

Most of the historical in-situ photographs are taken and record by the foreigners. This is the most convincing evidence of provenance. In many cases in-situ photographs are very hard to find and collect which is the major reason for challenges of repatriation. People living in the related site may have photographs but due to the generation gap, lack of inventory record communities people has no any evidence of proof (Interview,Subedi.S) . Eye Witness (Local Community) is also one of the evidence because of generation gap this is also one of the issues. (Interview, Subedi.S). Even Department of Archeology couldn't come up with the kind of collection and book other writers do (Interview, Dongol.S).

Department of Archeology, team has also collected many photographs of various sculptures of different parts of Kathmandu valley as for further research studies but the team did not get chance to get work through this work yet. (Interview, Kuwar.R.B.)

Even When there are photographs available, quality & perspectives are not convincing enough.

2.6.2. Insufficient Depth Research team

There is no any in-depth research or records, inventory that helps to know about the lost images. When it starts and how many idols are lost. There is no sufficient in-depth research team that works about repatriation. Anonymous Facebook

Group Lost Arts Of Nepal one of the independent research group have tracked hundreds of stolen images of Nepal. This group works by informing and advocating about lost arts to general citizen of Nepal (Interview, Tuladhar.A). Those who want to return are not sure who to return the idols if they are willing to return so a separate organization or team is needed for repatriation. (Schroeder, 2004)

Another social media group Nepal Heritage Recovery Campaign group helps to repatriate the idols through legal process and co-ordinate with Department of Archaeology. (Interview, Subedi.S)

2.6.3. Insufficient Online Archives and Documents

There is no sufficient online archives and documents and details of the lost images. There is no sufficient working team to keep records. Museum is an open museum to all the public so, record by the museum helps to track the lost images. As museums don't keep records of those whose provenance history is doubtful, it keeps clear record. (Interview, Lakhe.S)

2.6.4. Lack of Inventory of Theft Record

There is less no of theft idols record as there is no police case which is no so much in practice. It is hard to distinguish community memories of the event record whether they were stolen or sold. It is important to report police case which is in paperwork to prove it and other legal process required for the repatriation process. This is the first legal evidence to work through repatriation.

2.6.5. Lack of Support From the Local Stakeholders

The current generation have less knowledge and is ignorant about their theft and past generations did not give any attention about the history and idols. As they are used to them and it is almost valueless to the community people. Only few cultural lovers pay attention for the preservation and protection of the nearest idol and cultural property around them. (Interview, Lakhe.S). Newari people used to have group called guthi that help society in many aspects. This type of organization also works for cultural protection in different ways and different condition in their own area. But

these days people do not actively involve in Guthi. In the Newari community, every caste had Guthi custom which is an important part of Newari community.

People are also less active in repatriation work as nobody in the society wants to take responsibility of the returning idol. Repatriation idol needs safe and security by the community of the related area which is one of the challenges of repatriation work.

2.6.6. Lack of support from Government Authorities and Lack of Government Policies

Government authorities has no special team to work under through repatriation and it's process. Though there is one team formed by Department of Archaeology recent years and working under it, there are various difficulties for repatriation work due to lack of expertism (Interview, Subedi. S). William Kirk Patrik came to Nepal during the time of Bahadur Shah and when he returned back he took large number of statues, manuscripts, various art samples which are now in British Museum.(Kuwar, R.B.2006, P, 15) There are thousands of cultural properties that are mention in some writers book such as B.Hodgson had taken large number of hand written book outside Nepal. Such thousands number of cultural properties have reached different countries which have no records. (Kuwar, R.B. 2006, P, 15)

So, Government Authorities are less active in repatriation work. In terms of Government Policies there is Ancient Monument Act 2013 , the cultural property above 100 years known as National Property who steals will be punish or fined by Rs. 25,000 and imprisoned for 5 years and if it is less than 100 years by civil Act 2020 get punished. Thus, there is act against theft and export of cultural properties, theft and export has not been reduced.(Kuwar, R.B.2006, P,16)

Due to lack of proper education related to cultural heritage and lack of coordination between government bodies with local bodies (Kuwar, R.B.2006,P,16). In the case of looted and export cultural heritage hasn't become priority of Government like other infrastructure development. Understaffed that have no sentiments and know about intangible and tangible feelings to the cultural properties and that coordination between government agencies can be slow and non- fruitful.

This shows that government authorities are unable to record and make inventory of lost and looted cultural properties in various period and strong policy is not formulated for illegal export cultural property.

2.6.7. Lack of Budget

Government had not declare sufficient budget for repatriation work. On yearly budget there is no any required budget for the repatriation and for the process of repatriation work. As it needs financial support for the return of heritage. Many foreign collectors find it embarrassing to have artwork from other countries in their homes. Many of them like to give back. However, they do not know how to return it. There is no one to coordinate. So a separate organization and budget should be formulated for the repatriation work. (Schroeder, 2004)

After many attempts, cultural properties arrives at an embassy which is in the process of being returned. However, it is not certain who will bear the costs of packaging, shipping, and insurance to return the goods. A collector willing to return an idol may not be able to pay the amount. Government of Nepal should be responsible for this. (Schroeder, 2004)

2.6.8. Lack of Security Threats

Department of Archeology, Nepal receives the Artifacts and handover them over to the National Museum, Chhauni or local museums For Safekeeping until they could be restored back to it original Shrines or Temples. The involvement of the community and Stakeholders are the most crucial things.

For safety and security, different technologies can be implement for monitoring. But community and Stakeholders did not want to take any risk and take responsibilities of returning idols. (Interview, Shrestha. J.) Organized Network of thieves, smugglers and dealers are still active which is one of the main problem.

2.6.9. Unwillingness of Museum and Private Collectors

There are still number of idols in international museum and in their store room. Taleju Bhawani neckless is one of the master piece of taleju temple which is once belong to Kathmandu valley king Pratap Malla. Though all the evidence has

been presented museum, they are questioning why you need this necklace after 30 years? (Interview, Kuwar, R.B.).

It is one of the issues these days. So, some museum and private collectors present unwillingness to return back the cultural property since it's been long time.

CHAPTER THREE

REPATRIATION OF IMAGES AND THEIR PRESENT CONDITION

3.1. Inventory of Repatriated Images

Repatriated images brought back from different parts of the country have their own value and identity. So, for the record, the list of each images is very important for the nation and the researchers too. Inventory helps helps to provide detailed information about the returned date, from where it was lost, from where it was returned. It also helps to gain knowledge about the current situation.

- On 15th April,2021

Laxmi Narayan idol was lost from Narayan temple of Pathko tole, Patan. The stone idol was returned from Dallas Museum of Art USA, to Patan Museum. After return to Patan museum the idol was established in its original place in Laxmi Narayan temple in Pathko tole, Patan.

- On 15th July2021

Metal Gold Plated Buddha idol, polychrome wooden Salvanjika tudal, Metal Ganesh idol were returned back with the help of District Attorney Office USA, and is now kept at National Museum Chauni.

- On 2nd March 2022

Wooden Gandharva was lost from Itumbahal Dewali Ghar Kathmandu and main door wooden toran of main door was lost from Yempi Mahabihar, Patan. These were returned back from Rubin Museum of Art USA, both were re-established in its original place.

- On 2nd March 2022

The buddha idol made of stone was returned from Tibet House Collection Mahattam USA and now it is at the temporary display area of National Museum.

- On 23rd May 2022

Uma-Maheshwor idol was lost from the Patan Ga: Hiti. It was returned back home from Denver Art Museum Art USA and it is at National Museum.

- On 23rd May 2022

Stone Chaturmuk Shiva Linga was lost from the Pasupati Area. The Chaturmuk was returned back from Art Institute of Chicago USA and is now display at National Museum.

- On 23rd May 2022

Naagraaj idol was lost from Nakshal area. The stone Nagraaj was returned back from the private company Marilyn B. Altdorf Trust USA and is display at National Museum.

Shakyamuni Buddha and Padmapani Lokeshwor idol was returned back from the private company Marilyn B. Altdorf Trust USA. Both stone idol is display at National Museum.

- On 24th June 2022

Laxmi stone idol was lost from Bhaktapur, Golmadi. The idol was returned back from Yela University Of Art Gallery USA. The idol is at display National Museum.

- On 12th July 2022

A pair of tudal was lost from Narayan temple Hyumat Tole Teku Kathmandu. It was made from polychrome wood. The polychrome wooden male figurine pair tudal were found in personal collection and later it was returned back with the help of Attorney Office USA. After returned from Attorney Office USA it is displayed at temporary display area at National Museum.

- On 12th August 2022

Salvanjika Tudal was lost from Itumbahal Kathmandu . It was returned from Metropolitan Museum, New York USA and is displayed at National Museum.

Shiva standing in between with two sadhus. This stone idol was lost from Kankeshwori temple Kathmandu. It was returned from Metropolitan Museum, New York USA and is displayed at National Museum.

3.2. Short Description Repatriated Images

3.2.1. Stone Idol of Laxmi Narayan



Name	Laxmi Narayan
Measurement	33.5"x 19.25"
Lost From (location)	Patko Tole

Dated	10 th or 11 th century
Material	Stone
Stolen Date	1984 A.D.
Returned Date	15 th April ,2021
Returned From	Dallas Museum of Art USA

Stone idol of Laxmi Narayan was lost from the Patko Tole near Patan Durbar Square. This idol is also known as Basu dev kamalaja. This statue has its own religious values. It is worshipped by its guthi people and society. The idol is inside two tiered temple. The idol is dressed as well as decorated with the silver ornaments. The idol is dated back to 10th or 11th century. This was stolen in 1984 A.D. Six years after its disappearance, the statue was found and displayed in the 1990 catalogue of the auction house of Sotheby, the nit was purchased by David T Owsley. In 2019, the statue was confirmed to be in Dallas Museum of Art of Texas, USA, which was transferred from Owsley’s collection. (Nepal Heritage Recovery). The idol’s right arm was broken during the robbery. After recovery or repatriation to Nepal, it was kept in Patan Museum and under the AMPA (Article 20 A) Act that communities have rights to ask their gods back if the communities follows three condition. (S. Lakhe, interview, 20th July 2023,)

- i) The community or local authority should take guarantee of the security and safety.
- ii) Community should worship and do their rituals after god is restored its original place.
- iii) Basic preservation standards must be in place.

Iconographic features: (N. Pokharel, Interview, July 29, 2023)

- Laxmi Narayan is the idol of laxmi and Narayan .
- The idol is standing on a lotus pedestal decorated with a luxuriant floral motif.

- Left hand side indicates goddess laxmi with female figure and right hand side is Narayan with male figurine.
- Both laxmi and Narayan had four hands indicates (char bahu) simultaneously from top to down chakra, gadha , and in the broken part of hand may be there is sankha as there is padma beej on the last hand of Narayan part .
- And in the laxmi part there is also four hand (char bahu) simultaneously from top hand there is pustak, puspa, darpan (mirrior) and last hand with kalash (waterpot).
- The idol is standing on isthanaka mudra. It has a double pedestal (dohoro padmapidth). A lotus flower with its faucet is crafted on a pedestal.
- The idols wear urda bastra with adho bastra.
- Presence of Pratihar on both leg.
- Kirita mukut on head .
- Whole idol is craved with jalabali .
- Stone is carved hole on its back side. (Hawa dari)

3.2.2. Metal Gold Plated Buddha idol



Name

Bhu Sparsha Buddha

Measurement	9.05"x 7.086"
Lost from (Location)	unknown
Dated	10 th or 11 th century
Material	Metal
Stolen Date	unknown
Returned Date	15 th July ,2021
Returned From	District Attorney Office, USA

Metal gold plated Buddha is Bhu Sparsha Buddha. Bhu Sparsha Buddha touches the floor with his right hand. This metal idol size is 9.05"x 7.086". This idol was returned from District Attorney office, USA on 15th July ,2021.

3.2.3. polychrome wooden salvanjika tudal

Name	Salvanjika Tudal
Measurement	46.45"x 9.842"
Lost From (location)	Itumbahal
Dated	13 th century
Material	Polychrome wood
Stolen Date	unknown
Returned Date	15 th July ,2021
Returned From	District Attorney Office, USA

On 15th July,2021, By the help of District Attorney Office USA , polychrome wooden salvanjika tudal was returned back to Nepal and is displayed in National Museum Chauni. This strut is of 13th century . This was lost from itumbahal . Tudal known as struts seem to be looking graciously down towards the visiting devotees

below and supporting the roof above. These are most artistic piece of wood carvings seen in temples in Nepal. This help to support the horizontal beams of sloping roof of the temple which has artistic beauty, religious motifs in various manifestations of both male and female deities with various deities, human devotees and various forms of erotic arts. This tudal is divided into three parts upper part shows the flowers carved, middle part represents the full deity structure and the last part shows vehicles of God, scenes of domestic work. Size of the tudal is 46.45"x 9.842".

Iconographic features: (N. Pokharel, Interview, July 29, 2023)

- This salvanjika tudal is in salvanjika mudra.
- The lady in salvanjika mudra on the lotus holds the branch of the tree.
- In this strut the lady figurine is in ratio or the body is in proportion which has the perfect bending of the waist.
- No clothes above the waist.
- Clothes of the deity is up to the knee with salvanjika mudra.
- Beautiful ornaments wore on the neck.
- Bold hand bangles are worn.
- This strut is beautifully carved by the artist which gives more aesthetic and beautiful feelings.

3.2.4. Metal Ganesh idol



Name	Ganesh
Measurement	5.5"x 3.14"
Lost From (location)	unknown
Dated	13 th century
Material	Polychrome wood
Stolen Date	unknown
Returned Date	15 th July ,2021
Returned From	District Attorney Office, USA

Ganesh in Hinduism is the god of beginnings, traditionally worshipped before any major enterprise. Ganesh known as lord Ganesh is one of the blessing god who is lord shiva's son. On 15th July 2021, returned by the help of District Attorney Office USA to Nepal . It is now displayed in Nation Museum Chauni in temporary display area. Size of the metal Ganesh is 5.5"x 3.14".

Iconographic features : (N. Pokharel, Interview, July 29, 2023)

- Ganesh is in sitting position.
- Sitting with sakti on both sides with Riddhi and Siddhi known as Ganesha wives.
- Represent with his bahan mice.

- Big stomach coming out of the chest is the special features of Ganesh iconography.
- Beautifully carved flowery metal on the the back side of statute with hawa dari whole.
- Riddhi and siddhi figure structure are very creatively craved in a proportioned ratio.
- With no of beautiful carved pedestal.

3.2.5. Vidhyadhara Toran



Name	Toran
Measurement	21.65"x 14.56"
Lost From	Itumbahal Dewali Ghar
Dated	14 th century
Material	wood
Stolen Date	unknown
Returned Date	2 nd March ,2022

Returned From

Rubin Museum of Art USA

On 2nd March 2022, Lost from, Itumbahal Dewali Ghar the wooden Gandharva, vidhyadhara was returned back on from the Rubin Museum of Art USA and now is in its original place in itumbahal . Vidhyadhara is the idol for showering flower and wear garland. This wooden vidhyadhara is beautifully carved . This vidhyadhara is from 14th century. Size of vidhyadhara is 21.65"x 14.56"

Iconographic features : (N. Pokharel, Interview, July 29, 2023)

- Vidhyadhara is in flying position spreading both hands.
- Represent with big earring on both ears.
- Mukut on head.
- Flower carved on the back side of vidhyadhar.
- Kammar bandh wearing on waist.

3.2.6. Wooden Toran of Main Door Patan Yempi Mahabihar



Name

Toran

Measurement

75.98"x 39.37"

Lost From(location)

Patan Yempi Mahabihar

Dated	14 th century
Material	wood
Stolen Date	unknown
Returned Date	2 nd March ,2022
Returned From	Rubin Museum of Art USA

The most prominent decorative part of temple, Bihara etc. toran is also known as tympanum derived from Greek word tympana. Toran is on the upper side of the main door and also the sub -door of temples Bihara etc. Toran is in arc shapes and supported by pair of pilasters which frames niches and is in 5 small pieces of wood and is joined simultaneously to show the whole toran. Its main purpose is to enhance the windows, doors, gates or niche. The toran contains different deities related to the temples. It is heavily carved with different that enhance the beauty of the door. It is believed that if the door of the temple is closed then the prayers worship the deities by seeing the toran.

Patan Yempi Mahabihar the wooden toran of main door was returned back on from the Rubin Museum of Art USA, and now restored in its original place. Size of the toran is 75.98"x 39.37"

Iconographic features: (Basnet. B / Khatri. P, p.115)

- This toran shows the flying Garuda Bishu sitting with his leg down on the back of Garuda.
- Garuda holds both naag and nagini where nag head has been disappeared and nagini head is covered with seven serpent.

3.2.7. Stone Buddha Idol



Name	Akshobya Buddha
Measurement	23.228"x 16.141"
Lost From(location)	Unknown
Dated	Unknown
Material	Stone
Stolen Date	unknown
Returned Date	2 nd March ,2022
Returned From	Tibet House Collection

On 2nd March 2022, the stone buddha idol -1 was returned from Tibet House Collection, Mahattam USA which is in National Museum after returned back.

Iconographic features: (Basnet. B / Khatri. P, p.92)

- This stone Buddha idol plaque has a special inscription written on it.
- Right hand is in earth touching posture.
- The artist has shown clearly the idol chest, waist, thigh, and knees in natural way.
- The idol is wearing cheber on his left shoulder.

- The idol is in sitting position with both leg folded showing feet towards sky.
- Ushnish is covered with curled hair.
- Broad forehead, thick and half closed eyelid with pointed nose slightly raised cheeks, chin.
- Long ears touching shoulders.
- Three special lines (dharko) on the neck.

3.2.8. Uma-Maheshwor idol (Patan Ga: Hiti)



Name	Uma- Maheshwor
Measurement	21.65"x 30.15"
Lost From(location)	Patan Ga: Hiti
Dated	10 th century A.D
Material	Stone

Stolen Date	Mid 1960's
Returned Date	23 rd May ,2022
Returned From	Denver Art Museum Art USA

On 23rd May 2022, Uma-Maheshwor idol lost from the Patan Ga: Hiti was returned back home from Denver Art Museum Art USA and is in National Museum. Size of this idol is 55x 77 c.m. This is from 10th century A.D. Shiva and Parvati, a divine couple as Uma-Maheshor . Parvat is known as Uma meaning shine or light and Maheshwor known as “Great Lord”. Uma-Maheshwor idol has its own features and rules. Shiva (Maheshwor) and Parvati (Uma) is joyfully sitting on Mt. Kailash.

Iconography features: (Bangdel,1989, p. 76)

- The entire composition is dominated by shiva and Parvati, shown joyfully sitting on Mt. Kailash with tiger skin spread their cushion.
- They both sits in the lalityapurna vab pose.
- Shiva ornaments consists of Kirit Mukut on his head with his matted hair.
- Shiva is seated with his left leg folded on the seat while his right leg is pendent.
- Maheshwor with 4 hand with different ayud are rudrachya mala ,trisul etc.
- Shiva embraces Uma or Parvati with one of his left hand.
- Parvati is leaning playfully towards shiva while her face expresses joy and ecstasy.
- Her right arm rest on shiva's thigh and her left hand on her own knee.
- On her left side, three female attendants as ladies- in -waiting were shown : one holding a parasol and a fly-whisk, the other a basket and a sword while 3rd one is shown massaging Parvati foot.
- Above the divine couple, two guardian deities are presented on either side, each holding a rosary, a trident, a water- pot and a citrus fruits in his hand.

- On the right side of shiva Nandi, the bull is sitting.
- And just below Nandi is Kumara who was shown with his left hand touching his father's knee in adoration, while his right hand rested on his mount, the peacock.
- Below the throne of the divine couple, five ganas of Shiva, are depicted in which Ganesha occupied the central position.
- Ganesha held the rosary, and axe, radish and a basket of sweets in his four hands.
- On his right, three-headed Bhringi, with three arms and three legs, is shown sitting with crossed legs.
- On the left side of this panel skeletal Bhringi is shown.
- Skeletal Bhringi was depicted in a crouching posture and holding a waterpot in his left hand while his right hand was raised up in adoration to his master.
- A very interesting figure of a gana was shown in the extreme right of the panel.
- He was wearing a bell-earring and held a flower in his left hand, while his right hand displayed in the gesture of munificence.
- Parvati has worn beautiful ornaments.
- Below Kumar's left hand touching Shiva's knee in adoration.

3.2.9. Stone Chaturmuki Shiva Linga



Name	Chaturmukh Shiva Linga
Measurement	6.2 "x 11.41"
Lost From(location)	Pasupati Area
Dated	8 th century A.D
Material	Grey Limestone
Stolen Date	July,1984
Returned Date	23 rd May ,2022
Returned From	Art Institute of Chicago USA

On 23rd May 2022, Stone Chaturmuki Shiva Linga was lost from the Pasupati Area which was returned back from Art Institute of Chicago USA and is now in National Museum. This four faced Shivalinga is from 8th century A.D. The size of chaturmukh is 6.2 "x 11.41".

Iconography features: (Bangdel, p.116)

- All four faces of shiva linga are round and rendered smoothly.
- Right hand holding rosary and left hand holding watersport.
- Front face of buddha is covered with short curls like head of buddha.
- Wore necklace with round pendent in the center.
- Eyes, nose and his thick lips were slightly damaged.
- Horizontal third- eye is incised on his forehead in place of vertical one.
- Head carved on opposite side was divided into two halves which elaborate feminine coiffure on the left indicate male figurine with short curly hair.
- May be the form of ardhnanarishwor conjoint representation of Shiva and Parvati .
- On the right of the front face Shiva wore a crown similar to that of Vishnu.
- Thin floral band was incised around the cylindrical shaft between four head.

3.2.10. Stone Naagraaj idol



Name	Naagraj
Measurement	12.99" x 18.50 "
Lost From(location)	Nakshal area
Dated	12 th to 13 th century A.D
Material	Grey Limestone
Stolen Date	1982
Returned Date	23 rd May ,2022
Returned From	Private Company Marilyn B. Altdorf Trust USA

On 23rd May 2022, lost from Nakshal area, stone Naagraj idol returned from the private company Marilyn B. Altdorf Trust USA and now is in National Museum. It was placed on a rectangular in an open field in Nakshal area before it was stolen. (Bangdel, p.182)

Iconography features: (Bangdel, p.182)

- Nagraja is protected by seven hooded serpents.
- On the top of the stele, an umbrella is depicted.
- Both side of Nagraja two circle is represent sun and moon.
- Nagraja is seated on the coil of serpent in sukhasana with his left foot resting on the seat.
- Right leg is slightly pendent.
- The deity wore a crown, two different types of earrings.
- Necklace is on the neck.

- Armlets and bangles on the hand.
- He hold a blue lotus nilakamala in his left hand.
- Right hand bore a jewel.

3.2.11. Stone Shakyamuni Buddha



Name	Shakya Muni Buddha
Measurement	38.58"x14.96 "
Lost From(location)	Nakshal area
Dated	16 th century A.D
Material	Stone
Stolen Date	unknown
Returned Date	23 rd May, 2022

Returned From

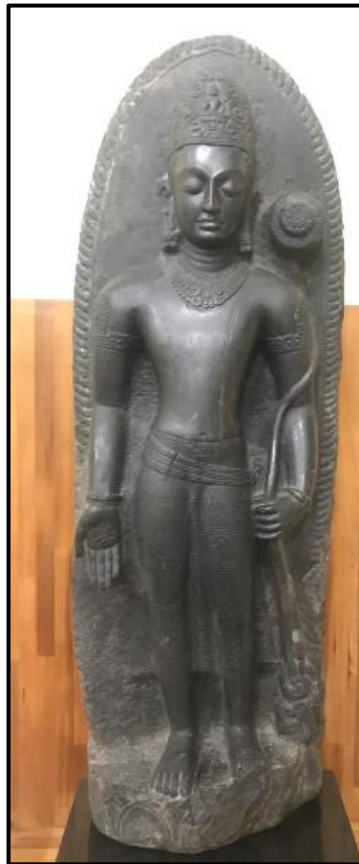
Private Company Marilyn B. Altdorf Trust USA

On 23rd May 2022 returned from the private company Marilyn B. Altdorf Trust USA and now is in National Museum.

Iconography features: (Basnet. B / Khatri. P, p.82)

- This shakya Muni Buddha idol has big eyes, protruding nose and long ears.
- Long ears touches the shoulders.
- Ushnish is covered with curled hair.
- Three layers of line (muza or dharsa) on the neck.
- Cheber is worn covering half of the chest above the heel.
- The idol is wearing Cheber on his left hand.
- On the both side of below the hip part clothes of layer is shown in the statue.

- **3.2.12. Stone Padmapani Lokeshwor Idol**



Name	Padmapani Lokeshwor
Measurement	37.007"x14.56 "
Lost From(location)	Nakshal area
Dated	7 th century A.D
Material	Stone
Stolen Date	unknown
Returned Date	23 rd May, 2022
Returned From	Private Company Marilyn B. Altdorf Trust USA

On 23rd May 2022 returned from the private company Marilyn B. Altdorf Trust USA and now is in National Museum.

Iconography features: (Basnet. B / Khatri. P, p.76)

- The statue holds a lotus flower with a stem (naal) in its left hand that indicates iconography features of Padmapani lokeshwor.
- This Padmapani Lokeshwor is standing in Samabhanga posture.
- On the crown of his head, Amitabh Buddha is shown in Abhaya Mudra.
- From the lower part of artistic crown worn by Bodhisattva, curled hair is shown in idol.
- Big earrings , 4 layers of necklace (Khanthahar) on the neck with three layers of line (muza or dharsa) on the neck.
- Carved armlets worn on the arms, bangles on the wrist .
- Clothes (dhoti) is hold by waist band below the hip part.

3.2.13. Stone Laxmi idol



Name	Laxmi
Measurement	27" x 14.96"
Lost From(location)	Bhaktapur, Golmadi
Dated	9 th / 10 th century A.D
Material	Stone
Stolen Date	unknown
Returned Date	24 th June, 2022
Returned From	Yela University of Art Gallery

This laxmi idol was lost from Bhaktapur, Golmadi and was return from Yela University of Art Gallery. Tis stone laxmi idol is displayed in Chauni National Museum after returned from Yela University of Art Gallery.

Iconography features: (Basnet. B / Khatri. P, p.79)

- Standing laxmi is in Isthanka Mudra with her right hand resting on lotus flower along with stem.
- The entire idol is covered with flames.
- Padmabeej on the hand.
- Puspha kundal wearing in ear and waist band on the waist.
- Beautiful decorated carved crown on the head.

3.2.14. A pair of Tupal



Name	Tupal
Measurement	35.433" x 6.299"
Lost From(location)	Hymut tole, Teku
Dated	13 th /14 th century A.D
Material	Wood
Stolen Date	unknown
Returned Date	12 th July, 2022
Returned From	Private Company

This wooden strut (tupal) is lost from Hymut tole Teku, which is returned from private company and is now displayed in Nation Museum .

Iconography features: (Basnet. B / Khatri. P, p.118)

- Flowers and leaves are made in the upper part of tupal.
- Main character is shown in large size the middle part.
- Other part are shown in small size.

- At the bottom part of tudal simple wood cut part is shown.

3.2.15. Salvanjika Tudal



Name	Salvanjika Tudal
Measurement	51.181" x 8.267"
Lost From(location)	Itum Bahal,Ktm
Dated	13 th /14 th century A.D
Material	Wood
Stolen Date	unknown
Returned Date	12 th August, 2022
Returned From	Metropolitan Museum of Art, New York

Salvanjika tudal is lost from Itumbahal, Kathmandu. It is returned from Metropolitan Museum of Art, New York.

Iconography features: (Basnet. B / Khatri. P, p.119)

- This strut is beautifully carved in salvanjjika posture.
- Hair decoration is very beautifully.
- The female body is shown in proportion with chiseled waist, plump breast.

3.2.16. Shiva stone idol



Name	Shiva
Measurement	51.181" x 8.267"
Lost From(location)	Kankeshwori, Ktm
Dated	10 th /11 th century A.D
Material	Stone
Stolen Date	unknown
Returned Date	12 th August, 2022
Returned From	Metropolitan Museum of Art, New York

It was lost from Kankeshwori, Kathmandu and returned from Metropolitan Museum of Art, New York. It is displayed in national museum after returning back.

Iconography features: (Basnet. B / Khatri. P, p.71)

- This is shiva family idol that is carved on the stone and show mount kailash.
- On the left hand of the main idol carried a tumbal.
- Earring wore in ear, necklace on the neck, armlets in the arm is worn in the idol.
- Janai is hanging from left shoulder, patuka is worn .
- Worn cloth is in between the legs of the statue.
- On the both side of shiva sages are standing holding akshyamala in right hand and tumbal in left hand.

CHAPTER FOUR

TANGIBLE AND INTANGIBLE FEATURES OF RESTORED IN- SITU IDOLS

Heritage council defines heritage as “Heritage” in the broadest sense is that which is inherited. Everything which the ancestors bequeath may be called heritage like : landscapes, structures, objects, traditions. Heritage represents our history and our identity; our bond to the past, to our present, and the future. Heritage can be of two types natural and cultural heritage.

Natural heritage refers to natural features, geological and physiographical formations and delineated areas that constitute the habitat of threatened species of animals and plants and natural sites of value from the point of view of science, conservation or natural beauty.

Cultural Heritage is an expression of the ways of living developed by a community and passed on from generation to generation, including customs, practices, places, objects, artistic expressions and values. Cultural Heritage is often expressed as either Intangible or Tangible Cultural Heritage (ICOMOS, 2002).

Forms of cultural heritage are tangible and intangible heritage (UNESCO).

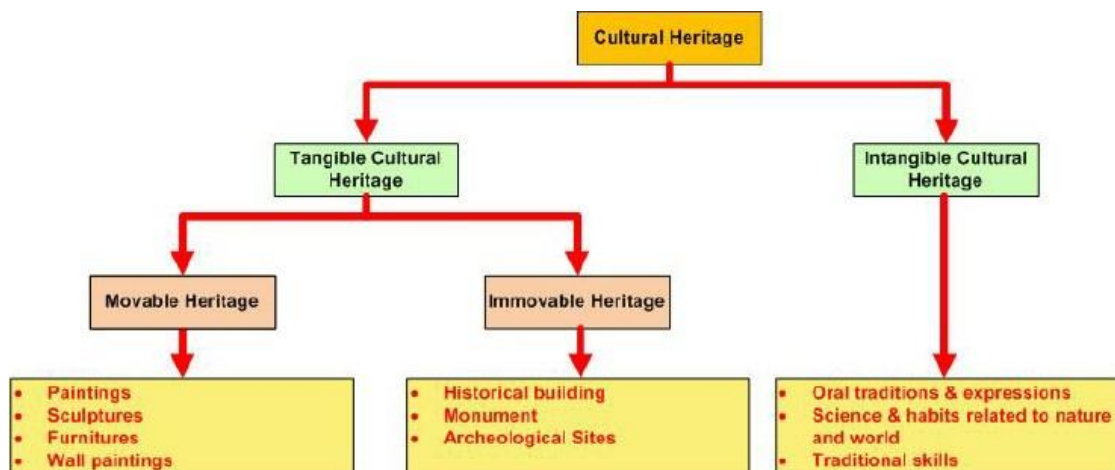


Figure 2 The theoretical framework of cultural heritage by UNESCO

Cultural heritage does not end at monuments and collections of objects. It also includes traditions or living expressions inherited from our ancestors and passed on to our descendants, such as oral traditions, performing arts, social practices, rituals, festive events, knowledge and practices concerning nature and the universe or the knowledge and skills to produce traditional crafts. (UNCESO)

4.1. Tangible Heritage

Tangible heritage refers to cultural and religious significance that can be physically touch and feel. Tangible heritage link with the past period of time. It helps to know about the intangible heritage of past period. In this heritage there are two types of heritage they are movable and immovable heritage. Movable heritage includes paintings, sculptures, wall paintings, furniture, idols etc. Immovable heritage are historic buildings, archaeological sites, monuments which are concrete attached on the sites and shows both tangible and intangible values.

UNESCO defines tangible Cultural heritage is the legacy of physical artefacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations.

4.2. Intangible Heritage

Intangible culture cannot be touched but they are an important part of our cultural heritage. Traditions and living expressions that have been traditionally received from our ancestors and passed on to our descendants, such as oral traditions, performance arts, social practices, customs, festivals, knowledge and practices related to nature and the universe, and the knowledge and skills of creating traditional crafts are also included. The community itself must participate in identifying or identifying intangible culture.

UNESCO defines intangible heritage as cultural expressions that have been passed from one generation to another, have evolved in response to their environments and contribute to giving us a sense of identity and continuity. The importance of intangible cultural heritage is not the cultural manifestation itself but rather the wealth of knowledge and skills that is transmitted through it from one generation to the next.

The social and economic value of this transmission of knowledge is relevant for minority groups and for mainstream social groups within a State, and is as important for developing States as for developed ones.

UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage 2003 has also defined five categories.

- Oral traditions and expressions of language literature.
- Demonstrators and campaigners.
- Social behavior, rituals and festive celebrations.
- Knowledge and behaviors related to nature and the universe.
- Traditional skills and craft

Some examples of intangible cultural heritage are folklore, folk language, folk costume, folk religion, folk belief, folk music, festivals, customs, traditional knowledge herbal treatment methods etc.

4.3 Relationship Between Tangible and Intangible Heritage

Tangible and intangible heritages complement each other in human culture. The importance of abstract art is also evident from the different naming of deities based on the postures of the idols.

There is a strong relationship among tangible and intangible heritage. This has been pointed out by (Kreps, 2009).

4.3.1 Laxmi Narayan

A full-length statue of Lakshmi-Narayan carved in black stone has been installed in Patko tole of Patan. A stone idol could be stolen or lost, none of the devotees and priests imagined. But one day, suddenly the statue of Lakshminarayan disappeared. (S. Shrestha, Interview, April 5, 2024)

The stone statue was placed in a hole made on a stone pedestal where the idol is in standing position. Stone idol of Laxmi Narayan known as Lord Kamalaja-Vasudeva. The idol is dressed as well as decorated with the silver ornaments. It was return after 40 years of lost to its original place.

When an idol was stolen, the faith and sentiments associated with its historicity was hurt. For the faith and belief of devotees new stone idol of laxmi Narayan was installed but it does not get the same respect or devotion. After the idol was stolen, it affected all the worships, processions and fairs related to God. (B. Shrestha, Interview, April 5, 2024)

The statue of Lakshmi Narayan (Vasudev Kamalaja) stolen from Patan in 1984 and it was seen in auction house in New York in early 90's and then it again reappeared in art in Texas. It was brought in Nepal with the help of artist and researcher Joy Lynn Devis who is working with the Nepali heritage activist. (Youtube) When laxmi Narayan was spotted and proved due to lack of budget local government Lalitpur Municipality tries to fund for the repatriation to the homeland but later it was brought back with the help of foreigners funded. (Interview, Lakhe.S)

After returning to Nepal it was first kept in Patan Museum and then after sometimes with the help and feel of security given by the society people it was reinstalled in its original place inside temple in patko tole. (Interview, Lakhe.S)

Before reinstallation of the statue in the temple priest and society of people conducted religious rights to keep the statue in its Garvagriha and kshyma puja was performed by the priest during the rituals. (R. Rajopadhya, Interview, April 7, 2024)

Reinstallation and puja was perform on the day of aushi which is an auspicious day of laxmi according to Hindu religion. Nirjala ekadaski is an auspicious day for this temple and shrine. (L. Shrestha, Interview, April 3, 2024)

People of the society and heritage activist shows happiness while reinstalling idol Laxmi Narayan. Idol was welcomed with the huge crowd of people and Newari baja instrument. (B.R. Shrestha, Interview, April 3, 2024)

Due to the generation gap, the head priest of the temple stopped performing the puja, but the daily puja of the devotees continues. (M. Rajopadhya, Interview, April 5, 2024)

For the safety and security of idol, after returned back to its original place, new door is reinstalled, motion sensors, and CCTV is installed inside the temple. (R. Shrestha, Interview, April 3, 2024)

4.3.2. Yempi Mahabihar Main Door Wooden Toran (Patan)

Yempi Mahabihar is located in Patan, Lalitpur. Yempi Mahabihar was built by khatkuti Aju which was built 2200 years ago. It is one of the important sacred place of Buddhist site. This is the first place where Padmashambhav lived in Nepal. This place is also mention in biography of Rinphoche.

Dated of 14th century, Yempi Mahabihar wooden toran was lost from it's original place. Stolen date of the toran is unknown. It was returned on 2nd March, 2022 from Rubin Museum of Art USA. The size of the toran is 75.98"x 39.37".

After the Toran was returned from the Rubin Museum of Art USA, it was restored to its original location through society's efforts. It enhances the beauty of the door when the toran is re-installed on the main door of Bihara. Toran has its own importance in Bihar.

After re-establishing the toran, the people of that society were so happy that they regained faith in God that God would return again. (B. Bajracharya, Interview, March 20, 2024)

When devotees are unable to enter Bihara, devotees bow to Toran as belief. (H.M. Shrestha, Interview, April 3, 2024)

This Bihara is one the important and religious place for Buddhism. (H. Shakya, Interview, March15, 2024)

CHAPTER FIVE

SUMMARY, FINDINGS, CONCLUSION AND RECOMMENDATION

5.1. Summary

Repatriation is the process of returning lost and looted cultural materials in their home land or in its original place from different parts of the host countries through legal process. Repatriation process needs legal process both the host and the source country. According to DOA records repatriation starts from 2042 B.S. Most of the repatriated images are displayed in National Museum and few are restored in its original place.

Trafficking of idols in legal or illegal way starts from 1960s where people around the world and hippies enter to Kathmandu valley for different reasons, in this era. During 1960s, 1980s and 1990s many cultural objects were theft and vandalism. Nepal became open to the outside world after the ended of rana regime in 1950s. But in 1990s many countries play vital role to stop vandalism and theft of cultural object which was not effort before.

This research helps to find out the lost and repatriated cultural property between 2021-2022. It provides inventory and iconography features of the repatriated images of the year 2021-2022.

This research also provides the legal knowledge and procedures to repatriate images to the country and to its original place. UNESCO 1970 plays a vital role in repatriation of cultural property to its home country. Ancient Monument Act 2013 plays vital role in context of Nepal.

It is not so easy to repatriate the cultural property from other countries to home land .There are different stages and process which is very challenging in which this research discuss about the challenges of repatriation of cultural properties to it's home land.

Nepal's cultural property has it's own history, identity, beliefs and sacredness along with it. This research also include the tangible and intangible values for the repatriated images to its homeland.

During this research both Primary and secondary sampling has been done to get the actual information. Data are collected from field Survey, personal observation, interview with the government bodies, social activist and through different social media that are related to the concern topic.

This research will motivate to the researchers to know about the repatriated images during 2021-2022 of the year. It will also help the culture students to know about the inventory, iconography features, laws to repatriate the cultural property and to after repatriation too. It will also benefit the society as in terms of tangible and intangible values of cultural property after repatriation.

5.2. Findings

Trafficking of cultural heritage has persisted as a lucrative source of income since the 1960s, with ongoing activity to this day. The involvement of high-level individuals is suspected due to the complexity and difficulty of such operations, implicating a chain of actors ranging from ordinary citizens to government officials, scholars, and members of society. Despite the prevalence of trafficking, there is a notable absence of comprehensive records or inventories maintained by relevant authorities. Government policies related to theft and repatriation are lacking in strength and enforcement, with governmental bodies demonstrating limited activity and resources dedicated to the issue. Notably, there is also a lack of dedicated research teams established by the government to address the theft of cultural artifacts.

Several important publications, including "Stolen Images of Nepal" by Bangdel L.S. (1989) and "Gods are leaving the country" by historian Shick.J (2006), provide valuable evidence for understanding the extent of cultural theft. However, such evidence often falls short in proving ownership of cultural property from other countries, necessitating the reliance on various corroborative factors such as in-situ photographs, inscriptions on artifacts, eyewitness testimonies, and societal engagement.

Efforts towards repatriation are underway through initiatives like the Lost Arts Of Nepal social network and the Nepal Heritage Recovery Campaign group, which collaborate with legal experts and government agencies. However, the lack of

sufficient budget allocation by the government poses a significant hurdle, leading to financial constraints even after successful claims of evidence.

Despite these challenges, some idols have been successfully returned with the assistance of foreign donors, governmental support, and local efforts. However, ongoing issues such as inadequate preservation expertise, insufficient punishment under existing legislation, and limited storage capacity in museums persist, hindering the full restoration and display of repatriated artifacts. The recent reinstallation of the Laxmi Narayan idol in Patko Tole, Patan, after 40 years offers hope for the restoration of faith and cultural continuity, although interruptions in deity rituals due to long gaps and generational shifts remain a concern.

5.3. Conclusion

In the research conducted, an extensive examination was carried out regarding the intricate process of repatriating cultural heritage artifacts to their places of origin. The focus was on understanding the challenges faced by government bodies involved in this endeavor, highlighting the complexities inherent in such initiatives. Through thorough analysis, it became evident that the return of numerous artifacts during the specific timeframe of 2021-2022 represented a notable milestone in rectifying historical injustices and restoring cultural heritage to its rightful communities.

Moreover, the research explored the potential ripple effects of these repatriation efforts, suggesting that such actions could potentially empower local communities who have long grappled with the loss of their cultural treasures. By compiling an inventory of the repatriated objects and documenting their current status and whereabouts, the research aimed to provide valuable insights for future endeavors in this field.

A critical aspect of the study involved deliberations on the optimal placement of these artifacts, whether within their native locales or in museum settings. This discussion underscored the importance of considering factors such as cultural identity preservation, community engagement, and ethical stewardship in determining the most suitable course of action. Ultimately, the research emphasized that the return of cultural heritage artifacts transcends mere legal or administrative processes.

By promoting continued collaboration, dialogue, and advocacy, the research concluded that progress can be made towards a more equitable and inclusive approach to the protection and repatriation of cultural heritage, ensuring its preservation for future generations.

5.4. Recommendation

- Government policies should be strong enough to support repatriation of any idols.
- Different special organization should be established for the cultural heritage. This organization should control all the lost and repatriate cultural property and document them for future generation.
- It should encourages and should conduct awareness to the community people, that our cultural heritage is our property and is our history that defines and introduces our identity.
- Government should have experienced research team and should be able to work under stolen part and also in repatriation.
- Lost Arts of Nepal anonymous group is one of the active social media that helps to track lost idols from international museum and helps every one to know about the lost idols, so in this era social media is strong weapon that helps to keep safe and security of online document indirectly or directly where government also can run such activities through social media.
- Nepal Heritage Recovery Campaign (NHRC), this team works mostly on the process of repatriation works co-ordinate with government and museums but such type of group can be formed and work actively by government.
- Day by day repatriation idols of Nepal is increasing, nation has only temporary building structure which is in Chauni Museum and Department of Archaeology send the returning to the museum so, permanent structure is needed for repatriation.

- Repatriation process takes time to repatriate through different process including legal so co-ordination between the community and government is very important for quick result.
- Budget is the most important factor in repatriation work, community cannot effort various expenses, taxes, plane fair, shipping charge to import the idols so, Government and each local government should focused on budgeting every year.
- Ancient Monument Act 2013 section 2(B)5 defines about the punishment, which is not sufficient and should be revised.
- In every local level government cultural repatriation expert team should be formed which will only work for cultural repatriation.
- In cultural expert team indigenous people should be included who knows their history from childhood period, new people somehow don't have intangible feeling towards the idol.
- Communities must also be empowered with resources to conserves our heritage.
- The demand for antiquities abroad is fueling the lootings globally. The international art market must be regulated and laws should be implemented discouraging such trades.
- We believe the idols must be restored to their original Shrines and temples, where the idols/images become gods and worshiped as a living and faithful could receive blessings.
- Locally, the administration must control our borders strictly, preventing illegal exports.
- In museums, they are treated just as an art object so only those Artifacts, which have lost its context should remain in Museums.

REFERENCE

Ancient monument Act 2013

Bajracharya, S. (2024, April 6). In high spirits of doing what you love. *The Kathmandu Post*, <https://kathmandupost.com/art-culture/2021/05/06/in-the-high-spirits-of-doing-what-you-love>

Bangdel, L. S. (1982) *The Early Sculpture of Nepal*, Vikash Publication House.

Bangdel, L. S. (1989) *Stolen images of Nepal*, The Royal Nepal Academy.

Bangdel, L. S. (1995) *Inventory Of Stone Sculptures of Kathmandu Valley*, The Royal Nepal Academy.

Cataloguing Nepal's idol to stop theft, (2021, May 5). *Nepali Times*, nepalitimes.com/news/cataloguing-nepals-idols-to-stop-theft-4kfwbujw

Dhungel, R.K.(2010). *The Lost Heritage*, The Centre for Nepal and Asian Studies (CNAS).

Dixit, K.(2078). Deutako swodesh firta (Repatriation of god). *Himal Khabar*, himalkhabar.com.

Hennessy, Kate. (2010). Intangible Cultural Heritage and communities. *Asian Journal of Humanities and Social Studies*, 6(4), 1-50. <https://doi.org/10.24203/ajhss.v6i4.5418>

Khanal, M.P. (2052 B.S.) (Ed.). (2074 B.S.) *Nepali murtikala prammva dekhi uttar Madhya kaal samma: (Nepalese sculpture from the earliest to the late medieval period)* Bidyarti pustak bhandar.

Kuwar, R.B (2006). Saskritik sampadaharuko chori nikasiko rokthamma dekhiyeko samasyaharu, Problems of prevention of theft of cultural heritage, *Ancient Nepal*, Number 162, 13-17.

Kuwar, R.B (n.d.) *Recovered images of Nepal*, Vol-I, Department of Archaeology.

New York museum to return two wooden art works to Nepal, (2022, January 11). *The Himalayan Times*, [thehimalayantimes.com/nepal/new-york-museum-to-return-two-wooden-art-works-to-nepal](https://www.thehimalayantimes.com/nepal/new-york-museum-to-return-two-wooden-art-works-to-nepal)

Paudel, B., & Khatri, P. (2079 B.S.). *Rastriya Sangralayako Kala Sampada*, vol-6, National Meuseum.

Puri, R.(2020). Choriyeke Murtiko Kathaa (The story of the Statue Thief). *Rabindra Puri Foundation for Conservation*, 5, 80-93.

Shick, J.(2006). *The gods are leaving the country*, Orchid Press.

Shrestha, P. (2024, April 6). Choriya ka Murti doshi hoinan baljafti firta audainan (The collectors of stolen idols are not guilty, confiscations do not come back), Ukallo, <https://www.ukaalo.com/art-and-culture/20230422-stolen-sculpture-interview/6142>.

Shrestha, S. (2018, April 6). Bringing our gods home. *Nepali Times*, <https://www.nepalitimes.com/here-now/bringing-our-gods-home/>

Sijapati, A. (2021, January 28). Nepal's gods return from exile. *Nepali Times*, <https://www.nepalitimes.com/banner/nepals-gods-return-from-exile/>

Subedi, S. (2022). Nepal ma murti nirman ra choriko itihasa abam swadeshi firta ko kanuni adhar, *A History of Idol Making and Theft and repatriation Legal basis in Nepal, Patan Museum Journal*, 5, 51.

Tangible Cultural Heritage Expertise Committee, (retrieved 2024, March 6) <https://unesco.org.tr/pages/654/295/Tangible-Cultural-Heritage-Expertise-Committee>.

37 barsa agadi pata bata choriyeke Laxmi Naryanko Murti Patanma nai firta laiiyiyo (The idol of Laxmi Naryan stolen from Patan 37 years ago was brought back to Patan), (2021, April 16). *Pahilo Post*, <https://pahilopost.com/content/20210416141759.html>

Appendix A

List of interview

SN	Name of Person	Age	Date of Interview	Post
1	Dr. Nirmala Pokharel	50	August 15, 2023	Lecturer T.U
2	Suresh Lakhe	45	August 11, 2023	Museum Officer Patan Museum
3	Jayaram Shrestha	50	August 11, 2023	Museum Director National Museum
4	Subash Krishna Dongol	35	August 11, 2023	Museum Chief National Museum
5	Sarita Subedi	45	April 4, 2024	Archaeology Officer (DOA)
6	Ram Bahadur Kuwar	50	April 4, 2024	Spokeperson (DOA)
7	Anil Tuladhar	33	March 25, 2024	Cultural Activist

8	Bhai Raja Shrestha	75	April 5, 2024	Cultural Activist
9	Bimal Shrestha	70	April 5, 2024	
10	Maan Rajopadhya	82	April 5, 2024	
11	Shyam Shrestha	40	April 5, 2024	
12	Ratna Rajopadhya	58	April 7, 2024	
13	Ram Shrestha	45	April 3, 2024	
14	Laxmi Shrestha	37	April 3, 2024	
15	Hari Maiya Shrestha	57	April 3, 2024	
16	Dil Shova Maharjan	60	March 20, 2024	
17	Purna Shrestha	56	March 20, 2024	
18	Bijaya Bajracharya	44	March 20, 2024	
19	Om Shrestha	56	March 15, 2024	
20	Hiranya Shakya	55	March 15, 2024	

Appendix B

QUESTION FORMAT

SET-1

Name :-

Age:-

Address :-

Date:-

1. What is Repatriation and when it started in Nepal ?
2. What are the legal process of Repatriation?
3. What are the challenges of Repatriation?
4. How will the images be stored or kept after Repatriation in the Department of Archaeology?
5. What are the Government policies for Repatriation?
6. What about the Government for Repatriation?
7. Do Department of Archaeology have research group and have experts for Repatriation?
8. According to the records the theft happens randomly or do they know about the images?
9. What are the safe and security considerations for repatriation?
10. What is the role of the museum for repatriation?
11. Should the Compensation Act be amended for repatriation?

QUESTION FORMAT

SET-2

Name :-

Age:-

Address :-

Date:-

1. What is the role of social activists in repatriation?
2. Does Social Media help recover Stolen images in Nepal?
3. What are the challenges of repatriation?
4. What are the safety and security measures and conditions in the museum after repatriation?
5. Returned idols should be placed in their original location or in a museum?
6. The images are still being trafficked, what are the measures to stop the smuggling?

QUESTION FORMAT

SET-3

Name :-

Age:-

Address :-

Date:-

1. What is the legal process of returning the idols to its original location?
2. What is the role of society in repatriation of god?
3. What is the responsibility of the society after returning the idol?
4. What are the security threats?
5. What are your thoughts on whether idols should be in-situ or in a museum?
6. Is the idol still worshiped even after returning?
7. Is there any difference between the devotees before and after the loss of God?
8. What is the security system after re-installation of idol?
9. What is the expectation of the budget for repatriation?
10. What are your expectations from the government on repatriation?

APPENDIX C

IMAGES



Figure 2- Laxmi Narayan after reinstallation with its silver ornaments

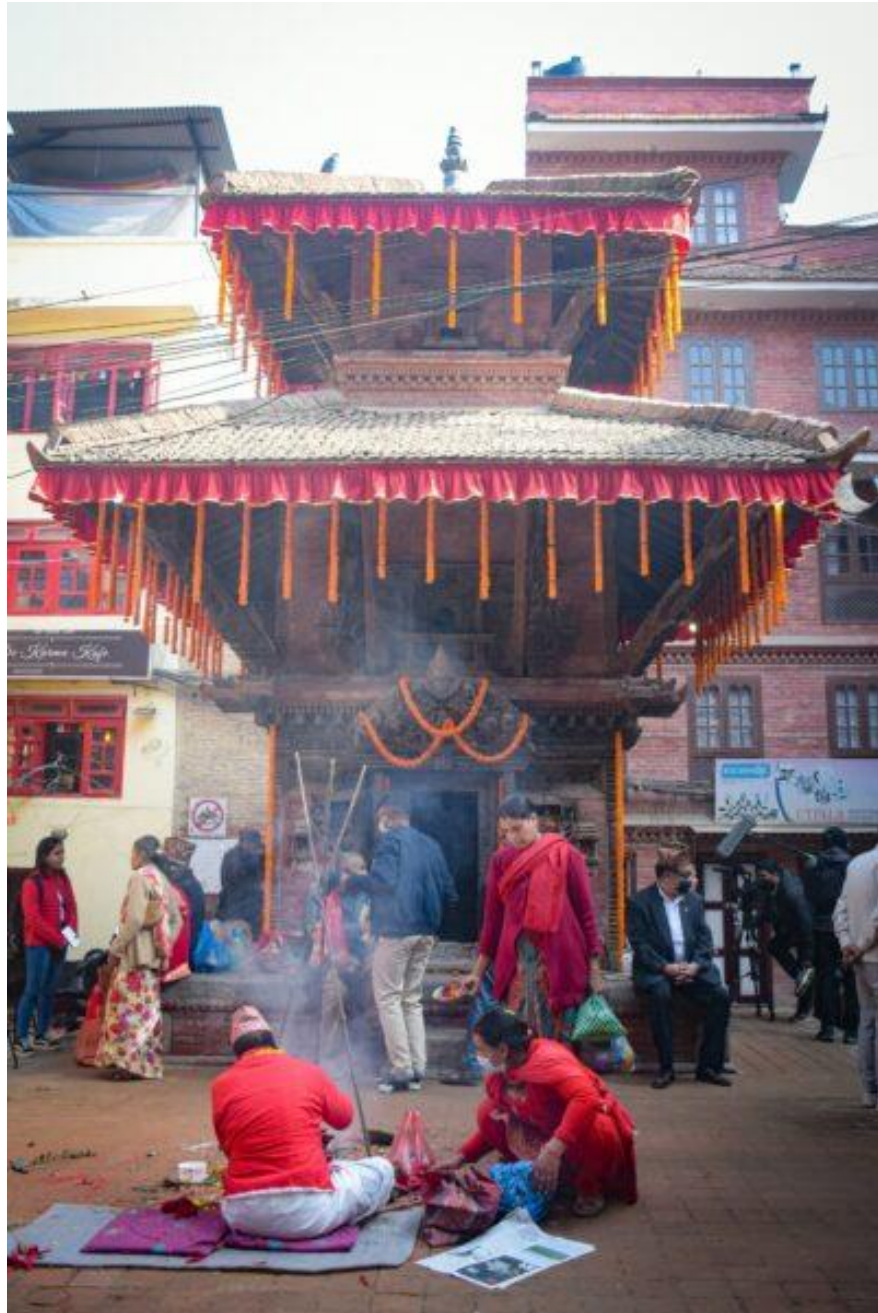


Figure 3- Rituals performing during Laxmi Narayan reinstallation



Figure 4 - Huge crowd during reinstallation of Laxmi Narayan



Figure 5 - Laxmi Narayan with replica inside temple

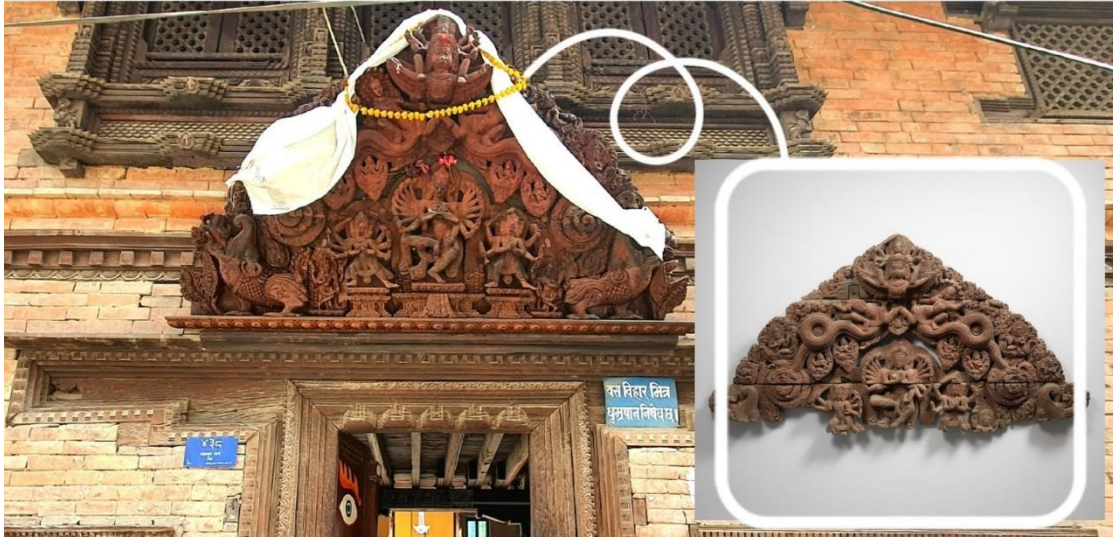


Figure 6- Toran after re-installation in Yempi Mahabihara



Figure 7- Taleju Bhawani Necklace