

1925: Pb. Act VIII.] SIKH GURDWARAS

THE SIKH GURDWARAS ACT, 1925

ARRANGEMENT OF SECTIONS.

PART 1.

CHAPTER I

PRELIMINARY

SECTIONS.

1. Short title, extent and commencement.
2. Definitions.

CHAPTER II

PETITIONS TO STATE GOVERNMENT RELATING TO GURDWARAS

3. List of property of scheduled gurdwara to be forwarded to the State Government : declaration of scheduled gurdwaras and publication of lists forwarded under sub-section (1) in a consolidated list: notices of claims to property entered in the consolidated list to be sent to persons shown as in possession: effect of publication of declaration and consolidated list under sub-section (2).
4. Effect of omission to forward a list under section 3.
5. Petitions of claim to property included in a consolidated list: signing and verification of petitions under sub-section (1): notification of property not claimed under sub-section (1), and effect of such notification.
6. Claim for compensation by hereditary office-holder of a Notified Sikh Gurdwara or his presumptive successor: signing and verification of petition under sub-section (1).
7. Petition to have a gurdwara declared a Sikh Gurdwara; list of property claimed for the gurdwara and of person in possession thereof to accompany a petition under sub-section (1): publication of petition and list received under sub-section (1) and (2): notice of claims to property to be sent to persons shown in the lists as in possession: effect of publication of petition and list under sub-section (3)
8. Petition to have it declared that a place asserted to be a Sikh Gurdwara is not such a gurdwara.
9. Effect of omission to present a petition under section 8: effect of publication of a notification under sub-section (1).

SIKH GURDWARAS 1925: Pb. Act VIII

SECTIONS.

10. Petition of claim to property included in a list published under sub-section (3) of section 7: signing and verification of petitions under sub-section (1): notification of property not claimed under sub-section (1), and effect of such notification.
11. Claim for compensation by hereditary office-holder of a gurdwara notified under section 7 or his presumptive successor: signing and verification of petitions under sub-section (1).

CHAPTER III

APPOINTMENT OF, AND PROCEEDINGS BEFORE, A TRIBUNAL

12. Constitution and procedure of tribunal for the purposes of the Act.
13. Procedure on difference of opinion.
14. Tribunal to dispose of petitions under sections 5,6,8,10 and 11.
15. Power of tribunal to join parties and award costs.
16. Issue as to whether a gurdwara is a Sikh Gurdwara to be decided first, and how issue is to be decided.
17. Notification of Sikh Gurdwara on finding of tribunal.
18. Presumption in favour of a Notified Sikh Gurdwara on proof of certain facts when a claim to property is made by an office-holder.
19. Adjudication by tribunal upon agreements made between office-holder and persons acting on behalf of a Sikh Gurdwara.
20. Claim for compensation by a hereditary office-holder who has resigned or been dismissed.
21. Claim for compensation by person alleging right to nominate office-holder of a Notified Sikh Gurdwara.
22. Matters for consideration in awarding compensation.
23. Compensation to be paid annually out of income of gurdwara.
24. Payment to heirs of person compensated.
25. Manner in which compensation is to be paid and recovered if not duly paid.
- 25-A Power of tribunal to pass decree for possession in favour of the Committees of Gurdwaras.
26. Entry of rights of gurdwara in revenue records.

SIKH GURDWARAS 1925: Pb. Act VIII

SECTIONS.

27. Treatment of property dedicated to a Notified Sikh Gurdwara but under management of trustees.
28. Suits for possession of undisputed property on behalf of Notified Sikh Gurdwaras.
29. Exclusion of jurisdiction of the courts.
30. Decisions by courts on certain claims in certain circumstances.
31. Courts not to continue certain proceedings pending decision as to whether a place is or is not a Sikh Gurdwara.
32. Transfer of suits pending in courts.
33. Disputes relating to rights of office-holder after a year from commencement of Act.
34. Appeal against order of a tribunal.
35. Court-fees.
36. No court to take cognizance of manner, in which the State Government or tribunal exercises its powers under the Act.
37. Courts not to pass an order or grant or execute a decree inconsistent with decision of a tribunal.

PART II

CHAPTER IV

APPLICATION OF PROVISION OF PART III TO GURDWARAS FOUND TO
BE SIKH GURDWARAS BY COURTS OTHERS THAN A TRIBUNAL
UNDER THE PROVISIONS OF THE ACT

38. Recourse to ordinary courts in cases where action has not been taken under Part I, with a view to application of provisions of Part III to a gurdwara.

PART III

CHAPTER V

CONTROL OF SIKH GURDWARAS

39. Suits for relief claimable by application under this part barred.
40. Board, Committees and Commission to be constituted for the purposes of this Act.
41. Control of Sikh Gurdwaras.

SIKH GURDWARAS [1925: Pb. Act VIII
CHAPTER VI
THE BOARD

SECTIONS.

42. Name of Board.
43. Composition and constitution of the Board.
- 43-A Constitution of New Board.
44. Constituencies for election of members of Board.
45. Qualifications of elected members.
46. Qualifications of nominated members.
47. Date of Board elections.
48. Electoral roll.
49. Qualifications of electors.
50. Right to vote.
51. Term of membership.
52. Effect of subsequent disability to serve as member of Board.
53. Vacancy in Board, how to be filled.
54. First meeting of the Board.
55. Annual general meeting.
56. Notice of meeting.
57. Power of members to call meeting.
58. Office of Board.
59. Quorum of Board in general meeting.
60. Chairman at meetings of the Board.
61. Decision of questions before Board.
62. Office-bearers and executive committee of Board.
63. Annual election of executive committee.
64. Power of executive committee of Board.
65. Vacancy in executive committee, how to be filled.
66. Member of a committee of management not to be member of executive committee of Board.
67. Resignation of member of executive committee or of Board.
68. Remuneration of Members of Executive Committee.
69. Servants of the Board; their appointment and punishment.

CHAPTER VII
THE JUDICIAL COMMISSION

70. The Judicial Commission.
71. Appointment of members of the Commission.

1925: Pb. Act VIII.] SIKH GURDWARAS

SECTIONS.

72. Member of the Board or of a committee to resign if appointed a member of Commission.
73. Remuneration of members of the Commission.
74. Officers and servants of the Commission.
75. Expenses to be shared by Government and Board.
76. Jurisdiction and procedure of Commission
77. Court and office of Commission.
78. Vacancy in Commission.
79. Removal of member of Commission.
80. Election of President of Commission.
81. Settlement of difference of opinion in Commission.
82. Costs in proceedings may be made payable out of income of Sikh Gurdwara.
83. Dissolution of Commission.
84. Decision as to whether a person is or is not a patit.

CHAPTER VIII**COMMITTEES OF GURDWARAS**

85. Constitution of committees of management of certain gurdwaras.
86. Committees of gurdwaras other than those specified in section 85.
- 86-A [Omitted].
87. Constitution of committees not specially provided for.
88. Constitution of committees: publication of constitution and effect thereof.
89. Election of members.
90. Qualification for election to a committee.
91. Qualification of nomination to a committee.
92. Qualifications of electors.
93. Right to vote.
94. Period of continuance of committees.
- 94-A Incorporation of committees.

1925: Pb. Act VIII.] SIKH GURDWARAS

SECTIONS.

95. Effect of subsequent disability to serve as member of a committee.
96. Vacancies in committees other than those specified in section 85.
97. [Omitted]
98. Committees to meet at least three times a year.
99. Notice of meetings.
100. Quorum of committee.'
101. Presidents and Vice-Presidents of committees.
102. Decisions of questions before committees.
103. Minutes to be recorded.
104. Resignation of president and members of committee.
- 104-A. Servants of the Committee, their appointment and punishment.
105. Exclusion of Board acting as committee from operation of this chapter.

CHAPTER XI

FINANCES

106. Objects on which the funds of gurdwara may be spent.
- 106-A. Utilization of surplus income.
107. Annual contribution to Board.
108. Formation of General Board Fund.
- 108-A. Research fund.
- 108-B. Religious fund.
- 108-C. Research and religious fund to be governed by the Act.
109. Funds transferred to Board by Shiromani Gurdwara Parbandhak Committee.
110. Funds held in trust by the Board for specified purposes.
111. General Trust Fund.
112. Separate funds to be maintained for each trust.

1925: Pb. Act VIII.] SIKH GURDWARAS

SECTIONS.

113. Trust funds to be deposited in bank.
114. Board to maintain accounts of all trust funds and of General Board Fund.
115. Audit of accounts.
116. Auditor's report.
117. Board to consider auditor's report.
118. Payment of expenses of audit.
119. Budget of Board.
120. Accounts to be maintained by committees.
121. Audit of committee's accounts.
122. Report of auditor.
123. Budget of committees.
124. Recovery of contributions.

CHAPTER X

POWERS AND DUTIES OF THE BOARD

125. Powers and duties of the Board generally.
126. [Omitted]
127. Board may hold and administer trusts.
- 127-A Collection of dues payable to notified Sikh Gurdwaras left in Pakistan.
- 127-B. Mode of spending money belonging to notified Sikh Gurdwaras left in Pakistan.
128. Control by Board over executive committee.
129. What matters may be discussed by Board in general meeting.
130. Settling of schemes of administration.
131. Exclusion of Board acting as a committee from operation of section 130.
132. Power of Board to make bye-laws.

SIKH GURDWARAS [1925: Pb. Act VIII.

CHAPTER XI

POWERS AND DUTIES OF COMMITTEES

SECTIONS.

133. General power of committees.
134. Powers of committees to dismiss office-holders.
135. Procedure when hereditary office-holder or minister is dismissed.
136. Appointment of minister and office-holder.
137. Registers to be kept for Gurdwaras.
138. Alienation of immovable trust property.
139. Power of committee to make regulations.
140. Power of committee to make regulations re offering at Sikh Gurdwara.

CHAPTER XII

MISCELLANEOUS

141. Salaries of office-holders to be their property.
142. Right of interested persons to complain to Commission in respect of misfeasance, etc.
143. Notice of application to be given.
144. Government not to interfere with Gurdwaras, except as provided by this Act or any other Act.
- 144-A. Power to denotify or exempt non-historical gurdwaras.
145. Act of Board or Committee not to be invalidated by informality.
146. Power of State Government to make rules.
147. Power of the State Government to invest with judicial powers officers appointed to enquire into conduct of elections.
148. Language of the Commission.
- 148-A Repeal.

**1925: Pb. Act VIII.] SIKH GURDWARAS.
CHAPTER XII-A
TEMPORARY AND TRANSITIONAL PROVISIONS**

SECTIONS.

- 148-B. Additional members of the Board constituted under section 43 and Executive Committee constituted under section 62.
- 148-C Provisions relating to the existing local committees functioning under the Interim Gurdwara Board, Patiala.
- 148-D Provisions as to employees of the Interim Gurdwara Board, Patiala, and local committees functioning under it.
- 148-E Special provisions regarding the assets and liabilities of Interim Gurdwara Board, Patiala.
- 148-F Power to remove difficulties.

CHAPTER XIII

ELECTORAL OFFENCES

- 149. Prohibition of public meetings on the Election day.
- 150. Disturbances at election meetings.
- 151. Maintenance of secrecy of voting.
- 152. Officer, etc., at elections not to act for candidates or to influence voting.
- 153. Prohibition of canvassing in or near polling stations.
- 154. Penalty for disorderly conduct in or near polling stations.
- 155. Penalty for misconduct at the polling station.
- 156. Penalty for illegal hiring or procuring of conveyances at elections.
- 157. Breaches of official duty in connection with elections.

- 158. Removal of ballot-papers from polling station to be an offence.
- 159. Other offences and penalties therefor.
- 160. Prosecution regarding certain offences.
- 161. Amendment of Act V of 1898.

SCHEDULES

- I. Sikh Gurdwaras.
- II. Institutions not subject to petition under section 7.
- III. Scale of court fees.

THE SIKH GURDWARAS ACT, 1925
PUNJAB ACT VIII OF 1925

[Received the assent of the Governor-General on the 28th July, 1925, and was first published in the Punjab Gazette of the 7th August, 1925.]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1925	VIII	The Sikhs Gurdwaras Act, 1925	Amended, Act XXIV of 1925 Amended, Punjab Act IV of 1926 ³ . Amended, Punjab Act XIII of 1926 ⁴ . Amended, Punjab Act I of 1927 Amended, Punjab Act III of 1930 ⁶ . Amended, Punjab Act IV of 1932 ⁷ . Amended in part Government of India (Adaptation of Indian Laws) Order, 1937. Amended by Punjab Act VII of 1938 ⁸ .

¹ For Statement of Objects and Reasons, see Punjab Gazette, 1925, Extraordinary, dated 25th April, 1925; for the Report of the Select Committee, see Punjab Gazette, 1925, Extraordinary, dated 20th June, 1925, and for proceedings in Council, see Punjab Legislative Council Debates Volume VIII, pages 1102-21, 1155 and 1205-97.

² See Punjab Gazette, 1925, Part I, pages 494-543.

³ For Statement of Objects and Reasons, see Punjab Gazette, 1926, Part V, page 8; for report of the Select Committee see Punjab Gazette, 1926, Part V, pages 36-61; and for proceedings in Council see Punjab Legislative Council Debates, Volume IX –A, pages 32-33, 705 and 861-75.

⁴ For Statement of Objects and Reasons, see Punjab Gazette, 1926, Extraordinary, page 67, for proceedings in Council, see Punjab Legislative Council Debates, Volume IX-B, page 1590.

⁵ For Statement of Objects and Reasons, see Punjab Gazette, 1927, Part I, Page 616, and for proceedings in Council, see Punjab Legislative Council Debates, Volume X, pages 802-03.

⁶ For Statement of Objects and Reasons, see Punjab Gazette, 1930, Part V, pages 11-12; for proceedings in Council see the Punjab Legislative Council Debates, Volume XVI pages 263-315. It came into force on the 1st November, 1930, - vide Punjab Government (Gurdwaras) notification No.2914, dated the 27th October, 1930 on page 1205, of Punjab Gazette, 1930, Part I

⁷ For Statement of Objects and Reasons, see Punjab Gazette, 1932, Extraordinary, page 79 and for proceedings in Council, see the Punjab Legislative Council Debates. Volume XXII, pages 411, 472-474. It came into force on 1st January, 1933, - vide Punjab Government notification No.2695-H. (G.-Gurdwaras), dated 19th December, 1932.

⁸ For Statement of Objects and Reasons, see Punjab Gazette, 1938, Part V, page 27; and for proceedings in Assembly see Punjab Legislative Assembly Debates, Volume VI, pages 223-24.

SIKH GURDWARAS [1925: Pb. Act VIII.]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1925	VIII	The Sikhs Gurdwaras Act, 1925-contd.	Amended, by Punjab Act I of 1941 ¹ . Amended by Punjab Act XI of 1944 ² . Amended by Indian (Adaptation of existing Indian Laws) Order, 1947. Amended by East Punjab Act XLIV of 1948 ³ . Amended by Indian Independence (Adaptation of Bengal and Punjab Acts) Order 1948. (G.G.O.40). Amended by East Punjab Act XXXII of 1949 ⁴ . Amended by the Adaptation of Laws order, 1950. Amended by the Adaptation of Laws (Third Amendment) Order, 1951. Amended by Punjab Act XXVI of 1953 ⁵ . Amended by Punjab Act No. XXVII of 1953 ⁶ . Amended by Punjab Act No. XXV of 1953 ⁷ .

¹ For Statement of Objects and Reasons, see Punjab Gazette, 1911, Extraordinary, page 1, and for proceedings in the Assembly see Punjab Legislative Assembly Debates, Volume XV, pages 87-88.

² For Statement of Objects and Reasons, see Punjab Gazette, 1943, Extraordinary, page 82; for Select Committee, Report see Punjab Gazette, 1944, Extraordinary pages 493-513, and for proceedings in the Assembly see Punjab Legislative Assembly Debates, Volume XXII, pages 78, 80, 161, 813, 28 and Volume XXIII, pages 46, 307-23.

³ For Statement of Objects and Reasons, see Punjab Gazette, 1948, Extraordinary page 622, and for proceedings in the Assembly see East Punjab Legislative Assembly Debates. Volume III, 1948, pages 203-04 and pages 367-68.

⁴ For Statement of Objects and Reasons, see Punjab Gazette, 1948, Extraordinary, pages 1134-36, and for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, volume IV, pages (8) 60-(8)61.

⁵ For Statement of Objects and Reasons, see Punjab Gazette Extraordinary, dated 14th April, 1953, pages 480-81, and for proceedings in the Assembly, see Punjab Legislative Assembly Debates, 1953.

⁶ For Statement of Objects and Reasons, see Punjab Government Gazette Extraordinary, dated 24th March, 1953, pages 366-67; for proceedings in the Assembly, see Punjab Legislative Assembly Debates, 1953. Volume I, pages (24) 79 to 24 (84).

⁷ For Statement of Objects and Reasons, see Punjab Gazette, Extraordinary, dated 24th March, 1953, page 370; for proceedings in Assembly see Punjab Legislative Assembly Debates, 1953, Volume I, pages (24) 72-(24) 78. This Act shall be deemed to have come into force on the 15th of August, 1947.

1925: Pb. Act VIII.] SIKH GURDWARAS.

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1925	VIII	The Sikhs Gurdwaras Act, 1925-contd.	Amended by Punjab Act No. XLII of 1953 ¹ . Amended by Punjab Act No. XLIV of 1953 ² . Amended by Punjab Act No. LIII of 1953 ³ . Amended by Punjab Act No. V of 1954 ⁴ . Amended by Punjab Act No. XI of 1954 ⁵ . Amended by Punjab Act No. XXV of 1954 ⁶ . Amended by Punjab Act No. XXXVII of 1954 ⁷ . Amended by Punjab Act No. XXII of 1957 ⁸ . Amended by Punjab Act No. I of 1959 ⁹ . Amended by Punjab Act No. 10 of 1959 ¹⁰ . Amended by Punjab Act No. 10 of 1961 ¹¹ .

¹ For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 23rd February 1953; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1953.

² For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 17th April 1953; page 564; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1953.

³ For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 10th September, 1953, page 1541 bb; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1953.

⁴ For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 26th February 1954; page 110; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1954.

⁵ For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 16th February 1954; page 76; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1954.

⁶ For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 1st November 1954; page 848; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1954.

⁷ For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 2nd November, 1954; page 858; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1954.

⁸ For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 22nd May, 1957, page 692; 1953; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1957.

⁹ For Statement of Objects and Reasons, see Punjab Government Gazette, Extraordinary, dated the 28th March 1958; page 725; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1959.

¹⁰ For Statement of Objects and Reasons, see Punjab Government Gazette, (Extraordinary), 1959; page 4684; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1959, Volume I, pages (29) 80-(29) 104.

¹¹ For Statement of Objects and Reasons, see Punjab Government Gazette, (Extraordinary), 1960, page 1991; for proceedings in Assembly, see Punjab Legislative Assembly Debates, 1961, Volume I, pages (7) 1-(7) 5. This Act shall be deemed to have come into force on the 8th January, 1959.

SIKH GURDWARAS [1925: Pb. Act VIII.]

An Act to provide for the better administration of certain Sikh Gurdwaras and the inquiries into matter connected therewith.

Preamble.

WHEREAS it is expedient to provide for the better administration of certain Sikh Gurdwaras and for inquiries into matters and settlement of disputes connected therewith, and whereas the previous sanction of the Governor-General has been obtained to the passing of this Act; it is hereby enacted as follows: -

PART I

CHAPTER I

PRELIMINARY

Short title Extent and commencement. 1. (1) This Act may be called the Sikh Gurdwaras Act, 1925.

1[(2) It extends to the territories which, immediately before the 1st November, 1956, were comprised in the State of Punjab and Patiala and East Punjab States Union.]

(3) It shall come into force on such 2date as the 3[State] Government may by notification appoint in this behalf 4[and, in the extended territories, on the commencement of the Sikh Gurdwaras (Amendment) Act, 1959 (hereinafter referred to as the Amending Act)].

(4) The Sikh Gurdwaras and Shrines, Act 1922, is 5vi, is here by repealed.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context-

Board.

(1) "Board" means the Board constituted under the provisions of Part III.

¹ Substituted for the words "It extends to Punjab" by Punjab Act No.1 of 1959, section 2 (1).

² This Act came into force on the 1st day of November, 1925, see notification No.4288-S, dated 12th October, 1925, in the Punjab Gazette, 1925, Part I, page 712.

³ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

⁴ Added by Punjab Act No.1 of 1959, section 2(2).

1925: Pb. Act VIII.] SIKH GURDWARAS.

Commission.	(2) “Commission” means the, Judicial Commission constituted under the provisions of Part III.
Committee.	(3) (i) “Committee” means a committee of management constituted under the provisions of Part III.
	² [(ii) * * * * *].
	³ [(3-A) ‘the extended territories means the territories, which immediately before the 1 st November, 1956, were comprised in the State of Patiala and East Punjab States Union;]
Office	(4) (i) “Office” means any office by virtue of which the holder thereof participates in the management or performance of public worship in a gurdwara or in the management of performance of any rituals or ceremonies observed therein and “office-holder” means any person who holds an office.
Present Office-holder.	(ii) “Present office-holder” means a person who, on the commencement of this Act, ⁴ [or, in the case of extended territories, on the commencement of the Amending Act as the case may be,] holds an office.
Present Office-holder.	(iii) “Past office-holder” means a person who has been an office-holder but ceased to be an office-holder before the commencement of this Act ⁵ [or, in the case of the extended territories, before the commencement of the Amending Act as the case may be].

1. The old clause (3) renumbered as sub-clause (3) (i) by Punjab Act XI of 1944, Section 2 (a).

2. Omitted by Punjab Act No. LIII of 1953.

³ Inserted by Punjab Act No. I of 1959, section 3 (1).

⁴ Inserted by Punjab Act No. I of 1959, section 3 (2) (a).

⁵ Added by Punjab Act No. I of 1959, section 3 (2) (b).

SIKH GURDWARAS [1925: Pb. Act VIII.]

- Hereditary office. (iv) “Hereditary office” means an office the succession to which before the first day of January, 1920, ¹ [or, in the case of the extended territories, before the 1st day of November, 1956, as the case may be], devolved, according to hereditary right or by nomination by the office-holder for the time being, and “hereditary office-holder” means the holder of a hereditary office.
- Present hereditary office-holder (v) “Present hereditary office-holder” means a person who on the commencement of this Act ² [or, in the case of the extended territories, on the commencement of the Amending Act as the case may be,], is a hereditary office-holder.
- Past hereditary office-holder . (vi) “Past hereditary office-holder” means a person who has been a hereditary office-holder but ceased to be such office-holder before the commencement of this Act ³ [or, in the case of the extended territories, before the commencement of the Amending Act as the case may be.]
- Minister. (vii) “Minister” means an office-holder to whom either solely or alongwith others the control of the management or performance of public worship in a gurdwara and of the rituals and ceremonies, observed therein is entrusted:

⁴[Provided that an office-holder to whom either solely or alongwith others the performance of public worship in the Gurdwara and of the rituals and ceremonies observed therein is not entrusted directly shall not be deemed to be a Minister for the purpose of sections 134 and 135.]

1. Inserted by Punjab Act No. I of 1959, section 3 (2) (c).

2. Inserted by Punjab Act No. I of 1959, section 3 (2) (a).

3. Added by Punjab Act No. I of 1959, section 3 (2) (b)

4. Added by Punjab Act No. I of 1959, section 3 (2) (d).

1925: Pb. Act VIII.] SIKH GURDWARAS.

- Police Station (5) “Police Station area” means a local area specified by the
area
¹[State] Government under the provisions of clause (s) of sub-section (1) of section 4 of the Code of Criminal Procedure; 1898.
- Prescribed (6) “Prescribed” means prescribed ²[XXX] by rules made under this Act.
- Presumptive (7) “Presumptive successor” where the succession to the office devolves
successor according to hereditary right; means the person next in succession to a hereditary office-holder, or, where the succession to the office devolves by nomination made by the hereditary office-holder for the time being, means any chela so nominated before the first day of December, 1924 ³[or, in the case of the extended territories, before the 1st day of November, 1956, as the case may be.]
- Resident. (8) “Resident” in any place means any person having a fixed place of abode or owning immovable property or cultivating land or practising a profession, or carrying on business, or personally working for gain, in that place.
- Sikh ⁴ [(9) “Sikh” means a person who professes the Sikh religion or, in the case of a deceased person, who professed the Sikh religion or was known to be a Sikh during his lifetime.

If any question arises as to whether any living person is or is not a Sikh, he shall be deemed respectively to be or not to be a Sikh according as he makes or refuses to make

¹ Substituted for the word “ Provincial” by the Adaptation of laws Order, 1950.

² Omitted by Ministry of Home Affairs notification No. S.O. S-13013/1/75-5Rdated the 3rd February, 1978.

³ Added by Punjab Act No.1 of 1959, section 3 (3).

⁴ Clause 9 was substituted by Punjab Act III of 1930, section 2. The amendment shall be applicable to all claims, petitions and suits in which the recording of evidence has not been concluded before the tribunal at the commencement of this Act,- vide Punjab Act III of 1930, section 11.

SIKH GURDWARAS [1925: Pb. Act VIII.]

in such manner as the ¹[State] Government may prescribe the following declaration: -

I solemnly affirm that I am a Sikh, that I believe in the Guru Granth Sahib, that I believe in the Ten Gurus, and that I have no other religion.]

²[(10) “Amritdhari Sikh” means and includes every person who has taken Khande-ka-amrit or Khanda Pahul prepared and administered according to the tenets of Sikh religion and rites at the hands of five *pyaras* or ‘beloved ones’;]

³[(10-A) Sahjdhari Sikh’ means a person-

- (i) who performs ceremonies according to Sikh Rites;
- (ii) who does not use tobacco or Kutha (Halal meat) in any form;
- (iii) who is not a Patit; and
- (iv) who can recite Mul Manter.]

⁴[(11) “Patit” means a person who being a *Keshadhari* Sikh trims or shaves his beard or *keshas* or who after taking *amrit* commits any one or more of the four *kurahits*].

Notified Sikh Gurdwara. ⁵[(12) “Notified Sikh Gurdwara” means any gurdwara declared by notification by the ¹[State] Government under the provisions of this Act to be a Sikh Gurdwara.

Treasury ⁵[(13) “Treasury” means a Government Treasury or sub-treasury and includes any bank to which the Government treasury business has been made over.

¹Substituted for the word “ Provincial” by the Adaptation of laws Order, 1950.

²Inserted by Punjab Act XI of 1944, section 2 (b).

³Inserted by Punjab Act No. I of 1959, section 3 (4).

⁴Inserted by Punjab Act No. XI of 1944, section 2 (b).

⁵The old clauses 10, 11 and 12, renumbered as 12, 13, and 14 by Punjab Act XI of 1944, Section 2 (b).

1925: Pb. Act VIII.] SIKH GURDWARAS.

- Tribunal ¹(14) “Tribunal” means a tribunal constituted under the provisions of section 12.]
- ²(15) “Election” means an election to fill a seat or seats in the Board or Committee constituted under sections 43, 86 or 87.
- (16) “Constituency” means a constituency for the election of a member or members of the Board or Committee.
- ³(17) “Commissioner, Gurdwara Elections” means the officer appointed by the Government of the State of Punjab, Haryana or Himachal Pradesh or the Administrator of the union Territory of Chandigarh, as the case may be, to perform the duties of the Commissioner, Gurdwara Elections in relation to the election of members of Committees constituted for the Notified Sikh Gurdwaras located within the State or the Union Territory.
- (17-A) “Chief Commissioner, Gurdwara Elections” means the officer appointed by the Central Government under section 47A.]

CHAPTER II.**PETITIONS TO ⁴[STATES] GOVERNMENT RELATING TO GURDWARAS**

- List of Property 3. (1) Any Sikh or any present office-holder of a Gurdwara specified in schedule
of scheduled Gurdwara I ⁵ [or, added thereto by the Amending Act, may forward to the State
To be forwarded to the Government through the appropriate Secretary to Government so as to reach
State Government. the Secretary within ninety

¹ The old clauses 10, 11 and 12 renumbered as 12, 13 and 14 by Punjab Act XI of 1944, section 2 (b)

² Inserted by Act No. XXV of 1954, section 2.

³ Substituted by Ministry of Home Affairs notification No. S.O. S-1301/1/75-SR, dated the 3rd February, 1978.

⁴ Substituted for the words “ Provincial” by the Adaptation of laws Order, 1950.

⁵ Substituted for the words “ may forward to the State Government through the appropriate Secretary to Government, so as to reach the Secretary within ninety days from the commencement of this Act” by Punjab Act No. I of 1959, section 4 (1).

SIKH GURDWARAS [1925: Pb. Act VIII.

days of the commencement of this Act, or, in the case of the extended territories, within one hundred and eight days of the commencement of the Amending Act, as the case may be], a list, signed and verified by himself, of all rights, titles or interests in immovable properties situated in Punjab inclusive of the gurdwara and in all monetary, endowments yielding recurring income or profit received in Punjab which he claims to belong, within his knowledge, to the gurdwara; the name of the person in possession of any such right, title or interest, and if any such person is insane or a minor, the name of his legal or natural guardian, of if there is no such guardian, the name of the person with whom the insane person or minor resides or is residing or if there is no such person, the name of the person actually or constructively in possession of such right title or interest on behalf of the insane person or minor, and if any such right, title or interest is alleged to be in possession of the gurdwara through any person, the name of such person, shall be stated in the list; and the list shall be in such form and shall contain such further particulars as may be prescribed.

¹ [Explanation, - For the purposes of this section and all other succeeding section; the expression "Punjab" shall mean the State of Punjab as formed by section 11 of the States Reorganization Act, 1956/]

Declaration of (2) On receiving a list duly forwarded under the provisions of sub-section (1) the scheduled gurdwara ²[State] Government shall, as soon as may be, publish a notification declaring that the and publication of gurdwara to which it relates is a Sikh Gurdwara and, after the expiry of the period list forwarded under provided in sub-section (1) for forwarding lists shall, as soon as which all rights, titles sub-section (1) and interests in any such properties as are described in sub-section (1) which have in a consolidated been included in any list duly forwarded, shall be included, and shall also cause the list. consolidated list to be published, in such manner as may be prescribed, at the head-quarters of the district and of the tehsil and in the revenue estate where the gurdwara is situated, and at the headquarters of every district and of every tehsil and in every revenue estate in which any of the

¹Added by Punjab Act No.1 of 1959, section 4 (2).

²Substituted for the word " Provincial" by the Adaptation of laws Order, 1950.

1925: Pb. Act VIII.] SIKH GURDWARAS.

immovable properties mentioned in the consolidated list is situated and shall also give such other notice thereof as may be prescribed.

Notices of claims to property entered in the consolidated list to be sent to persons shown as in possession.

(3) The ¹[State] Government shall also, as soon as may be; send by registered post a notice of the claim to any right, title or interest included in the consolidated list to each of the persons named therein as being in possession of such right, title or interest either on his own behalf or on behalf of an insane person or minor or on behalf of the gurdwara, provided that no such notice need be sent if the person named as being in possession as the person who forwarded the list in which the right, title or interest was claimed.

Effect of publication of declaration and consolidated list under sub-section (2).

(4) The publication of a declaration and of a consolidated list under the provisions of sub-section (2) shall be conclusive proof that the provisions of sub-section (1), (2) and (3) with respect to such publication have been duly complied with and that the gurdwara is a Sikh Gurdwara, and the provisions of Part III shall apply to such gurdwara with effect from the dated of the publication of the notification declaring it to be a Sikh Gurdwara.

Effect of Omission to forward a list under section 3.

4. If in respect of any gurdwara specified in schedule I no list has been forwarded under the provisions of sub-section (1) of section 3, the ¹[State] Government shall, after the expiry of ninety days from the commencement of this Act, ²[or, in the case of the extended territories, after the expiry of one hundred and eighty days from the commencement of the Amending Act, as the case may be], declare by notification that such gurdwara shall be deemed to be excluded from specification in schedule I.

Petitions of claim to property included in a consolidated list.

5. (1) Any person may forward to the ¹[State] Government through the ³[appropriate Secretary to Government] so as to reach the Secretary within ninety days ⁴[or, in the case of the extended territories, within one hundred and eighty days] from the date of the

¹ Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

² Inserted by Punjab Act No.1 of 1959, section 5.

³ Substituted for the words "Secretary to Government Transferred Departments," by the Government of India (Adaptation of Indian Laws) Order, 1937.

⁴ Inserted by Punjab Act No.1 of 1959, section 6.

SIKH GURDWARAS [1925: Pb. Act VIII.]

Publication by notification of the consolidated list under the provisions of sub-section (2) of section 3, a petition claiming a right, title or interest in any property included in such consolidated list except a right, title or interest in the gurdwara itself.

Signing and verification of petitions under Sub-section (1) (2) A petition forwarded under the provisions of sub-section (1) shall be signed and verified by the person forwarding it in the manner provided in the Code of Civil Procedure, 1908, for the signing and verification of plaints, and shall specify the nature of the right, title or interest claimed and the grounds of the claim.

Notification of property not claimed under sub-section (1) and effect of such notification (3) The [State] Government shall, as soon as may be, after the expiry of the period for making a claim under the provisions of sub-section (1) publish a notification specifying the rights, titles or interests in any properties in respect of which no such claim has been made; and the publication of the notification shall be conclusive proof of the fact that no such claim was made in respect of any right, title or interest specified in the notification.

Claim for compensation by a hereditary office-holder of a Notified Sikh Gurdwara or his presumptive successor. 6. (1) Any past or present hereditary office-holder of a gurdwara in respect of which a notification has been published under the provisions of sub-section (2) of section 3 declaring it to be a Sikh Gurdwara or a presumptive successor of such office-holder may forward to the [State] Government through the [appropriate Secretary to Government] so as to reach the Secretary within ninety days from the date of the publication of such notification, a petition claiming to be awarded compensation on the grounds that such office-holder has been unlawfully removed from his office after the first day of January, 1920, [or, in the case of the extended territories, after the 1st day of November, 1956, as the case may be] and before the date of the publication of the notification, and that such office-holder or his presumptive successor has

¹ Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

² Substituted for the words "Secretary to Government, Transferred Departments," by the Government of India (Adaptation of India Laws) Order 1937.

³ Inserted by Punjab Act No.1 of 1959, section 7.

1925: Pb. Act VIII.] SIKH GURDWARAS.

suffered or will suffer pecuniary loss in consequence of the gurdwara having been declared to be a Sikh Gurdwara.

Signing and verification of petitions under sub-section (1). (2) A petition forwarded under the provisions of sub-section (1) shall v of be signed and verified by the person forwarding it in the manner provided in the 1908. Code of Civil Procedure, 1908, for the signing and verification of plaints.

Petition to have a gurdwara declared a Sikh Gurdwara 7. (1) Any fifty or more Sikh worshippers of a gurdwara, each of whom is more than twenty one years of age and was on the commencement of this Act ¹[or, in the case of the extended territories from the commencement of the Amending Act] a resident in the police station area in which the gurdwara is situated, may forward to the ²[State] Government, through the ³[appropriate Secretary to Government] so as to reach the Secretary within one year from the commencement of this Act or within such further period as the ²[State] Government may by notification fix for this purpose, a petition praying to have the gurdwara declared to be a Sikh Gurdwara;

Provided that the ²[State] Government may in respect of any such gurdwara declare by notification that the petition shall be deemed to be duly forwarded whether the petitioners were or were not on the commencement of this Act ⁴[Or, in the case of the extended territories, on the commencement of the Amending Act, as the case may be,] residents in the police station area in which such gurdwara is situated, and shall thereafter deal with any petition that may be otherwise duly forwarded in respect of any such gurdwara as if the petition had been duly forwarded by petitioners who were such residents:

Provided further that no such petition shall be entertained in respect of any institution specified in

¹ Inserted by Punjab Act No.1 of 1959, section 8 (a).

² Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

³ Substituted for the words "Secretary to Government, Transferred Department" by the Government of India (Adaptation of Indian Laws) Order, 1937.

⁴ Inserted by Punjab Act No.1 of 1959, section 8 (b).

SIKH GURDWARAS [1925: Pb. Act VIII.]

Schedule I or schedule II unless the institution is deemed to be excluded from specification in schedule I under the provisions of section 4.

List or property
claimed for the
gurdwara and of
persons in
possession thereof
to accompany a
petition under
sub-section (1)

(2) A petition forwarded under the provisions of sub-section (1) shall state the name of the gurdwara to which it relates and of the district, tehsil and revenue estate in which it is situated, and shall be accompanied by a list, verified and signed by the petitioners, of all rights, titles or interests in immovable properties situated in Punjab inclusive of the gurdwara and in all monetary endowments yielding recurring income or profit received in Punjab, which the petitioners claim to belong within their knowledge to the gurdwara: the name of the person in possession of any such right; title or interest, and if any such person is insane or a minor, the name of his legal or natural guardian, or if there is no such guardian, the name of the person with whom the insane person or minor resides or is residing, or if there is no such person, the name of the person actually or constructively in possession of such right, title or interest on behalf of the insane person or minor, and if any such right, title or interest is alleged to be in possession of the gurdwara through any person, the name of such person shall be stated in the list; and the petition and the list shall be in such form and shall contain such further particulars as may be prescribed.

Publication of petition
and list received
under sub-sections
(1) and (2)

(3) On receiving a petition duly signed and forwarded under the provisions of sub-section (1) the ¹[State] Government shall as soon as may be, publish it along with the accompanying list, by notification, and shall cause it and the list to be published, in such manner as may be prescribed, at the headquarters of the district and of the tehsil and in the revenue estate in which the gurdwara is situated, and at the headquarters of every district and of every tehsil and in every revenue estate in which any of the immovable properties mentioned in the list as situated and shall also give such other notice thereof as may be prescribed;

¹ Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

1925: Pb. Act VIII.] SIKH GURDWARAS.

¹[Provided that such petition may be withdrawn by notice to be forwarded by the Board so as to reach the ²[appropriate Secretary to Government], at any time before publication, and on such withdrawal it shall be deemed as if no petition had been forwarded under the provisions of sub-section (1)].

Notice of claims to property to be sent to persons shown in the list as in possession (4) The ³[State] Government shall also, as soon as may be, send by registered post a notice of the claim to any right, title or interest included in the list to each of the persons named therein as being in possession of such right, title or interest either on his own behalf or on behalf of an insane person or minor or on behalf of the gurdwara:

Provided that no such notice need be sent if the person named as being in possession is a person who joined in forwarding the list.

Effect of publication of petition and list under sub-section (3) (5) The publication of a notification under the provisions of sub-section (3) shall be conclusive proof that the provisions of sub-sections (1), (2), (3) and (4) have been duly complied with.

Petition to have it declared that a place asserted to be a Sikh Gurdwara is not such a gurdwara. 8. When a notification has been published under the provisions of sub-section (3) of section 7 in respect of any gurdwara, any hereditary office-holder or any twenty or more worshippers of the gurdwara, each of whom is more than twenty-one years of age and was on the commencement of this Act ⁴[or, in the case of the extended territories, on the commencement of the Amending Act, as the case may be,] a resident of a police station area in which the gurdwara is situated may forward to the ³[State] Government, through the ⁵[appropriate Secretary to Government], so as to reach

¹ Proviso added by Punjab Act, IV of 1932, section-2. It came into force on 1st January, 1933,- vide Punjab Government Notification No.2695 (H-G./Gurdwara), dated 19th December, 1932.

² Substituted for the words "Secretary to Government, Punjab Transferred Departments" by the Government of India (Adaptation of Indian Laws) Order, 1937.

³ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

⁴ Inserted by Punjab Act No.1 of 1959, section 9 (a).

⁵ Substituted for the words "Secretary to Government, Punjab Transferred Departments" by the Government of India (Adaptation of Indian Laws) Order, 1937.

SIKH GURDWARAS [1925: Pb. Act VIII.]

the Secretary within ninety days from the date of the publication of the notification, a petition signed and verified by the petitioner, or petitioners, as the case may be, claiming that the gurdwara is not a Sikh Gurdwara, and may in such petition make a further claim that any hereditary office-holder or any person who would have succeeded to such office-holder under the system of management prevailing before the first day of January, 1920 ¹[or, in the case of the extended territories, before the 1st day of November, 1956, as the case may be,] may be restored to office on the grounds that such gurdwara is not a Sikh Gurdwara and that such office-holder ceased to be an office-holder after that day:

Provided that the ²[State] Government may in respect of any such gurdwara declare by notification that a petition of twenty or more worshippers of such gurdwara shall be deemed to be duly forwarded whether the petitioners were or were not on the commencement of this Act ¹[or, in the case of the extended territories, on the commencement of the Amending Act, as the case may be,] residents in the police station area in which such gurdwara is situated, and shall thereafter deal with any petition that may be otherwise duly forwarded in respect of any such gurdwara as if the petition had been duly forwarded by petitioners who were such residents.

Effect of omission 9. (1) If no position has been presented in accordance with the provisions to present a petition of section 8 in respect of a gurdwara to which a notification published under the under section 8. provisions of sub-section (3) of section 7 relates, the ²[State] Government shall, after the expiration of ninety days from the date of such notification, publish a notification declaring the gurdwara to be a Sikh Gurdwara.

¹ Inserted by Punjab Act No.1 of 1959, section 9 (b).

² Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

1925: Pb. Act VIII.] SIKH GURDWARAS.

Effect of publication of a Notification under sub-section (1) (2) The publication of a notification under the provisions of sub-section (1) shall be conclusive proof that the gurdwara is a Sikh Gurdwara, and the provisions of Part III shall apply to the gurdwara with effect from the date of the publication of the notification.

Petition of claim to property included in a list published under sub-section (3) of section 7. 10. (1) Any person may forward to the ¹[State] Government through the ²[appropriate Secretary to Government], so as to reach the Secretary within ninety days from the date of the publication of a notification under the provisions of sub-section (3) of section 7, a petition claiming a right, title or interest in any property included in the list so published.

Signing and verification of petitions under sub-section (1) (2) A petition forwarded under the provisions of sub-section (1) shall be signed and verified by the person forwarding it in the manner provided by the Code of Civil Procedure, 1908, for the signing and verification of plaints, and shall specify the nature of the right, title or interest claimed and the grounds of the claim.

Notification of property claimed under sub-section (1) and effect of Such notification (3) The ¹[State] Government shall, as soon as may be, after the expiry of not the period for making a claim under the provisions of sub-section (1) publish notification, specifying the rights, titles or interests in any properties in respect of which no such claim has been made, and the notification shall be conclusive proof of the fact that no such claim was made in respect of any right, title or interest specified in the notification.

Claim for compensation by a hereditary office-holder of gurdwara notified under section 7 or his Presumptive successor. 11. (1) Any past, or present hereditary office-holder of a gurdwara in respect of which a notification has been published under the provisions of sub-section (3) of section 7 or a presumptive successor of such office-holder may forward to the ¹[State] Government through the ²[appropriate Secretary to Government], so as to reach the Secretary within ninety days from the date of such publication, a petition claiming to be

¹ Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

² Substituted for the words "Secretary to Government, Punjab Transferred Departments" by the Government of India (Adaptation of Indian Laws) Order, 1937.

SIKH GURDWARAS [1925: Pb. Act VIII.]

awarded compensation on the grounds that such office-holder has been unlawfully removed from his office after the first day of January, 1920 ¹[or, in the case of the extended territories, after the 1st day of November, 1956, as the case may be,] and before the date of such publication, and that such office-holder or his presumptive successor has suffered or will suffer pecuniary loss if the gurdwara is declared to be a Sikh Gurdwara.

Signing and verification of petitions under sub-section (1). (2) A petition forwarded under the provisions of sub-section (1) shall ^v of be signed and verified by the person forwarding it in the manner provided in the ¹⁹⁰⁸ Code of Civil Procedure, 1908, for the signing and verification of plaints.

CHAPTER III.

Appointment of and Proceedings before a Tribunal.

Constitution and procedure of tribunal for purposes of the Act. 12. (1) For the purpose of deciding claims made in accordance with the provisions of this Act the ²[State] Government may from time to time by notification direct the constitution of a tribunal or more tribunals than one and may in like manner direct the dissolution of such tribunal or tribunals.

(2) A tribunal shall consist of a president ³[***] and two other members appointed by notification by the ²[State] Government.

(3) The president of a tribunal shall be ⁴[a person who is or has been] a judge of the High Court and each other member shall be-

(i) a District Judge or a Subordinate Judge of the first class; or

¹ Inserted by Punjab Act No.1 of 1959, section 10.

² Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

³ The words "appointed by notification by the Governor-General in Council" which were inserted by the Sikh Gurdwaras (Supplementary) Act, 1925 (XXIV of 1925), section 3 (a) were omitted by the Government of India (Adaptation of Indian laws) Order, 1937.

⁴ Inserted by Punjab Act No.1 of 1959, section 11.

1925: Pb. Act VIII.] SIKH GURDWARAS.

- (ii) a barrister of not less than ten years' standing; or
- (iii) a person who has been a pleader of any Court ¹[or any Court which is a High Court within the meaning of clause (24) ^x of section 3 of the General Clauses Act, 1897] for an ¹⁸⁹⁷ aggregate period of not less than ten years.

XLV of 1860 (4) The members of a tribunal while they continue as such, shall be paid by the ²[State] Government such remuneration as may from time to time be fixed by the ²[State] Government ³[*****] and shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

⁴[(5) *****]

(6) Whenever a vacancy occurs in a tribunal by reason of the removal, resignation or death of a member ⁵[*****] the ²[State] Government shall by notification appoint a person qualified within the meaning of sub-section (3) to fill the vacancy.

(7) A change in the membership of a tribunal under provisions of ⁶[*****] sub-section (6) shall not invalidate any previous or subsequent proceedings

¹ Inserted by Punjab Act XIII of 1926, section 2. This amendment has been given retrospective effect by Punjab Act XIII of 1926, section 3, which reads as follows:-

“3. The amendments made in the said Act by section 2 shall have effect as if they had been made on the 1st day of November, 1925.”

² Substituted for the words “Provincial” by the Adaptation of Laws Order, 1950.

³ The words “or in the case of the president by the Governor-General in Council” inserted by section 3 (b) of Act, XXIV of 1925 were omitted by the Government of India (Adaptation of Indian laws) Order, 1937.

⁴ Sub-section (5) was omitted by the Government of India (Adaptation of Indian laws) Order, 1937.

⁵ The words “the Governor-General in Council where the vacancy occurs in the office of president and in any other case” inserted by section 3 (b) of the Act XXIV of 1925, were omitted by the Government of India (Adaptation of Indian Laws) Order, 1937.

⁶ The words, brackets and figure “sub-section (5) or” omitted by East Punjab Act XLIV of 1948, section 2.

SIKH GURDWARAS [1925: Pb. Act VIII.]

in any matter pending before it nor shall it be necessary for a tribunal on account of such change to recommence any enquiry into any matter pending before it for disposal.

(8) The ¹[State] Government may from time to time appoint such officers and servants as it may deem to be necessary for the due performance of its duties by a tribunal; and the officers and servants so appointed shall, while they continue as such, be deemed to be public servants within the meaning of section 21 of the India Penal Code.

XLV OF 1860

(9) A tribunal for the purpose of deciding any matter that it is empowered to decide under the provisions of this Act, shall have the same powers as are vested in a court by the Code of Civil Procedure, 1908, and shall have jurisdiction, unlimited as regards value, throughout ²Punjab and shall have no jurisdiction over any proceedings other than is expressly vested in it by this Act.

V of 1898

(10) Save as otherwise provided in this Act a decree or order of a tribunal shall be executed or otherwise given effect to by the district court of the district in which the gurdwara in connection with which the decree or order was passed is situated, or by the district court to which the tribunal directs that any decree or order shall be sent for this purpose, as if the decree or order had been a decree or order passed by such court.

(11) The proceedings of a tribunal shall so far as may be, and subject to the provisions of this Act, be conducted in accordance with the provisions of the Code of Civil Procedure, 1908.

V of 1908

(12) If more tribunals than one are constituted, the ¹[State] Government may by notification direct which tribunal may entertain petitions relating to a particular gurdwara or gurdwaras situated in any specified area, and may at any time transfer any proceedings from one tribunal to another as it may deem proper.

¹ Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

² Substituted by Adaptation of Laws Order, 1950, for "East Punjab"- which had been substituted for "the Punjab" by G.G.40 of 1948.

1925: Pb. Act VIII.] SIKH GURDWARAS.

Procedure on
difference of
opinion.

13. (1) No proceedings shall be taken by a tribunal unless at least two members are present provided that notices and summons may be issued by the president or a member nominated by the president for this purpose.

(2) In case of a difference of opinion between the members of a tribunal, the opinion of the majority shall prevail; provided that if only two members are present of whom one is the president, and if they are not in agreement, the opinion of the president shall prevail; and if the president be not present, and the two remaining members are not agreed, the question in dispute shall be kept pending until the next meeting of the tribunal at which the president is present; the opinion of the majority, or of the president when only two members are present, shall be deemed to be the opinion of the tribunal..

Tribunal to dispose
of petitions under
sections 5, 6, 8,
10 and 11.

14. (1) The ¹[State] Government shall forward to a tribunal at petitions received by it under the provisions of sections 5, 6, 8, 10 or 11, and the tribunal shall dispose of such petitions by order in accordance with the provisions of this Act.

(2) The forwarding of the petitions shall be conclusive proof that the petitions were received by the ¹[State] Government within the time prescribed in sections 5, 6, 8, 10 or 11, as the case may be, and in the case of a petition forwarded by worshippers of a gurdwara under provisions of section 8, shall be conclusive proof that the provisions of section 8 with respect to such worshippers were duly complied with.

Power of tribunal to
join parties and
award costs.

15. (1) In disposing of any matter in which it has jurisdiction a tribunal may order any dispute arising therefrom to be dealt with in one proceeding separately or more such disputes than one to be dealt with in one proceeding, and may, by public advertisement or otherwise, enquire if any person desires to be

¹ Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

SIKH GURDWARAS [1925: Pb. Act VIII.]

made a party to any proceeding, and may join in any proceeding any person who it considers ought to be made a party thereto.

(2) The tribunal may order any person to submit within a fixed time a statement in writing setting forth the nature of his claim or objection and the grounds thereof.

(3) If any person fails to comply with an order passed under the provisions of sub-section (2) and duly notified to him, the tribunal may decide the matter in dispute against him, provided that the tribunal may at any time extend the time fixed by its order for the submission of the statement if the person satisfies it that he had sufficient cause for not submitting the statement within the time fixed.

(4) A tribunal may pass any such order as to costs of a proceeding as a court might pass under the provisions of the Code of Civil Procedure, 1908.

V of 1908

Issue as to whether
a gurdwara is a
Sikh Gurdwaras
is to be decided
first and how is
to be decided.

16. (1) Notwithstanding anything contained in any other law in force, if in any proceeding before a tribunal it is disputed that a gurdwara should or should not be declared to be a Sikh Gurdwara, the tribunal shall, before enquiring into any other matter in dispute relating to the said gurdwara, decide whether it should or should not be declared a Sikh Gurdwara in accordance with the provisions of sub-section (2).

(2) If the tribunal finds that the gurdwara-

(i) was established by, or in memory of any of the Ten Sikh Gurus, or in commemoration of any incident in the life of any of the Ten Sikh Gurus and ¹[was] used for public worship by Sikhs, ²[before and at the time of the presentation of the petition under sub-section (1) of section 7]; or

¹ Substituted for the word "is" by Punjab Act III of 1930 section 3 (i).

² Inserted by Punjab Act III of 1930, section 3 (ii). The amendment shall be applicable to all claims, petitions and suits, in which the recording of evidence has not been concluded before the tribunal at the commencement of this Act, - vide Punjab Act III of 1930 section 11 (i).

1925: Pb. Act VIII.] SIKH GURDWARAS.

- (ii) owing to some tradition connected with one of the Ten Sikh Gurus, ¹[was] used for public worship predominantly by Sikhs, ²[before and at the time of the presentation of the petition under sub-section (1) of section 7]; or
- (iii) was established for use by Sikhs for the purpose of public worship and ¹[was] used for such worship by Sikhs, ²[before and at the time of the presentation of the petition under sub-section (1) of section 7]; or
- (iv) was established in memory of a Sikh martyr, saint or historical person and ¹[was] used for public worship by Sikhs, ²[before and at the time of the presentation of the petition under sub-section (1) of section 7]; or
- (v) owing to some incident connected with the Sikh religion ¹[was] used for public worship predominantly by Sikhs, ²[before and at the time of the presentation of the petition under sub-section (1) of section 7];

the tribunal shall decide that it should be declared to be a Sikh Gurdwara, and record an order accordingly.

(3) Where the tribunal finds that a gurdwara should not be declared to be a Sikh Gurdwara, it shall record its finding in an order, and, subject to the finding of the High Court on appeal, it shall cease to have jurisdiction in all matters concerning such gurdwara, provided that, if a claim has been made in accordance with the provisions of section 8 praying for the restoration to office of a hereditary office-holder or person who would have succeeded such office-holder under the system of management prevailing before the first day of January, 1920 ³[or, in the case of the extended

¹ Substituted for the word "is" by Punjab Act III of 1930 section 3 (i).

² Inserted by Punjab Act III of 1930, section 3 (ii). The amendment shall be applicable to all claims, petitions and suits, in which the recording of evidence has not been concluded before the tribunal at the commencement of this Act, - vide Punjab Act III of 1930, section 11 (i).

³ Inserted by Punjab Act No.1 of 1959, section 12.

SIKH GURDWARAS [1925: Pb. Act VIII.]

territories, before the first day of November, 1956], the tribunal shall, notwithstanding such finding, continue to have jurisdiction in all matters relating to such claim; and if the tribunal finds it proved that such office-holder ceased to be an office-holder on or after the first day of January, 1920 ¹[or, in the case of the extended territories, after the first day of November, 1956], it may by order direct that such office-holder or person who would have so succeeded be restored to office.

Notification of Sikh Gurdwara on finding of tribunal 17. When a tribunal has, under the provisions of sub-section (2) of section 16, recorded a finding that a gurdwara should be declared to be a Sikh Gurdwara, and no appeal has been instituted against such finding within the period prescribed by section 34; or when in an appeal has been instituted and dismissed; or when in an appeal against a finding that a gurdwara should not be declared to be a Sikh Gurdwara the High Court finds that it should be so declared, the tribunal or the High Court, as the case may be, shall inform the ²[State] Government through the ³[appropriate Secretary to Government], accordingly, and the ²[State] Government shall, as soon as may be, Publish a notification declaring such gurdwara to be a Sikh Gurdwara, and the provisions of Part III shall apply thereto with effect from the date of the publication of such notification.

Presumption in favour of a notified Sikh Gurdwara on proof on certain facts when a claim to property is made by an office-holder. 18. (1) In any proceedings before a tribunal, if any past or present office-holder denies that a right, title or interest recorded, in his name or in that of any person through whom he claims, in a record of rights, or in an annual record, prepared in accordance with the provisions of the Punjab Land Revenue Act, 1887, and claimed to belong to a Notified Sikh Gurdwara, does so belong, and claims such right, title or interest

¹ Inserted by Punjab Act No.1 of 1959, section 12.

² Substituted for the words "Provincial" by the Adaptation of Laws Order, 1950.

³ Substituted for the words "Secretary to Government, Transferred Departments," by the Government of India (Adaptation of Indian Laws) Order, 1937.

1925: Pb. Act VIII.] SIKH GURDWARAS.

to belong to himself, there shall, notwithstanding anything contained in section 44 of the said Act, be a presumption that such right, title or interest belongs to the gurdwara upon proof of any of the following facts, namely-

- (a) an entry of the right, title or interest made before the first day of January, 1920 ¹[or, in the case of the extended territories, before the first day of November, 1956, as the case may be], in a record-of-rights, prepared at the time of a general assessment of the land revenue, in the name of the gurdwara or in the name of the holder of an office pertaining to the gurdwara as such, and not by name;
- (b) an assignment of the land revenue of, or of the proprietary right in, land at any time for the service or maintenance of the gurdwara notwithstanding that the assignment may be or may have been in the name of an office-holder, where the right claimed is an assignment of the land revenue of, or of the proprietary right in, the land, as the case may be;
- (c) the dismissal or removal of an office-holder before the first day of January, 1920 ¹[or, in the case of the extended territories, before the first day of November, 1956, as the case may be,] and the consequent transfer of the right, title or interest in question to his successor in office;
- (d) the expenditure of the whole or part of the income derived from the right, title or interest in question ordinarily on the service or maintenance of the gurdwara;
- (e) the acquisition of the right, title or interest in question from funds proved to have belonged to the gurdwara;
- (f) the submission by the office-holder or any of his predecessors in office of accounts relating to the income from the right, title or

¹ Inserted by Punjab Act No.1 of 1959, section 13 (a).

SIKH GURDWARAS [1925: Pb. Act VIII.]

interest in question to the worshippers or to a managing body;

- (g) the devolution of the succession to the right title or interest in question from an office holder to the successor in office as such on two or more consecutive occasion;
- (h) any other fact which shows that the right, title or interest in question was at any time of the nature of a trust pertaining to the gurdwara or was purchased from funds of the nature of trust funds pertaining to the gurdwara.

(2) The provisions of sub-section (1) shall also apply to a claim to a right, title or interest made by any person deriving title subsequent to the first day of January, 1920 ¹[or, in the case of the extended territories, subsequent to the first day of November, 1956, as the case may be,] from a past or present office-holder.

Adjudication by tribunal
upon agreements
made between
office-holder and
persons acting on
behalf of a Sikh
Gurdwara.

19. Where a change in the system of management of a Notified Sikh gurdwara has occurred on or after the first day of January, 1920 ³[or, in the case of the extended territories on or after the first day of November 1956], and as a consequence of, or in connection with, such change it is alleged that an agreement has been made between any person, who was an office-holder under the former system of management on the one side, and the Sikh worshippers of the gurdwara or a person or body acting on their behalf on the other side, any person who claims any right, title or interest by virtue of such agreement or any present office-holder of the gurdwara or any Sikh may, within ninety days from the date of the publication of the notification declaring such gurdwara to be a Sikh Gurdwara, present a petition to a tribunal praying that the agreement be considered, and the tribunal shall make an enquiry, and if it finds that a valid agreement was made, it shall, notwithstanding anything contained

¹ Inserted by Punjab Act No.1 of 1959, section 13 (b).

² Inserted by Punjab Act No.1 of 1959, section 14).

1925: Pb. Act VIII.] SIKH GURDWARAS

XVI of 1908. in the Indian Registration Act, 1908, or the Indian Stamps Act, 1899, pass such orders
 II of 1899. as may be necessary to give effect to the agreement, and may by such orders create a
 charge on the property or income of the gurdwara.

Claim for compensation 20. Any hereditary office-holder of a Notified Sikh gurdwara who, within
 by a hereditary twelve months after the date of the publication of a notification declaring the
 officeholder who gurdwara to be a Sikh Gurdwara, has resigned office, or been removed from office
 has resigned or otherwise than in accordance with the provisions of section 134 or under the
 been dismissed. provisions of section 142 or a presumptive successor of such office-holder, may within
 ninety days from the date of the resignation or removal, as the case may be of such
 office-holder present a petition to a tribunal claiming to be awarded compensation on
 the ground that he has suffered or will suffer pecuniary loss owing to a change in the
 management of the gurdwara, and the tribunal may; notwithstanding the fact that such
 office-holder has voluntarily resigned; order compensation to be paid in accordance
 with the provisions of this Act, as if such office-holder had been unlawfully removed
 from his office.

Claim for compensation 21. When a notification has been published under the provisions of this Act
 by a person declaring a gurdwara to be Sikh Gurdwara, any person claiming that the right to
 alleging right to nominate an office-holder thereof was vested in him at the date of the publication, or
 nominate officeholder before the first day of January, 1920 ¹[or, in the case of the extended territories before
 of a Notified the first day of November, 1956], may, within ninety days from the date of the
 Sikh Gurdwara. publication, present a petition to a tribunal claiming to be awarded compensation on
 the ground that he has suffered pecuniary loss owing to a change effected after the first
 day of January, 1920 ¹[or, in the case of the extended territories, after the first day of
 November 1956], in the system of management of such gurdwara, or that he will suffer
 pecuniary loss in consequence of the gurdwara being declared to be a Sikh Gurdwara;
 and the tribunal may order compensation to be paid to him in the same manner as to an
 office-holder under the provisions of this Act.

¹ Inserted by Punjab Act No.1 of 1959, section 15.

SIKH GURDWARAS [1925: Pb. Act VIII.]

Matters for consideration 22. In deciding claims for compensation made under the provisions
 in awarding of sections 6,11 or 20, a tribuna -
 Compensation.

- (1) may among other matters take into consideration -
 - (i) the past conduct of the claimant;
 - (ii) the improvements to the property of the gurdwara effected by the claimant;
 - (iii) the portion of the trust income which, by long practice and the express or implied consent of the worshippers, the holder of the office and his predecessors have been allowed to appropriate to their private use, provided that this matter, if taken into consideration, shall only be so taken in determining the compensation due to an office-holder for his lifetime and shall not give to a presumptive successor of such office-holder any right to increased compensation, and provided also that the tribunal shall not be bound to fix the compensation on the basis of such income, but may, at its discretion, regard such income, as a ground for awarding compensation on a higher scale than it would otherwise have awarded;
- (2) shall take into consideration -
 - (i) the past conduct of the claimant where such conduct has been or is in issue in a suit or other proceeding in a civil or revenue court instituted before the 1st December, 1924 ¹[or, in the case of the extended territories, before the commencement of the Amending Act as the case may by],
 - (ii) the conviction of the claimant by a criminal court for an offence which, in the opinion of the tribunal, involves moral

¹ Added by Punjab Act No.1 of 1959, section 16.

1925: Pb. Act VIII.] SIKH GURDWARAS.

turpitude or an order passed against him under the provisions of sections 110 and 118 of the Code of Criminal Procedure, 1898;

- (iii) the loss of income, not being of the nature of trust income, incurred by reason of an office-holder ceasing to hold office;
- (iv) all rights or privileges relating to residence, subsistence, service and other recognised allowances in cash or kind formerly enjoyed by the claimant.

Compensation to be paid annually out of income of gurdwara. 23. In awarding compensation, a tribunal shall, unless the parties agree to its being paid otherwise, order it to be paid out of the income accruing to the gurdwara in which the office-holder held office in the form of an allowance, payable annually on a specified date for any period, but terminable in any case on the death of the person compensated.

Payment to heirs of person compensated 24. If any person in whom compensation has been ordered to be paid by a tribunal dies, his heir shall be entitled only to such sum as has become payable under the order but has not been paid: provided that if compensation was ordered to be made by payment of an annual allowance for a period which has not expired before the death of the person compensated, such heir shall in addition be entitled to a sum which bears the proportion to the amount of such allowance as the period between the date on which the allowance was last payable before the death of the deceased and the date of his death bears to one year.

Manner in which compensation is to be paid and recovered if not duly paid 25. Every sum ordered by a tribunal to be paid out of the income of a gurdwara by way of compensation shall be deposited in the treasury of the tehsil in which the gurdwara is situated, and shall be paid to the person or persons entitled to it under such order or under the provisions of section 24 in such manner as may be prescribed and if it is not so deposited shall be recoverable out of the ¹[income of such gurdwara or by

¹Substituted for the Words "property or income of such gurdwara by the Collector as if it were an arrear of land revenue", by Punjab Act XI of 1944, section 3.

SIKH GURDWARAS [1925: Pb. Act VIII.

way of temporary alienation of the agricultural land of such gurdwara for a period which the Collector may determine.]

Power of tribunal to pass decrees for possession in favour of the committees of Gurdwaras. ¹[25-A.(1) When it has been decided under the provisions of this Act that a right, title or interest in immovable property belongs to a Notified Sikh Gurdwara, or any person, the Committee of the Gurdwara concerned or the person in whose favour declaration has been made may, within a period of one year from the date of the decision or the date of the constitution of the Committee, whichever is later, institute a suit before a tribunal claiming to be awarded possession of the right, title or interest in the immovable property in question as against the parties to the previous petition and the tribunal shall, if satisfied that the claim relates to the right, title or interest in the immovable property which has been held to belong to the Gurdwara, or to the person in whose favour the declaration has been made, pass a decree for possession accordingly;]

²[(2) * * * * *]

Entry of rights of Gurdwara in revenue records. ^{26.} When it has been decided, under the provisions of this Act, that a right, title or interest in immovable property belongs to a Notified Sikh Gurdwara or when a right, title or interest in such property has been included in a list published under the provisions of sub-section (3) of section 5 or sub-section (3) of section 10, the Collector of the district in which the property is situated shall, on application being made to him on this behalf and after making such enquiry as he may deem proper as to the fact of such decision or inclusion, cause an entry to be made in the record-of-rights, if any, of the estate in which the property is situated recording the gurdwara as the owner of the right, title or interest in accordance with the provisions of the Punjab Land Revenue Act, 1887.

XVII of
1887.

¹Added by Punjab Act III of 1930, section 4. The amendment shall be applicable to all claims, petitions and suits in which the recoding of evidence has not been concluded before the tribunal at the commencement of this Act, - vide section 11 of Punjab Act III of 1930.

² Omitted by Punjab Act No. LIII of 1953, section 3.

1925: Pb. Act VIII.] SIKH GURDWARAS.

Treatment of property
dedicated to a
Notified Sikh
Gurdwara but
under management
of trustees.

27. (1) When on or before the commencement of this Act any property has been dedicated or gifted to a Notified Sikh Gurdwara and a trust has been created in writing for the management of such property and for the distribution of the income accruing therefrom partly to the gurdwara and partly to another institution or to another person or to both, any trustee appointed for the purpose of such trust, or any person having interest in such gurdwara or any person having interest in such institution, or any beneficiary under the terms of such trust may within ninety days from the date of the publication of a notification declaring such gurdwara to be a Sikh Gurdwara, present a petition to a tribunal claiming that the trustees appointed under the terms of the trust should continue to manage the property and to distribute the income accruing therefrom according and to the terms of the trust, and in addition may claim that the tribunal should determine what portion of the income should be allocated to any beneficiary.

(2) If the tribunal finds that the major portion of the income accruing from the property has not been allocated under the terms of the trust to such gurdwara then, notwithstanding anything contained in this Act, the tribunal shall order that such trustees shall continue to manage the property and distribute the income accruing therefrom according to the terms of the trust, and if the tribunal finds that the major portion of the income has been allocated under the terms of the trust to the gurdwara, the tribunal shall order that the committee of such gurdwara shall manage the property and distribute the income accruing therefrom according to the terms of the trust.

(3) If it is not clear from the terms of the trust what portion of the income has been allocated to any beneficiary, the tribunal may on the application of any party determine what portion of the income shall be allocated to any beneficiary.

(4) If no such petition is presented within the time prescribed in sub-section (1) the committee of such gurdwara shall manage such property and distribute the income accruing therefrom according to the terms of the trust.

SIKH GURDWARAS [1925: Pb. Act VIII.

Suits for possession of undisputed property on behalf of Notified Sikh Gurdwaras.

28. (1) When a notification has been published under the provisions of sub-section (3) of section 5 or of sub-section (3) of section 10, the committee of the gurdwara concerned may bring a suit on behalf of the gurdwara for the possession of any property a proprietary title in which has been specified in such notification, provided that the gurdwara concerned is entitled to immediate possession of the property in question, and is not in possession thereof at the date of the publication of such notification.

(2) The suit shall be instituted in the principal court of original jurisdiction in which the property in question is situated within a period of ninety days from the date of the publication of such notification, or from the date of the constitution of the committee, whichever is later, and if a suit is not instituted within that period no subsequent suit on behalf of the gurdwara for the possession of the property shall be instituted in any court except on the ground of the dispossession of the gurdwara after the date of the publication of such notification.

[(3) * * * * *].

Exclusion of jurisdiction of the courts.

29. Notwithstanding anything contained in any other law or enactment for the time being in force no suit shall be instituted and no court shall entertain or continue any suit or proceedings in so far as such suit or proceeding involves-

- (1) any claim to, or prayer for the restoration of any person to an office in a Notified Sikh Gurdwara or any prayer for the restoration or establishment of any system of management of a Notified Sikh Gurdwara other than a system of management established under the provisions of Part III;
- (2) any claim to, or prayer for the restoration of any person to an office in or any prayer for the restoration or establishment of any system of management of, any gurdwara

1925: Pb. Act VIII.] SIKH GURDWARAS.

in respect of which a notification has been published in accordance with the provisions of sub-section (3) of section 7 unless and until it has been decided under the provision of section 16 that such gurdwara should not be declared to be a Sikh Gurdwara..

Decision by courts on certain claims in certain circumstances 30. At any time after the commencement of this Act ¹[or, in the case of the extended territories, after the commencement of the Amending Act, as the case may be,] in any suit or proceeding instituted in any civil or revenue court-

- (i) if any claim is made that any right, title or interest in any property belongs to a Notified Sikh Gurdwara and the court finds that such claim might have been made in a list forwarded to the ²[State] Government under the provisions of sub section (1) of section 3 or of sub-section (2) of section 7 and that no such claim was duly made within time, the court shall decide such claim against the gurdwara on behalf of which the claim is made:

Provided that the Court need not so decide, if it is satisfied that the failure to make the claim was owing to the fact that no person who forwarded or joined in forwarding a list had knowledge of the existence of the right, title or interest that might have been so claimed and that no such person could, by the exercise of reasonable diligence, have come to know of the existence of such right, title or interest;

- (ii) if any right is claimed for any person in connection with a Notified Sikh Gurdwara and the court finds that the right might have been made the subject of a claim in a petition

¹Inserted by Punjab Act No. 1 of 1959, section 17.

²Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

SIKH GURDWARAS [1925: Pb. Act VIII.

Forwarded to the [State] Government under the provisions of sections 5, 6, 10 or 11 or presented to a tribunal under the provisions of sections 19, 20, 21 or 27 and that no such claim was duly made within time, the court shall decide the claim against the person claiming the right:

Provided that in the case of a claim that might have been made under the provisions of section 5 or section 10 the court need not so decide if it is satisfied that the failure to make the claim was owing to the fact that the person who might have made the claim either had no knowledge of the existence of the right, title or interest that he might have so claimed or had no knowledge of the fact that the right, title or interest had been included in a list published under the provisions of sub-section (2) of section 3 or of sub-section (3) of section 7 and could not, by the exercise of reasonable diligences, have come to know of the existence of such right, title or interest, or of the fact that such right, title or interest, was so included:

Provided further that in the case of a claim by a past or present office-holder or any person deriving title subsequent to the first day of January, 1920, from such office-holder minority or insanity shall not, by itself, be deemed a valid reason for not having such knowledge,

Courts not to continue certain proceedings pending decision as to whether a place is or is not a Sikh Gurdwara. 31. (1) No court shall continue any proceedings in so far such proceedings involve any claim relating to a gurdwara specified in schedule I or in regard to which a notification has been published under the provision of sub-section (2) of section 3, if such claim could have been made in a petition forward to the

1925: Pb. Act VIII.] SIKH GURDWARAS.

,[State] Government under the provisions of sections 5 or 6, or presented to a tribunal under the provisions of sections 19,20, 21, or 27 and was not so made, unless and until such gurdwara is deemed to be excluded from specification in schedule I under the provision of section 4.

(2) No court shall continue any proceedings in so far as such proceedings involve any claim relating to a gurdwara in regard to which a notification has been published under the provisions of sub-section (3) of section 7, which could have been made in a petition forwarded to the ,[State] Government under the provisions of section 10 or 11 or presented to a tribunal under the provisions of sections 19, 20, 21, or 27, and was not so made, unless and until it has been decided under the provisions of section 16 that such gurdwara should not be declared to be a Sikh Gurdwara.

Transfer of suits
pending in
courts.

32. (1) Where in any suit or proceeding pending at the commencement of this Act or instituted after its commencement, in a civil or revenue court, it has become or becomes necessary to decide any claim in connection with a Notified Sikh Gurdwara which the court finds might be made under the provisions of sections 3, 5, 6, 7, 10, 11, 19, 20, 21 or 27 within the time prescribed therein, the court shall frame an issue in respect of such claim and shall forward the record of the suit or proceeding to a tribunal.

(2) On receiving a record forwarded to it under the provisions of sub-section (1) the tribunal shall proceed to hear and determine the issue and record its decision in the form of an order and shall return the record with a copy of its decision to the court and the court shall proceed to determine the suit or proceeding in accordance with such decision subject to the provisions of section 34.

¹Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

SIKH GURDWARAS [1925: Pb. Act VIII.]

Diputes relating to rights of office-holder after a year from commencement of Act. 33. When any place had been declared by notification under the provisions of this Act to be a Sikh Gurdwara, the right of any office-holder thereof who holds office on the date of the publication of such notification to continue to hold his office shall be decided in accordance with the provisions of Part III.

Appeal against orders of a tribunal. 34. (1) Any party aggrieved by a final order passed by tribunal determining any matter decided by it under the provisions of this Act may, within ninety days of the date of such order, appeal to the High Court.

(2) No appeal or application for revision shall lie against an order of a tribunal except as provided for in sub-section (1).

(3) An appeal preferred under the provisions of this section shall be heard by a Division Court of the High Court.

Court-fees. 35. Notwithstanding anything contained in any Act to the contrary, the court-fee, payable on documents of the description specified in the second column of schedule III shall be the fee specified in each case in the third column of that schedule and shall be paid in such manner as may be prescribed.

No court to take cognizance of manner in which the State Government or tribunal exercises its power under the Act. 36. No suit shall lie in any Court to question anything purporting to be done by the [State] Government or, by a tribunal, in exercise of any powers vested in it by or under this Act.

Courts not to pass an order or grant or execute a decree inconsistent with decision of a Tribunal. 37. Except as provided in this Act no court shall pass any order or grant any decree or execute wholly or partly any order or decree, if the effect of such order, decree, or execution would be inconsistent with any decision of a tribunal, or any order passed on appeal therefrom, under the provisions of this Part.

¹Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

1925: Pb. Act VIII.] SIKH GURDWARAS.

PART II
CHAPTER IVAPPLICATIN OF PROVISIONS OF PART III TO GURDWARAS FOUND TO
BE SIKH GURDWARAS BY COURTS OTHER THAN A TRIBUNAL
UNDER THE PROVISINS OF THE ACT.

Recourse to ordinary courts in cases where action has not been taken under Part I with a view to application of provisions of Part III to a gurdwara. 38. (1) Notwithstanding anything contained in this Act or any other Act or enactment in force any two or more persons having interest in any gurdwara in respect of which no notification declaring the gurdwara to be a Sikh Gurdwara has been published under the provisions of this Act, may, after the expiry of one year from the commencement of this Act, ¹[or, in the case of the extended territories, from the commencement of the Amending Act, as the case may be,] or of such further period as the ²[State] Government may have fixed under the provisions of sub-section (1) of section 7, and after having obtained the consent of the Deputy Commissioner of the district in which such gurdwara is situated, institute a suit, whether contentious or not, in the principal court of original jurisdiction or in any other court empowered in that behalf by the ²[State] Government within the local limits of whose jurisdiction the gurdwara is situated praying for any of the relief's specified in section 92 of the Code of Civil Procedure, 1908, and may in such suit pray that the provisions of Part III may be applied to such gurdwara.

(2) The court in which a suit is instituted under the provisions of sub-section (1) shall decide whether the gurdwara is or is not a gurdwara as prescribed in sub-section (2) of section 16, and if the court decides that it is such a gurdwara and is also of opinion that, having regard to all the circumstances, the gurdwara is one to the management of which the provisions of Part III should be applied, the court shall by public advertisement and in such other manner as it may in each case direct, call upon any person having interest

¹Inserted by Punjab Act No. 1 of 1959, section 18.

²Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

SIKH GURDWARAS [1925: Pb. Act VIII.]

in the gurdwara to appear and show cause why the provisions of Part III should not be so applied, and shall in its order fix a date not less than one month from the date of the order on which any person appearing shall be heard.

(3) Upon the date fixed under the provisions of sub-section (2) or on any subsequent date to which the hearing may be adjourned, the court shall proceed to hear the person or persons, if any, appearing, and if the court is satisfied that the provisions of Part III can be applied to the management of the gurdwara without prejudice to any existing order or decree relating to the gurdwara and conferring on any person or declaring any person to be entitled to any right, in respect of the administration or management thereof, the court shall pass a decree that the said provisions shall apply to the management of gurdwara.

(4) Upon such decree being passed and subject to any order that may be passed on appeal against or in revision of the decree the provisions of Part III shall apply to such gurdwara as if it had been declared by notification under the provisions of this Act to be a Sikh Gurdwara.

(5) When under the provisions of sub-section (3) the provisions of part III have by decree been applied to the management of a gurdwara any hereditary office-holder of such gurdwara who within twelve months after the date of the decree has resigned office or been removed from office otherwise than in accordance with the provisions of section 134 or under the provisions of section 142 or a presumptive successor of such office-holder, may within ninety days from the date of the resignation or removal, as the case may be, of such office-holder, present a petition to the Court which passed the decree claiming to be awarded compensation on the ground that he has suffered or will suffer pecuniary loss owing to a change in the management of such gurdwara, and the court may, notwithstanding the fact that such office-holder has voluntarily resigned, pass a decree awarding him compensation as if such office-holder had been unlawfully removed from his office.

1925: Pb. Act VIII.] SIKH GURDWARAS.

(6) The provisions of sections 22, 23, 24 and 25 shall, so far as may be, apply to proceedings under the provisions of sub-section (5) and to proceedings arising therefrom, as if the court was a tribunal.

**PART III
CHAPTER V**

CONTROL OF SIKH GURDWARAS

Suits for relief claimable by application under this Part barred. 39. Notwithstanding anything contained in any Act to the contrary, no suit shall be instituted or continued in any court, claiming any relief in respect of the management or administration of a Notified Sikh Gurdwara if such relief might be or might have been claimed in an application made under the provisions of this Part.

Board, committees and commission to be constituted for the purposes of this Act. 40. For the purposes of this Act there shall be constituted a Board and for every Notified Sikh Gurdwara a committee or management, ¹[* * *] and there shall also be constituted from time to time a Judicial Commission in the manner hereinafter provided.

Control of Sikh Gurdwaras. 41. The management of every Notified Sikh Gurdwara shall be administered by the committee ²[* * *] constituted thereof, the Board and the ³[Commission] in accordance with the provisions of this Part.

¹ The words "or a local committee" inserted by Punjab Act XI of 1944, section 4 and omitted by Punjab Act No. LIII of 1953, section 5.

² The words "or a local committee" inserted by Punjab Act XI of 1944, section 5 and omitted by Punjab Act No. LIII of 1953, section 6.

³ Substituted for the word "Commissioner" by *ibid*.

SIKH GURDWARAS [1925: Pb. Act VIII.]

CHAPTER VI

Name of Board. 42. (1) The Board shall be known by such name as may be decided upon at a general meeting of the first Board constituted under the provisions of this Act, provided that not less than three-fifths of the members present at the meeting have voted in favour of the name selected, and that such name has been approved by the ¹[State] Government.

(2) If the Board fails to select a name in accordance with the provisions of sub-section (1) or the name selected is not approved by the ¹[State] Government the Board shall be designated the Central Board.

(3) The Board shall by such name be a body corporate and shall have a perpetual succession and a common seal and shall by such name sue and be sued.

Composition and constitution of the Board. ²[43. (1) The Board shall consist of-

- (i) one hundred and ³[seventy] elected members;
- (ii) the head ministers of the Darbar Sahib, Amritsar, and the following ³[five] Takhats, namely, -

Amended vide ministry of

Home Affairs Notification

No.S.O.281 (E) dated 23.04.1999

The Sri Akal Takhat Sahib, Amritsar, the Sri Takht Kesgarh Sahib, Anandpur, the Sri Takht Patna Sahib, Patna, the Sri Takht Hazur Sahib, Hyderabad Deccan and ³[Sri Takht Damdama Sahib, Talwandi Sabo Bathinda, Punjab;

- (iii) twenty-five members resident in India of whom at least twelve shall be residents of PEPSU, at least nine of other parts of India than Punjab and PEPSU, and not more than four of Punjab, co-opted by the members of the Board as described in clauses (i) and (ii)

(2) The State Government shall, as soon as may be; call a meeting of the members of the Board

¹Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

²Substituted by Punjab Act No. XLIV of 1953, section 2.

1925: Pb. Act VIII.] SIKH GURDWARAS.

described in clauses (i) and (ii) of sub-section (1) for the purpose of co-opting the members described in clause (iii) of that sub-section, and after the members have been co-opted, the State Government shall notify the fact of the Board having been duly constituted and the date of the publication of the notification shall be deemed to be the date of the constitution of the Board.].

Constitution of new Board ¹[43-A. (1) Whenever a new Board within the meaning of section 51 is constituted, it shall consist of-

- (i) one hundred and ⁴[seventy] elected members;
- (ii) the Head Ministers of the Darbar Sahib, Amritsar, and the following ³[five] Takhats namely:-
the Sri Akal Takhat Sahib, Amritsar,

the Sri Takhat Keshgarh Sahib, Anandpur,

the Sri Taskhat Patna Sahib, Patna,

the Sri Takhat Hazur Sahib, Nanded, and

³[the Sri Takhat Damdama Sahib Talwandi Sabo Bathinda Punjab], and
- (iii) fifteen members resident in India, of whom not more than five shall be residents of Punjab, co-opted by the members of the Board as described in clauses (i) and (ii).

(2) The ²[Central] Government shall, as soon as may be, call a meeting of the members of the Board described in clauses (i) and (ii) of sub-section (1) for the purpose of co-opting the members described in clause (iii) of that sub-section, and after the members have been co-opted, the ²[Central] Government shall notify the fact of the Board having been duly constituted and the date of the publication of the notification shall be deemed to be the date of the constitution of the Board.]

¹Inserted by Punjab Act No. I of 1959, section 19.

²Substituted by Ministry of Home Affairs notification No.S.O.5-13013/1/75-SR, dated the 3rd February, 1978.

³Amended by Govt. of India Ministry of Home Affairs Notification No.S.O.281(E) dated 23.04.1999.

SIKH GURDWARAS [1925: Pb. Act VIII.

Constituencies for election of members of Board. ¹[44.] ²[1] The elected members of the Board shall be returned from such constituencies as may be prescribed after consultation with the Board, and except as provided in sub section (2) ⁷[and (3) each constituency shall return a single member.]

³[(2) The ⁴[Central] Government shall from time to time, and after such consultation with the Board as it considers proper, select ⁵[twenty constituencies] and the constituencies so elected shall be plural constituencies; each returning two members of whom one shall be a Sikh belonging to any of the Scheduled Caste notified as such under Article 341 of the Constitution of India and the other shall be a Sikh who does not belong to any of those scheduled Castes].

⁷[(3) The Central Government shall from time to time and after such consultation with the Board or as it considers proper, select thirty constituencies, other than those provided under sub-section (2), which shall be plural constituencies each two members of whom one shall be a woman.

Qualification of elected members. 45. (1) A person shall not be eligible for election as a member of the Board if such person-

- (i) is of unsound mind;
- (ii) is an undischarged insolvent;
- (iii) is a patit;
- (iv) is a minister of a Notified Sikh Gurdwara other than the head minister of the Darbar Sahib, Amritsar, or of one of the ⁸[five] Sikh Takhats specified in clause (ii) of sub section (i) of section 43;
- (v) is a paid servant of any Notified Sikh Gurdwara or of the Board other than a member of the executive committee of the Board;
- ⁶[(vi)] being a keshadari Sikh is not a amritdhari;

¹Substituted for the old section by Punjab Act XI of 1944, section 7.

²Substituted by Punjab Act No. I of 1959, section 20 (a).

³Substituted by Punjab Act No. XLIV of 1953, section 3.

⁴Substituted by Ministry of Home Affairs' notification No. S.O.5-13013/175-SR, dated the 3rd February, 1978.

⁵Substituted by Punjab Act No.1 of 1959, section 20 (b).

⁶Added by Punjab Act XI of 1944, section 8.

1925: Pb. Act VIII.] SIKH GURDWARAS.

- (vi) takes alcoholic drinks;
¹[(viii) not being a blind person cannot read and write Gurmukhhi.

Explanation- For purposes of clause (viii) a person shall be deemed to be able to: -

- (a) read Gurmukhi if he is able to recite Shri Guru Granth Sahib in Gurumukhi; and
(b) write Gurmukhi if he fills his nomination paper for election to the Board in Gurmukhi in his own handwriting. If any question arises whether a candidate is or is not able to read and write Gurmukhi the question shall be decided in such manner as may be prescribed.

(2) No person shall be eligible for election as a member of the Board if he is .not registered on the electoral roll of any constituency ²[* * * *].

³[(2A) No person shall be eligible for eletion to the Board if he is less than twenty-five years of age.]

(3) Notwithstanding anything contained in sub-section (1) no person shall be prevented from standing as a candidate for election as a member of the Board on the ground that he is patit; but if a person elected is thereafter found under the provisions of section 84 to be a patit his election shall be void.

Qualification of nominated members. 46. A person shall not be ⁴[* * * *] co-opted to be a member of the Board if he-

- (i) is less than ⁵[twenty-five] years old;
(ii) is not a Sikh;

¹Substituted by Punjab Act I of 1959, section 21 (1).

²The words "specified in Schedule IV" omitted by Punjab Act No.1 of 1959, section 21 (2).

³Inserted by Punjab Act No.1 of 1959, section 21 (3).

⁴The words “nominated or” omitted by Punjab Act No. XLIV of 1953, section 4.
⁵Substituted for the words “twenty one” by Punjab Act No. I of 1959, section 22 (a).

SIKH GURDWARAS [1925: Pb. Act VIII.

- (iii) is of unsound mind;
- (iv) is an undischarged insolvent;
- (v) is a patit;
- (vi) is minister of a Notified Sikh Gurdwara other than the head minister of the Darbar Sahib, Amritsar, or of any of the ⁴[five] Sikh Takhats specified in clause (ii) of sub-section (1) of section 43;
- (vii) is a paid servant of any Notified Sikh Gurdwara or of the Board, other than a member of the executive committee of the Board;
- ¹[viii] being a keshdhari Sikh is not a amritdhari;
- (ix) takes alcoholic drinks;
- ²[x] not being a blind person cannot read and write Gurmukhi.

Explanation- For purposes of clause (x) a person shall be deemed to be able to-

- (a) read Gurmukhi if he is able to recite Shri Guru Granth Sahib in Gurmukhi; and
- (b) write Gurmukhi if he is able to communicate his consent to become a members in Gurmukhi, in his own handwriting. If any question arises whether a candidate is or is not able to read or write Gurmukhi the question shall be decided in such manner as may be prescribed.]

Date of Board election 47. Election of members of the Board under the provisions of this Act shall be held on dates to be fixed by the ³[Central] Government.

¹Added by Punjab Act XI of 1944, section 9.

²Substituted by Punjab Act No. I of 1959, section 22 (b).

³Substituted by Ministry of Home Affairs notification No. S.O-13013/1/75-SR, dated the 3rd February, 1978.

⁴Amended by Govt. of India Ministry of Home Affairs Notification No.S.O.281 dated 23.04.1999.

45

1925: Pb. Act VIII.] SIKH GURDWARAS.

⁵[47-A. Superintendence, direction and control of election of members of the Board and of Committees to be vested in the, Gurdwara Election Commission- (1) The superintendence, direction and control of the preparation of the electoral rolls for and the conduct of election of Members of the Board shall be vested in a Commission to be known as the Gurdwara Election Commission.

(1A) The Gurdwara Elections Commission shall consist of the Chief Commissioner, Gurdwara Election who may perform such of his functions as he may consider necessary through the Commissioner, Gurdwara Elections concerned.

(2) The Government to the State of Punjab, Haryana, Himachal Pradesh or, the Administrator of the Union Territory of Chandigarh shall when so required by the Gurdwara Election Commission make available to the Gurdwara Election Commission or to the Commissioner, Gurdwara Elections concerned, such staff and other facilities as may be considered necessary for the performance of the functions conferred on the Gurdwara Elections by sub-section (1).

(3) The staff made available under sub-section (2) and all other officers and staff engaged in the work of preparation of electoral rolls and the conduct of elections under this Act, shall be deemed to be on deputation to the Gurdwara Election Commission for the period commencing on and from the date which may be notified by the Gurdwara Election Commission and ending with the date of due constitution of the Board and of Committees and accordingly such staff shall during that period be subject to the control, superintendence and discipline of the Gurdwara Election Commission.

Electoral roll. 48. An electoral roll shall be prepared in such manner as may be prescribed for every constituency, on which shall be entered the names of all persons entitled to be registered as voters in that constituency.

Qualification of electors. ²[49.] Every person shall be entitled to have his name registered on the electoral roll of a constituency constituted for the election or a member or members of the Board who is a resident in that constituency and ^{**3**}

(i) ^{* 4* * *}

(ii) is a Sikh more than twenty-one years of age, who has had his name registered as a voter in such manner as may be prescribed:

¹Inserted by Ministry of Home Affairs notification No. S.O. S-13013/175-SR, dated the 3rd February, 1978.

²Substituted for the old section by Punjab Act XI of 1944, section 10.

³The word "either" omitted by the Adaptation of Laws (Third Amendment) Order of 1950.

⁴Clause (i) omitted by the Adaptation of Laws (Third Amendment) Order of 1950.

⁵Amended by Ministry of Home Affairs Notification No.S.O.978 (E) dated 15th December, 1995.

⁶Amended by Ministry of Home Affairs Notification No.S.O.360 (E) dated 30th April,1998.

46

SIKH GURDWARAS [1925: Pb. Act VIII.

[Provided that no person shall be registered as an elector who-

- (a) trims or shaves his beard or keshas ⁷[xxx]
- (b) smokes; and
- (c) takes alcoholic drinks.]

Right to vote.

50. (i) Every person registered on the electoral roll for the time being in force for any constituency for the election of a member or members of the Board shall be entitled while so registered to vote at an election of a member or members for that constituency, provided that no person shall be entitled to vote at an election in more than one constituency.

¹[(2) In any plural constituency as provided by section 44, the right of voting shall be exercisable in the following manner, that is to say, a vote may be cast for each of the two candidates of whom one shall be a Sikh belonging to any of those Scheduled Castes referred to in sub-section (2) of section 44 and the other shall be a Sikh who does not belong to any of those Scheduled Castes.]

Term of membership.

51. The members of the Board shall hold office for ²[five] years from the date of its constitution or until the constitution of a new Board, whichever is later.

Effect of subsequent

disability to serve as

member of Board.

52. ³[(1) If any person having been elected ⁴[* * *] ⁵[or co-opted] a member of the Board subsequently becomes ⁶[or is found to be by the Board] subject to any of the disabilities stated in section 45

¹ Substituted by Punjab Act No. XLIV of 1953, section 5. The old sub-section (2) was added by Punjab Act XI of 1944, section 11 and section 50, renumbered as sub-section (1) by *ibid*.

² Substituted for the word "three" by Punjab Act XI of 1944, section 12.

³ Substituted for the old section 52 by Punjab Act III of 1930, section 5.

⁴ The words "or nominated" omitted by Punjab Act No. XLIV of 1953, section 6

⁵ Inserted by Punjab Act XI of 1944, section 13 (i).

⁶ Inserted by East Punjab Act XXXII of 1949, section 2.

⁷ Omitted vide Ministry of Home Affairs' notification No. S.O.No.1190 (E) dated 8th October, 2003.

1925: Pb. Act VIII.] SIKH GURDWARAS.

or section 46, as the case may be, he shall cease to be a member thereof.

¹[(2) Any person aggrieved by the finding of the Board mentioned in sub-section (1) of this section may, within a month of the date of his knowledge of such finding, appeal to the Commission for setting aside the said finding and the order of the Commission passed in this respect shall be final:

Provided that the person against whom any such finding is given by the Board shall not cease to be a member of the Board until the order of the Commission in appeal, or, if no appeal is preferred, until the time allowed for preferring an appeal has passed.].

²(3) If any person having been elected ³[* * *] ⁴[or co-opted] a member of the Board absent himself from three consecutive general meetings of the Board, his name may be removed from membership by the Board, provided that, if he applies to the Board within one month of the removal of his name to be restored to membership, the Board may, at the meeting next following the date of the receipt of such application, restore him to office, provided further that no member shall be restored more than three times.]

Vacancy in Board,
how to be
filled. ⁵3. When a vacancy occurs in the Board owing to the death or resignation of a member or for any other reason, a new member shall be elected, ⁶[* * *] or co-opted, as the case may be, in the manner in which the member whose seat is to be filled was elected or co-opted.

First meeting of
the Board. ⁵4. The first general meeting of the Board shall be held at a time not later than one month after the ⁷[Central] Government has notified that it has been

¹ Added by Punjab Act No. XLII of 1953, section 2 (a).

² The old sub-section (2) renumbered as sub-section (3) by section 2 (b) of Punjab Act No. XLII of 1953.

³ The words "or nominated" omitted by Punjab Act No. XLIV of 1953 section 6.

⁴ Inserted by Punjab Act No. XI of 1944, section 13 (i).

⁵ See Punjab Act XXV of 1953, which provides for the filling of vacancies of the Shiromai Gurdwara Parbhandhak Committee constituted in exercise of powers conferred by Article 9 (2) of the India (Adaptation of Existing Indian Laws) Order, 1947

⁶The words “nominated” and “or nominated” omitted by Punjab Act No. XLIV of 1953, section 7.

⁷ Substituted by Ministry of Home Affairs notification No. S.O. S-13013/1/75-SR, dated the 3rd February, 1978.

48

SIKH GURDWARAS [1925: Pb. Act VIII.]

constituted, and notice thereof shall be given by notification by the ¹[Central] Government.

Annual general meeting 55. An annual general meeting of the Board shall be held in every year.

Notice of meeting. 56. Meetings of the Board other than the first meeting shall be called by twenty days' notice in writing served on every member of the Board in such manner as may be prescribed by bye-laws made by the Board.

Power of members to call meeting. 57. Any ten or more members may by application in writing made to the President demand that a general meeting of the Board be held, and if, notwithstanding such demand, notice of a meeting is not given within fifteen days of the date on which the application was received by the President, the applicants may themselves call a meeting to be held at the office of the Board by ten days' notice served in the manner described in section 56.

Office of Board 58. The Board shall have an office in Amritsar for the transaction of business, to which, all communications and notices to the Board may be addressed.

Quorum of Board in general meeting. 59. The powers vested by this Act in the Board in general meeting shall not be exercised except by the Board at a meeting at which thirty-one or more members are present.

Chairman at meeting of the Board. ²[60. The President shall be the Chairman at the meetings of the Board and of the Executive Committee, and if the President is absent, the Senior Vice President shall be Chairman. If the President and the Senior Vice-President are both absent, the Junior Vice-President shall be Chairman, and if neither the President nor any Vice-President is present, the members present shall elect one of themselves to be Chairman for the purposes of the meeting.]

¹ Substituted by Ministry of Home Affairs notification No. S.O. S-13013/1/75-SR, dated the 3rd February, 1978.

² Substituted by Punjab Act No. LIII of 1953, section 7.

49

1925: Pb. Act VIII.] SIKH GURDWARAS

Decision of questions before, Board. 61. Except as otherwise provided by this Act or prescribed all questions which come before the Board or its executive Committee shall be decided by a majority of the votes of the members present; and in the case of any equality of votes the chairman shall have a second or casting vote:

¹[Provided that no member of the Board referred to in clause (ii) of sub-section (1) of section 43 or of section 43-A shall be entitled to vote on any matter falling under sections 62 and 63.

Office-bearers and executive committee of Board ²[62. (1) The Board shall at its first general meeting elect by a ballot one of its members to be President ¹[two others to be Vice-Presidents (one Senior and one Junior) and another to be General Secretary of the Board] to be known as office-bearers of the Board, and shall also at the same meeting in like manner elect not less than five and not more than eleven of its members, as the Board, may deem fit, to be members of the executive committee of the Board, and the office-bearers and members so elected shall be the executive committee of the Board.

³[(2) If the President is not elected in the first general meeting, the ⁴[Central] Government shall call another general meeting for the election of the Office-bearers and members of the Executive Committee not later than one month after the date of the previous meeting, by a notice published in the official Gazette in this behalf. If, however, the President has been elected but one or more of the other office-bearers or other members of the Executive Committee have not been elected in the first general meeting, the President shall call another meeting for the election of the remaining office-bearers and members of the Executive Committee, not later than one month from the date of the previous meeting, in accordance with section 56.

¹ Added by Punjab Act No. 1 of 1959, section 23.

² Section 62 renumbered as sub-section (1) and sub-section- (2) added by Punjab Act No. LIII of 1953, section 8.

³ Substituted for the words “and another to be Vice-President of the Board” by Punjab Act XI of 1944, section 14.

⁴ Substituted by Ministry of Home Affairs Notification No. S.O. S-13013/1/75-SR, dated the 3rd February, 1978.

SIKH GURDWARAS [1925: Pb. Act VIII.]

Annual election
of executive
committee.

63. (1) Subsequent to the constitution of an executive committee under the provisions of section 62 an executive committee similar to the one described in that section shall be elected by ballot at each annual general meeting of the Board ¹[if the Board so desires]; the ²[office-bearers] and other members of the executive committee elected at the first meeting of the Board shall hold office until a new executive committee has been elected at the first annual general meeting of the Board, and the members elected at an annual general meeting shall hold office until a new executive committee has been duly elected at the next following annual general meeting:

³[Provided that, if at any time after the constitution of any executive committee under section 62 or this section and before the expiry of its term mentioned above, the Board in a general meeting expresses no confidence in it, the office-bearers and the other members of the said executive committee shall at once cease to hold office and new office-bearers and executive committee shall be elected in the said meeting of the Board for the remaining term of the outgoing executive committee:

Provided further, that the no-confidence motion shall not be discussed in the general meeting of the Board before the expiry of three months after the constitution of any executive committee.]

(2) Nothing contained in sub-section (1) shall prevent the re-election of any outgoing member of an executive committee.

⁴[(3) If the office-holders and the other members of the executive committee cease to hold office under provisos to sub-section (1) of this section, the Chairman of the meeting for the conduct of the election of the new President shall be elected out of the members

¹ Inserted by Punjab Act XI of 1944, section 15 (a).

² Substituted for the words "office-holders" by Punjab Act XI of 1944, section 15 (b).

³ Provisos added by Punjab Act No. XXVI of 1953, section 2 (a).

⁴ New sub-section (3) and (4) added by Punjab Act No. XXVI of 1953, section 2 (b)

51

1925: Pb. Act VIII.] SIKH GURDWARAS

present in the said meeting and the new President so elected shall act as the Chairman for the further proceedings of the meeting.

(4) Procedure regarding notice of no-confidence motion specified in sub-section (1) will be in the manner prescribed by the Rules made by the Government.]

Powers of executive
committee of
Board.

64. The executive committee of the Board shall exercise on behalf of the Board all powers conferred on the Board by the provisions of this Act which are not expressly reserved to be exercised by the Board in general meeting. ¹[But the Executive Committee may, if it so decides by a majority of three-fourth of its members present in the meeting, delegate any of its powers to a Sub-Committee consisting of one or more of its members].

Vacancy in executive
committee, how
to be filled

65. If a vacancy occurs in the executive committee, the remaining members of the executive committee may, if the vacancy is that of an office-bearer, appoint one of themselves, or if the vacancy is that of any member other than an office-bearer, nominate any member of the Board temporarily to fill the vacancy until the next following general meeting of the Board, and the Board shall at such meeting elect a member of the Board to fill the vacancy.

Member of a committee
of management
not to be member
of executive
committee of Board.

66. A member of a committee of management shall not be eligible for election as a member of the executive committee, and if any member of the executive committee at any time becomes a member of a committee of management he shall forthwith cease to be a member of the executive committee.

Resignation of member
of executive
committee or
of Board.

67. A member of the executive committee ²[or, of the Board] may resign the office by giving notice to the President, and an office-bearer may resign his office by giving notice to the executive committee and such resignation shall have effect from the date on which the resignation was accepted by the President or executive committee, as the case may be.

¹ Added by Punjab Act No. 1 of 1959, section 24

² Inserted by Punjab Act XI of 1944, section 16.

52

SIKH GURDWARAS [1925: Pb. Act VIII.]

Remuneration of member of executive committee 68. Any member of the executive committee may receive out of the fund of the Board such salary or other remuneration as may from time to time be fixed by the Board in general meeting.

Servants of the Board, their appointment and punishment. 69. The executive committee of the Board may appoint such servant as it may deem to be necessary for the due performance by itself of its duties, and may from time to time determine the number, designations, grades and scales of salary, or other remuneration of such servants, and may at any time fine, reduce, suspend, or remove any servant.

CHAPTER VII.

THE JUDICIAL COMMISSION

The Judicial Commission 70. (1) The Judicial Commission shall consist of three members who shall be Sikhs appointed from time to time as may be necessary by the ¹[Government of the State of Punjab.]

(2) No person shall be appointed to be a member of the Commission unless he-

(i) is, or, at the time of his retirement or resignation from ²[the service of the ³(Government)], was a District Judge or a Subordinate Judge of the first class or of not less than ten years' standing, or ⁴[a Munsif of the 1st class or of not less than ten years standing; or]

(ii) is a Barrister of not less than ten years standing; or

(iii) is a person who has been a pleader of any High Court ⁵[or any Court which is a High Court within the meaning of clause (24) of

¹ Substituted by Ministry of Home Affairs' notification No. S.O. S-13013/2/78-SR dated the 19th October, 1978.

² Substituted for the words "Government Service" by the Government of India (Adaptation of Indian Laws) Order, 1937.

³ Substituted for the word "Crown" by the Adaptation of Laws order, 1950.

⁴ Added by Punjab Act, III of 1930, section 6.

⁵ Inserted by Punjab Act XIII of 1926, section 2. This amendment has been given retrospective effect by Punjab Act XIII of 1926, section 3, which reads as follows: -

53

1925: Pb. Act VIII.] SIKH GURDWARAS

section 3 of the General Clauses Act, 1897] for an aggregate period of not less than ten years.

(3) Two of the members of the Commission shall be selected by the ¹[Government of the State of Punjab] out of a list of qualified persons prepared and maintained as described in section 71.

Appointment of
members of
the Commission

71. (1) For the purpose of the appointment of members of the Commission the Board shall, as soon as may be, after its constitution submit a list of the names of seven persons nominated by the Board, and the ¹[Government of the State of Punjab] shall after being satisfied that the persons are qualified as required by section 70 record the list: provided that if the Board fails to submit a list within ninety days from the constitution of the Board the ¹[Government of the State of Punjab] may itself complete a list of qualified persons.

(2) A person whose name is on the list described in sub-section (1) shall be entitled to have his name retained thereon for two years after his nomination has been recorded, provided that the ¹[Government of the State of Punjab] may at any time remove his name, if it is satisfied upon a report made by the Board and any enquiries it may see fit to make, that he is incapable of acting as a member of the Commission.

(3) If any person whose name is on the list dies, or applies to the Board to have his name removed therefrom, the Board shall inform the ¹[Government of the State of Punjab] and his name shall be removed from the list.

(4) The ¹[Government of the State of the Punjab] shall on request being made to it for this purpose by the Board remove from the list the name of any person

whose name has been on the list for more than three years, provided that the name of any person shall not be so removed while such person is a member of the Commission.

¹ Substituted by Ministry of Home Affairs' notification No. S.O. S-13013/2/78-SR dated the 19th October, 1978.

54

SIKH GURDWARAS [1925: Pb. Act VIII.]

(5) When a name has been removed from the list the Board shall nominate a qualified person for the purpose of filling the vacancy, and the ³[Government of the State of the Punjab] shall after being satisfied that such person is qualified, place his name upon the list.

(6) If the Board fails to nominate a person to fill a vacancy as required by sub-section (5) of the ³[Government of the State of the Punjab] may after giving one month's notice of its intention to the Board place the name of any qualified person on the list to fill the vacancy.

Member of the Board or of a committee to resign if appointed a member of Commission. 72. If any person who is member of the Board or of a committee or of both is appointed to be a member of the Commission and accepts the appointment he shall forthwith cease to be member of the Board or committee, or of both, as the case may be.

Remuneration of members of the Commission 73. The members of the Commission, while they continue as such, shall receive such remuneration ³[or daily allowance and travelling expenses] as may be fixed from time to time by the ¹[Central] Government ²[with consultation of the Board] and shall be deemed to be public servants within the meaning of section 21 of the India Penal Code.

Officers and servants of the Commission 74. The ³[Government of the State of the Punjab] may from time to time appoint such officers and servants as it may deem to be necessary for the due performance of its duties by the Commission, and the officers and servants so appointed shall, while they continue as such, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

¹ Amended on 10th June, 1982.

² Inserted by Punjab Act XI of 1944, section 17 (i).

² Inserted by Punjab Act XI of 1944, section 17 (ii).

³ Substituted by Ministry of Home Affairs' notification No. S.O. S-13013/2/78-SR dated the 19th October, 1978.

55

1925: Pb. Act VIII.] SIKH GURDWARAS

Expenses to be shared by Government and Board 75. (1) The net expenses arising from the appointment of the Commission including ¹[on and from the 1st day of November, 1966] the remuneration of its members, officers, and servants shall be defrayed by the ¹[Government of Punjab] and the Board: the ¹[Government of Punjab] paying one-third of the whole, provided that the remuneration of the members, officers and servants shall be paid wholly in the first instance by the ¹[Government of Punjab] and the portion thereof payable by the Board shall be recovered from the Board after the close of each financial year.

¹[(1A) The one-third share of the expenses referred to in sub-section (1) met by the Government of Punjab from time to time after the 1st day of November, 1966, shall be allocated between the State of Punjab, Haryana and the Union Territories of Himachal Pradesh and Chandigarh in the ratio of 131: 8: 1: 1 and the Government of Haryana and the Administrators of Himachal Pradesh and Chandigarh shall at the end of each financial year pay to the Government of Punjab the amount so allocated respectively to the State of Haryana, the Union Territory of Himachal Pradesh and the Union Territory of Chandigarh.

(2) Any sum due to the ¹[Government of Punjab] under the provisions of sub-section (1), shall, if not recovered within three months after a demand has been made, be recoverable as if it were an arrear of land revenue.

Jurisdiction and procedure of Commission. 76. (1) The Commission shall for the purpose of deciding any matter which it is empowered to decide under the provisions of this Act have the same powers as are vested in a court by the Code of Civil Procedure, 1908, and shall have jurisdiction

unlimited as regards value throughout 'Punjab, and shall have no jurisdiction over any proceedings other than is expressly vested in it by this Act.

1 Substituted and inserted by Ministry of Home Affairs' notification No. S.O.465 dated the 3rd February, 1969.

56

SIKH GURDWARAS [1925: Pb. Act VIII.]

(2) A decree or order of the Commission shall be executed or otherwise given effect to by the District Court of the district in which the gurdwara in connection with which the decree or order was passed is situated, or by the District Court to which the Commission directs that any decree or order shall be sent for this purpose, as if the decree or order had been a decree or order passed by such court.

V of
1908. (3) The proceedings of the Commission shall, so far as may be and subject to the provisions of this Act, be conducted in accordance with the provisions of the Code of Civil Procedure 1908, and, save as otherwise provided by this Act, all orders of the Commission shall be final.

Court and
Office of
Commission 77. The Commission shall have its court and office at such place or places as the [State] Government may from time to time fix.

Vacancy in
Commission 78. If a vacancy occurs in the Commission it shall be filled by the appointment by the 1[Government of the State of Punjab] 2[of] some other qualified person in the same manner as that in which the person whose seat is to be filled was appointed.

Removal of
Member of
Commission. 79. The 1[Punjab] Government may remove any member of the Commission-

- (i) if he refuses to act or becomes in the opinion of the 1[Government of the State of Punjab] incapable of acting or unfit to act as a member; or
- (ii) if he has absented himself from more than three consecutive meetings of the Commission; or
- (iii) if it is satisfied after such enquiry as it may deem necessary that he has flagrantly abused his position as a member: 3[or].

¹ Substituted by Ministry of Home Affairs notification No. S.O. S-13013/2/78-SR dated the 19th October, 1978.

² Substituted for the word "or" by Punjab Act LIII of 1953, section 9.

³ The word "or" was first omitted by Punjab Act XI of 1944, section 18 but later on added by Punjab Act No. XI of 1954, section 2.

1925: Pb. Act VIII.] SIKH GURDWARAS

¹[(iv) if he has served as a member for more than two years.]

Election of President of Commission. 80. (1) The members of the Commission shall elect one of themselves to be president of the Commission.

(2) If the members of the Commission are unable within ten days of the constitution of the Commission to elect a president by a majority of votes, a president may be appointed by the ²[Government of the State of Punjab.]

(3) No proceedings shall be taken by the Commission unless at least two members are present and sitting together; provided that notices and summons may be issued by the president or a member nominated by the president for this purpose, sitting alone.

(4) If the president is not present the two members present shall decide which of them shall preside, and the member decided upon shall perform the duties of president.

Settlement of difference of opinion in Commission. 81. In case of difference of opinion between the members of the Commission the opinion of the majority shall prevail: provided that, if only two Members are present of whom one is the president and if they are not in agreement, the opinion of the president shall prevail; and if the president is not present, and the two remaining members are not agreed, the question in dispute shall be kept pending until the next meeting of the Commission at which the president is present, and the opinion of the majority or of the president when only two members are present shall be deemed to be the opinion of the Commission.

Costs in proceedings may be made payable out of 82. The costs, charges and expenses of, and incidental to, any proceedings of the Commission shall be in the discretion of the Commission, and the Commission may in disposing of any proceedings direct

¹ Added by Punjab Act No. XI of 1954, section 2. Previously clause (iv) was omitted by Punjab Act No. XI of 1944, section 18.

² Substituted by Ministry of Home Affairs notification No. S.O. S-13013/2/78-SR dated the 19th October, 1978.

58

SIKH GURDWARAS [1925: Pb. Act VIII.]

that the whole or any part of such expenses shall be paid by any party of such proceedings or out of the property or income of the notified Sikh gurdwara to which the proceedings relate.

Dissolution of Commission 83. The ¹[State] Government may at any time when there is no proceeding pending before the Commission, dissolve the Commission.

Decision as to whether a person or is not a patit. 84. If it is necessary to decide for the purpose of the constitution of the Board or a committee, under the provisions of the Act, whether a person has or has not become a patit the question shall on application being made thereto for this purpose be decided by the Commission.

CHAPTER VIII.

COMMITTEES OF GURDWARAS.

85. ³[(1) The Board shall be the Committee of Management for the Gurdwaras known as-

- (i) The Sri Akal Takhat Sahib at Amritsar and Sri Takhat Keshgarh Sahib, Anandpur;
- (ii) The Darbar Sahb, Baba Atal Sahib and all other Notified Sikh Gurdwaras other than Sri Akal Takhat Sahib situated within the Municipal boundaries of Amritsar.
- (iii) Sri Darbar Sahib and all other Notified Sikh Gurdwaras within the limits of Municipal area of Tarn Taran;
- (iv) All the Notified Sikh Gurdwaras at Anandpur and the Gurdwaras connected therewith other than the Sri Takhat Keshgarh Sahib;
- (v) The Notified Sikh Gurdwaras at Muktsar;

¹ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

² Substituted for the old section by Punjab Act XI of 1944, section 19.

³ Substituted by Punjab Act No. 1 of 1959, section 25 (a).

1925: Pb. Act VIII.] SIKH GURDWARAS

- (vi) Gurdwara Dukhniwaran Sahib Padshahi Naumi along with Gurdwara Moti Bagh (including Gurdwara Sudha Sar) Khel Sahib, Patiala;
- (vii) Gurdwara Fatehgarh Sahib (Shahidi Asthan Baba Fateh Singh Ji and Baba Jorawar Singh Ji) along with Gurdwara Jotisarup, Burj Mata Gujri and Shahid Ganj situated in Harnam Nagar;
- (viii) ¹[Gurdwara Padshahi Naumi at Dhamtan along with Bunga Dhamtanian near Railway Station, Patiala;]
- (ix) Gurdwara Guru Teg Bahadur Sahib in Jind with Gurdwaras Kharak Bhura Padshahi Naumi and Khatkar Padshahi Naumi in Tehsil Narwana;
- (x) Gurdwara Ber Sahib (Padshahi Pehli) at Sultanpur Lodhi along with Gurdwaras Hat Sahib, Kothri Sahib, Sehra Sahib, Sant Ghat and Guru Ka Bagh;
- (xi) Gurdwara (Padshahi Naumi and Dasmi) Damdama Sahib at Talwandi Sabo along with Gurdwaras ²[* *] Takhat Sri Damdama Sahib, Jandsar and Bunga Kattuwalla at Sabo Ki Talwandi, Gurdwara Sri Damdama Sahib Bunga Mata Sahib Dewan Ji at Talwandi Sabo, Gurdwara Sahib Padshahi Dasmi Takhat Damdama Sahib, Bhai Bir Singh Dhir Singh, Mazhabi Singh Wala at Talwandi Sabo, Gurdwara Sahib Takhat Sri Damdama Sahib Malwai Bunga Padshahi Dasmi at Talwandi Sabo, Sri Damdama Sahib Malwai Bunga Padshahi Dasmi at Talwandi Sabo, Sri Damdama Sahib Bunga Likhansar Padshahi Dasmi, Sri Damdama Sahib Gurdwara Sri Holsar Padshahi Dasmi, at Talwandi Sabo Ki;
- (xii) Gurdwara Nanakiana Sahib, Sangrur.]

¹ Substituted for the words “Gurdwara Dhamtan Sahib” by Punjab Act No. 10 of 1959, section 2 (a).

² The word “Mastuana” omitted by Punjab Act No.10 of 1959, section 2 (b).

SIKH GURDWARAS [1925: Pb. Act VIII.

- ¹(xiii) Gurdwara Baba Bakala, Gurdwara Dera Sahib Ganga Ji at Baba Bakala in Baba Bakala Tehsil, Gurdwara Mata Damdama Sahib, Gurdwara Chherta Sahib and Gurdwara Attari Sahib (alias Janam Asthan) at Wadali Guru in Amritsar Tehsil, Gurdwara Bauli Sahib and gurdwara Chaubara Sahib at Goindwal in Khadoor Sahib Tehsil and Gurdwara Beer Sahib at Thatha in Tarn Taran Tehsil, Gurdwara Ramdas in Ajnala Tehsil, in Amritsar districts;
- (xiv) Gurdwara Darbar Sahib Barath at Barath Lahiri, Gurdwara Bauli Sahib Dukhbhanjani and Gurdwara Gurusar Panjwin Patshahi at Barath and Gurdwara Phul Piara at Phul Piara in Pathankot Tehsil, in Gurdaspur district;
- (xv) Gurdwara Garna Sahib at Bodal in Dasuya Tehsil and Gurdwara Sahidan at Ladhewal in Garhshankar tehsil, in Hoshiarpur district;
- (xvi) Gurdwara Alamgir (Manji Sahib) at Alamgir in Ludhiana Tehsil, Gurdwara Charan Kanwal and Gurdwara Chubara Sahib at Machhiwara and Gurdwara Jhar Sahib at Chuharpur in Samrala Tehsil, Gurdwara Tahliana Sahib at Raikot in Raikot Tehsil, Gurdwara Sahib Patshahi Chhevin and Daswin at Katana Sahib in Payal Tehsil, in Ludhiana district;
- (xvii) Gurdwara Gurusar Bajidpur at Bajidpur in Ferozepore Tehsil, in Ferozepore district;
- (xviii) Gurdwara Damdama Sahib Katalgarh Tilak Asthan at Chamkaur, Gurdwara Dharamshala at Baba Sadhupur and Gurdwara Bhatta Sahib at Kotla Nihang in Roop Nagar Tehsil, in Roop Nagar district;
- (xix) Gurdwara Sahib Patshahi Nauwin at Bahadurgarh in Patiala Tehsil, Gurdwara Dera Baba Ajapal Singh at Nabha, Gurdwara Dara Sahib (Damdama Sahib) at Bir Bauran and Gurdwara Sahib Patshahi Naumi at Bauran Kalan in Nabha Tehsil, in Patiala district;
- (xx) Gurdwara Sahib Patshahi Daswin at Hajirattan and Gurdwara Patshahi Daswin Qila Mubark at Bhatinda in Bhatinda Tehsil, in Bhatinda district;
- (xxi) Gurdwara Sahib Patshahi Chhewin at Chaura Khuh (Phagwara) and Gurdwara Sahib Patshahi Chhewin at Phagwara Purbi in Phagwara Tehsil, in Kapurthala district;
- (xxii) Gurdwara Baba Sang Sahib at Dhesian Sang and Gurdwara Mau at Mau Phillaur Tehsil, Gurdwara Chubacha Sahib Maruf Dharamshala

¹ Added vide Ministry of Home Affairs, Govt. of India's notification No. S. O. 359 (E) dated 30th April 1998.

61

1925: Pb. Act VIII.] SIKH GURDWARAS

- (xxiii) Gurdwara Sidh Batti, Gurdwara Chhewin Patshahi, Gurdwara Satwin Patshahi, Gurdwara Daswin Patshahi and Gurdwara Kurukshetra at Thanesar, Gurdwara Nauwin Patshahi at Bhari and Gurdwara Guru Teg Bhadur Jee at Bani and Badarpur in Thanesar Tehsil, in Kurukshetra district;
- (xxiv) Gurdwara Sis Ganj, Gurdwara Daswin Patshahi Labhuwala, Gurdwara Daswin Patshahi and Gurdwara Mohalla Mehar Dhumil at Ambala City, Gurdwara Manji Sahib, at Khurrampur Majri and Gurdwara Guru Harkishan Sahib at Panjokhra in Ambala Tehsil in Ambala district; and
- (xxv) Gurdwara Sahib Pinjore Patshahi Pehli at Pinjore in Kalka Tehsil and Gurdwara Sahib Patshahi Daswin at Nada, in Panchkula Tehsil, Panchkula District.
- ¹(xxvi) Gurdwara Lambe (Amb Sahib) Phase-8, Mohali, District Roop Nagar.
- (xxvii) Gurdwara Sri Darbar Sahib, Dera Baba Nanak, Tehsil Batala, District Gurdaspur.
- (xxviii) Gurdwara Guru Ka Bagh, Ghukewli, District Amritsar.
- (xxix) Gurdwara Teja Kalan, Tehsil Batala, District Gurdaspur.
- (xxx) Gurdwara Charan Kanwal, Jindowai, Tehsil & District Nawan Shahar.
- (xxxi) Gurdwara Gurplah Sahib Tehsil & District Nawan Shahar.
- (xxxii) Gurdwara Guru Horgobind Singh Durgapur, Tehsil & District Nawan Shahar.
- (xxxiii) Gurdwara Achal Sahib (excluding Shivala Talab Kalan and Shivala Bhandaria) Tehsil Batala, District Gurdaspur.
- (xxxiv) Gurdwara Sahib Patshahi Nauvin, Malowal, Tehsil Dhuri, District Sangrur.
- (xxxv) Gurdwara Sri Guru Hargobind and Gurusar Chhevin Patshahi, Sadhar, Tehsil Raikot, Distt. Ludhiana
- (xxxvi) Gurdwara Sahib Heran, Tehsil Raikot, Distt. Ludhiana.
- (xxxvii) Gurdwara Sahib Baba Ala Singh Longowal, Tehsil & Distt, Sangrur
- (xxxviii) Gurdwara Bhai Ki Samadh Longowal, Tehsil & Distt, Sangruru.
- (xxxix) ²[Gurdwara Sahib Baba Narain Das Longowal, Tehsil & Distt, Sangrur.]
- (xl) Gurdwara Sahib Patshahi Chhevin, Gahel Tehsil Barnala, Distt, Sangrur.
- (xli) Gurdwara Sahib Patshahi Chhevin & Dasvin (Andruni Qila) Bhadaur, Tehsil, Barnala, Distt. Sangrur.
Gurdwara Sahib Patshahi Chhevin Bhadaur, Tehsil Barnala, Distt. Sangrur.
- (xlii) Gurdwara Baba Bir Singh Ratoki, Tehsil Patti, Distt, Amritsar.
- (xliii) Gurdwara Guru Gobind Singh Sahib, Gopal Mochan, Tehsil Jagadhari, Distt, Yamuna Nagar (Haryana)

¹ Added vide Govt. of India Ministry of Home Affairs, notification No. S. O. 864 (E) dated 28th July, 2003.

² Substituted for gurdwara sahib Baba Ki Samadh, Longowal, Tehsil & Distt. Sangrur, vide Govt. of India Ministry of Home Affairs Notification No. 1433 (E) dated 16th December 2003.

62

1925: Pb. Act VIII.] SIKH GURDWARAS

(2) The Board shall, * * * ¹* * * prepare a scheme for administration and management of the Gurdwaras described in sub-section (1), their property, endowments, funds and income. Thereafter, this scheme may be modified or amended from time to time by a resolution of the Board passed by a majority of two-thirds of the members present in the meeting.

²[* * * *]

* * * ³* * *

⁴(3) * * * * *

⁴(4) * * * * *

⁴(5) * * * * *

Committees of
gurdwaras other
than those
specified in
section 85.

86. ⁵(1) For every Notified Sikh Gurdwara other than a gurdwara specified in section 85 a committee shall be constituted after it has been declared to be a Sikh Gurdwara under the provisions of this Act, or after the provisions of Part III have been applied to it under the provisions of section 38, provided that the ⁶[State] Government may by notification direct that there shall be one committee for any two or more such gurdwaras specified in the notification, and may in like manner cancel or modify such notification, provided further that the ⁶[State] Government shall not issue, cancel or modify any such notification after the constitution of the first Board, except upon recommendation being made to it in this behalf by the Board.

⁵(2) Notwithstanding anything contained in subsection (1), the Gurdwaras at Narnaul and Mahendragarh shall be managed by the Board.

¹ The words "in consultation with local committees" omitted by East Punjab Act, XXXII of 1949, section 3.

² The words “after consulting the local committee for the Gurdwara or Gurdwaras concerned, constituted under sub-section (3)” omitted by East Punjab Act XXXII of 1949, section 3.

³ Proviso omitted by Punjab Act No. 1 of 1959, section 25 (b).

⁴ sub-section (3), (4) and (5) omitted by East Punjab Act XXXII of 1949, section 3 (b).

⁵ Section 86 renumbered as sub-section (1) and sub-section (2) added by Punjab Act No. 1 of 1959, section 26.

⁶ Substituted for the word “Provincial” by the Adaptation of Laws Order, 1950.

63

1925: Pb. Act VIII.] SIKH GURDWARAS

¹[86-A.* * * *.]

Constitutions of committee ²[87. (1) Every Committee shall consist of five members out of which one at
not specially least shall be a person belonging to the scheduled castes and shall be constituted as
provided for. follows: -

³[(a) The Board shall nominate the members, with their written consent of the committee of the Gurdwara or Gurdwaras, whose gross annual income does not exceed ⁵[one lac rupees] who shall be residents of the district in which the Gurdwara or one of the Gurdwaras to be managed by the Committee is situated:

Provided that the Board may, if it so decides, instead of nominating the members manage the affairs of any such Gurdwara itself in accordance with the provisions of the Act.

(b) The Committee of Gurdwara or Gurdwaras, whose annual monetary income exceeds ⁵[one lac rupees,] shall consist of four elected members and one member nominated by the Board who shall be resident of the district in which the Gurdwara or one of the Gurdwaras to be managed by the Committee is situated.

If in the election, the required number of members is not elected, the Board may nominate such number of persons as have not been, elected so as to complete the Committee for such a Gurdwara or Gurdwaras; provided that the person or persons so nominated shall be the resident or residents of the district in which the said Gurdwara or Gurdwaras are situated.]

(2) If the Board fails to nominate a member or members of the Committee in accordance with the provisions of clause (a) or (b) the manager and if there is no manager, then Granthi or Granthis of Gurdwara or

¹Substituted 86-A was inserted by Punjab Act. No. XI of 1944, section 20, and omitted by Punjab Act No. LIII of 1953, section 10.

²Substituted by Punjab Act No. 1 of 1959, section 27.

³Substituted by Punjab Act No.10 of 1959, section 3.

⁴Substituted for the words "three thousand rupees" by govt. of India, Ministry of Home Affairs notification No. S.O.843 (E), dated 30th November, 1996.

⁵Substituted for the words "three thousand rupees" by Govt. of India Ministry of Home Affairs notification No. S.O.843 (E) dated 30th November, 1996.

64

1925: Pb. Act VIII.] SIKH GURDWARAS

Gurdwaras shall either by himself or themselves or along with the nominated or elected member or members, if any, as the case may be, perform the duties of the Committee till such time as the Board nominates the required number of members of the Committee.]

Constitution of committees; publication of Constitutions and effect thereof 88. ¹[(1) The Committees shall be constituted as soon as may be after the constitution of the Board; provided that no Committee shall be constituted for any Gurdwara under the provisions of this Act before it has been declared to be a Sikh Gurdwara under the provisions of this Act or the provisions of Part III have been applied to it under the provisions of section 38.]

²[(2) * * *].

³[(3) As and when a member or members of any Committee have been nominated in accordance with the provision of clause (a) of sub-section (1) of section 87 or have been elected or nominated, as the case may be, in accordance with the provision of clause (b) of sub-section (1) of section 87, the State Government shall notify these facts and when all the members of such Committee have been nominated or have been elected and nominated the Chief Commissioner when in existence, or otherwise the State Government shall notify the further fact that the Committee has been duly constituted and the date of the publication of last mentioned notification shall be deemed to be the date of the constitution of the Committee.]

Election of member. ⁴[89. (1) The elected members of a Committee, referred to in clause (b) of sub-section (1) of section 87, shall be elected by a constituency formed, subject to the approval of the State Government, by the Board in a general meeting.

(2) The Board may in a general meeting and subject to the approval of the State Government from time to time, vary any constituency formed under the provisions of sub-section (1).

¹ Substituted by Punjab Act No. LIII of 1953, section 12 (a).

² Substituted for the old sub-section (2) and (3) by East Punjab Act XXXII of 1949, section 4 and sub-section (2) omitted by Punjab Act No. LIII of 1953, section 12 (b).

³ Substituted by Punjab Act No. 1 of 1959, section 28.

⁴ Section 89 and 90 inserted by Punjab Act No. 10 of 1959, section 4.

⁵ Substituted for the words "and nominated shall notify."

65

1925: Pb. Act VIII.] SIKH GURDWARAS

(3) When any constituency to elect members of a Committee is formed or varied according to the provisions of sub-section (1) or (2), as the case may be, the State Government shall notify the fact of the constituency having been so formed or varied and the date of the publication of the notification shall be the date from which the formation or variation of the constituency shall take effect.

Qualification for election to committees; 90, (1) A person shall not be eligible for election as a member of a Committee if such person: -

- (i) is not registered on the roll of any constituency formed for the purposes of this Act; or
- (ii) is of unsound mind, or
- (iii) is an undischarged insolvent, or
- (iv) is a minister of a Notified Sikh Gurdwara other than the head minister of the Darbar Sahib, Amritsar, or any of the four Sikh Takhats specified in clause (ii) of sub-section (1) of section 43, or
- (v) is a paid servant of any Notified Sikh Gurdwara or of the Board, or
- (vi) is a *patit*, or
- (vii) is not a Sikh, or
- (viii) being a *Keshadhari* Sikh is not *Amritdhari*, or
- (ix) takes alcoholic drinks, or
- (x) not being a blind person cannot read or write Gurmukhi.

Explanation, - For purposes of clause (x) a person shall be deemed to be able to-

- (a) read Gurmukhi, if he is able to recite Shri Guru Granth Sahib in Gurmukhi, and

66

1925: Pb. Act VIII.] SIKH GURDWARAS

- (b) write Gurmukhi if he fills his nomination paper for election to the Committee in Gurmukhi in his own handwriting. If any question arises whether a candidate is or is not able to read and write Gurmukhi, the question shall be decided in such manner as may be prescribed.

(2) Notwithstanding anything contained in sub-section (1), no person shall be prevented from standing as a candidate at any election on the ground that he is a *patit*, but if he is elected and thereafter found, under the provisions of section 84, to be a *patit*, his election shall be void.]

Qualification for nomination to a committee. 91. A person shall not be nominated ¹[* * *] to be a member of a committee if he-

- (i) is less than twenty-one years of age, or
 - (ii) is of unsound mind; or
 - (iii) is an undischarged insolvent, or
 - (iv) is a *patit* ²[or not a Sikh], or
 - (v) is a minister of a Notified Sikh Gurdwara other than the head minister of the Darbar Sahib, Amritsar, or any of the four Sikh Takhts specified in clause (ii) of sub-section (1) of section 43; or
 - (vi) is a paid servant of a Notified Sikh Gurdwara?
 - ³(vii) being a *keshadhari* Sikh is not a *amrit dhari*], or
 - (viii) takes alcoholic drinks; or
 - ⁴(ix) not being a blind person cannot read or write Gurmukhi.]
-

¹ The words "or co-opted" were inserted by Punjab Act XI of 1944 section 25 (a) and omitted by Punjab Act No.1 of 1959, section 29 (a).

² Inserted by Punjab Act XI of 1944, section 25 (b)

³ Inserted by Punjab Act XI of 1944, section 25 (c).

⁴ Substituted by Punjab Act No. I of 1959, section 29 (b).

1925: Pb. Act VIII.] SIKH GURDWARAS

Explanation, - For purposes of clause (ix) a person shall be deemed to be able to-

- (a) read Gurmukhi if he is able to recite Shri Guru Granth Sahib in Gurmukhi; and
- (b) write Gurmukhi if he is able to communicate his consent to become a member in Gurmukhi in his own handwriting. If any question arises whether a candidate is or is not able to read or write Gurmukhi the question shall be decided in such manner as may be prescribed.]

Qualification of
electors.

92. Every person shall be entitled to have his name registered on the electoral roll of a constituency for the election of a member or members of a Committee who is a resident in the constituency, and is a Sikh more than twenty-one years of age and has had his name registered as a voter in such manner as may be prescribed:

³[Provided that no person shall be registered as an elector who-

- (a) trims or shaves his beard or ³[keshas]
- (b) Smokes; and
- (c) Takes alcoholic drinks.]

Right to vote.

93. Every person registered on the electoral roll for the time being in force for a constituency for the election of a member or members of a Committee shall be entitled while so registered to vote at an election of a member or members for that constituency.]

Period of continuance
of committees.

94. Every committee shall continue for [² five] years from the date of its constitution or until a new committee has been constituted, whichever is later.

¹ Section 92 and 93 inserted by Punjab Act No. 10 of 1959, section 4. These were previously omitted by Punjab Act No. I of 1958, section 42.

² Substituted for the word "three" by Punjab Act No. XI of 1944, section 28.

³ Amended vide Govt. of India Ministry of Home Affairs' notification No. S.O.1190 (E) dated 8th October, 2003.

1925: Pb. Act VIII.] SIKH GURDWARAS

Incorporation of Committees ¹[94-A. Every committee shall be a body corporate by the name of the Committee of Management of the Gurdwara or Gurdwaras under its management and shall have perpetual succession and a common seal and shall sue and be sued in its corporate name.]

Effect of Subsequent disability to serve as a member of a Committee. ²[95. (1) If any person having been elected or nominated a member of a committee become ³[or is found to be by the Board] subject to any of the disabilities stated in sections 90 or 91, as the case may be, he shall cease to be a member thereof.

⁴[(2) Any person aggrieved by the finding of the Board mentioned in sub-section (1) of this section may, within a month of the date of his knowledge of such finding, appeal to the Commission for setting aside the said finding and the order of the Commission passed in this respect shall be final:

Provided that the person against whom any such finding is given by the Board shall not cease to be a member of the Committee until the order of the Commission in appeal, or, if no appeal is preferred until the time allowed for preferring an appeal has passed.]

(3) If any person having been elected or nominated a member of the Committee absents himself from three consecutive meetings of the Committee, his name may be removed from membership by the Committee, provided that, if he applies to the Committee within one month of the removal of his name to be restored to membership, the Committee may, at the meeting next following the date of the receipt of such application, restore him to office, provided further that no member shall be so restored more than three times to the same Committee.]

¹ Section 94-A inserted by Punjab Act III of 1930, section 7.

² Substituted for the old section by Punjab Act No. III of 1930, section 8.

³ Inserted by East Punjab Act XXXII of 1949, section 5.

⁴ Sub-section (2) added and old sub-section (2) renumbered as sub-section (3) by Punjab Act No. XLII of 1943, section 3.

1925: Pb. Act VIII.] SIKH GURDWARAS

Vacancies in Committees. ¹[96. On the occurrence of a vacancy in a Committee, a new member shall be elected or nominated, as the case may be, in the manner in which his predecessor was elected or nominated and if no member is duly elected to replace an elected member, the Board may nominate any qualified person to fill the vacancy in accordance with the provisions of section 87 and the fact of filling the vacancy shall be notified by the State Government under sub-section (3) of section 88.]

²[97. * * * * *].

Committees to meet at least three time a year. ³[98. (1) Every committee shall meet at least three times in each year.

(2) If no meeting has been held for a period of four months, any two members of the Committee may, by giving reasonable notice to the other members residing in India, convene a meeting of the Committee.

Notice of meeting ^{99.} A meeting of a committee shall be called by the president by seven days' notice in writing, provided that if the office of president is vacant, the vice president shall, and if the office of vice-president is also vacant, any two members of a committee may, by giving reasonable notice to the other members, convene a meeting [⁴ * * * * *].

Quorum of committee ^{100.} No business shall be conducted or any proceeding held by a committee except at a meeting at which three or more members are present.

President and vice-president of committees. ^{101.} (1) Every committee shall at its first meeting ⁵[which shall be called by the General Secretary of the Board or any person specially authorized by him in this behalf within sixty days of the constitution of the Committee] elect a member to be president and another member to be vice-president and each of the members so elected shall hold office during the continuance of the committee or until he resigns or ceases to be a member of the committee.

¹ Substituted by Punjab Act No. 10 of 1959, section 5.

²Omitted by Punjab Act No. LIII of 1953, section 17.

³The original section 98 was renumbered as sub-section (1) and sub-section (2) was added by Punjab Act III of 1930, section 9.

⁴Omitted by Punjab Act No. I of 1959, section 31.

⁵Inserted by Punjab Act No. I of 1959, section 32.

70

1925: Pb. Act VIII.] SIKH GURDWARAS

(2) An outgoing president or vice-president shall, if otherwise qualified be eligible for re-election.

(3) At meetings of the committee the president shall be chairman; if he is absent the vice-president shall be chairman, and if both the president and the vice-president are absent, the members present shall elect one of themselves to be chairman for the purposes of the meeting.

Decisions of questions before committees. 102. All questions which come before a committee shall be decided by a majority of the votes of the members present, and in cases of an equality of votes the chairman shall have a second or casting vote.

Minutes to be recorded. 103. All resolutions and orders of a committee shall be recorded in writing in a minute book and the record shall be signed by the chairman of the meeting.

Resignation of president and members committee 104. (1) A member of a committee other than the president may resign his office by giving notice to the president and a president may resign his office by giving of notice to the committee ¹[and by informing the Board of his resignation.]

(2) The resignation shall take effect in the case of a member from the date of its acceptance by the president, and in the case of a president from the date of its acceptance by the committee.

²[(3) If the resignation of a member is accepted by the President he shall immediately inform the Board about such acceptance to enable the Board to fill the vacancy caused thereby.

¹ Added by Punjab Act No. 1 of 1959, section 33 (a).

² Added by Punjab Act No. 1 of 1959, section 33 (b).

1925: Pb. Act VIII.] SIKH GURDWARAS

(4) As soon as may be after the constitution of the Committee or the office of the President falling vacant, the Board shall call a meeting of the Committee to elect the office-bearers or to fill the vacancy of the President as the case may be.]

Servant of the Committee, their appointment and punishment. ¹[104-A. The Committee may appoint such servants as it may deem necessary for the due performance of its duties, and may, from time to time determine the number, designations, grades and scale of salary, or other remuneration of such servants, and may at any time for good cause fine, reduce, suspend, or remove any servant.]

Exclusion of Board acting as committee from operation of this chapter. ²[105. The Committee constituted under the provisions of section 85 shall not be affected by any other provision of this Chapter.]

CHAPTER IX.

FINANCES.

Object on which the funds of a gurdwara may be spent. 106. (1) Subject to the provisions of this Act, all properties and income of a Notified Sikh Gurdwara shall be used, in the first place for the maintenance or improvement of the gurdwara; for the maintenance or religious worship and the performance and conduct of religious and charitable duties, ceremonies and observances connected therewith; for the payment of, allowances or salaries of dependents, officers and servants thereof; for the fulfillment of the objects of the endowments thereof; for the maintenance of the *langar*; for such religious, charitable or educational purposes as the committee may consider necessary in connection therewith or for the discharge of any obligations legally incurred.

(2) When after providing for the purposes specified in sub-section (1) there remains or appears likely to remain any surplus sum or any income not required for

any such purpose, the committee may, by resolution passed by not less than two-thirds of its members

¹ Added by Punjab Act No. LIII of 1953, section 18.

² Substituted by Punjab Act No. LIII of 1953, section 19.

1925: Pb. Act VIII.] SIKH GURDWARAS

purpose to allocate a part of the whole of such surplus sum or income to a particular religious, educational or charitable purpose ¹[or any purpose which promotes social welfare] and may, if the Board in writing sanctions such proposal, act in accordance therewith, provided that any proposal so sanctioned to devote to such purpose income accruing during a period of more than three years at any time not sooner than three years after the proposal was sanctioned be rescinded or varied by a subsequent resolution of the committee passed in like manner.

(3) Notwithstanding anything contained in sub-section (2) when it appears to the Board that after providing for the purposes specified in sub-section (1) there remains or is likely to remain any surplus sum or income not required for any such purposes, and the committee is not willing to devote such surplus sum of income to other purposes, the Board may apply to the Commission for an order allowing the Board to devote the whole or part of such surplus sum or income to a particular and specified religious, educational or other charitable purpose ¹[or any purpose which promotes social welfare.]

(4) When application has been made in accordance with the provisions of sub-section (3) the Commission may, after hearing the objection, if any, of the committee or of any person having interest in the gurdwara concerned, if it is satisfied that the application is reasonable, determine what portion if any of such surplus sum or income shall be retained as a reserve fund for the gurdwara concerned and direct the remainder of the surplus sum or income to be devoted to any such religious, educational and charitable purpose as it may deem proper, and the Commission may, from time to time, on the application of the Board or of the committee or of a person having interest in the gurdwara concerned, rescind or vary any order passed under the provisions of this sub-section.

(5) A committee or the Board if it is aggrieved by an order passed under sub-section (4) may, not later than ninety days after the passing of the order, appeal

¹ Inserted by Punjab Act No. 1 of 1959, section 34.

1925: Pb. Act VIII.] SIKH GURDWARAS

to the High Court and the High Court may confirm the order or pass any such order as the Commission might have passed instead of the order appealed against.

¹[(6) Noting contained in sub-section (2), (3), (4) and (5) shall apply to the Board when acting as a Committee of Management under section 85 of this Act. In the case of such a committee when after providing for the purposes specified in sub-section (1) there remains or appears likely to remain any surplus sum or any income not required for such purposes, the committee may by a resolution passed by not less than two-thirds of the members present in the meeting; provided that the meeting is attended by not less than one-half of the total members constituting the committee, utilize or allocate a part or the whole of such surplus sum or income of any particular gurdwara under its management to a particular religious, educational, charitable or industrial purpose:

Provided further that an allocation so made to devote to such purpose income accruing during a period of more than three years may at any time not sooner than three years after the allocation was made be rescinded or varied by a subsequent resolution of the committee passed in the like manner.

Utilization of
surplus
income.

²[106-A. Any surplus sum or any income of a notified Sikh Gurdwara not required immediately for purposes mentioned in sub-section (1) of section 106 may be placed to the credit of the Committee in such Bank as approved, generally by the Board in general meeting or be invested in one or more Government securities or National Saving Certificates or in purchasing immovable property for the Gurdwaras under its management.

Annual contribution to Board. 107. (1) Every committee shall pay annually to the Board for the purpose of meeting the lawful expenses of the Board a contribution in money out of the income of the gurdwara or Gurdwaras under its management.

¹ Added by Punjab Act XI of 1944, section 33.

² Inserted by Punjab Act No. 1 of 1959, section 35.

74

1925: Pb. Act VIII.] SIKH GURDWARAS

¹[(2) The proportion which such contribution shall bear to the annual income of a gurdwara shall be fixed for each gurdwara by the Board: provided that it shall not exceed one-tenth of such income.]

²[(3) The Board shall be competent to reduce the amount of contribution due to the Board from any committee or gurdwara in any year for special reasons. Further the Board, shall have power to prescribe the limit or annual income of the gurdwara or Gurdwaras which may be totally exempted from making the contribution payable to the Board under the provisions of this section.]

Formation of General Board Fund. 108. (1) The Board shall establish and maintain a fund to be called the General Board Fund, and there shall be placed to the credit thereof the following sums, namely-

- (i) all the annual contribution paid to the Board under the provisions of section 107;
- (ii) all the fees for copies of accounts and of entries in registers levied by the Board under the provisions of sub-section (2) of section 114 and sub-section (8) of section 137.

(2) No sums other than those specified in sub-section (1) shall be placed to the credit of the General Board Fund.

³[(3) The General Board Fund shall be applied solely to the payment of expenses lawfully incurred by the Board in the exercise of its powers under the provisions of this Act, towards the discharge of obligations legally incurred and towards the maintenance, protection and support of such historical Gurdwaras which in the opinion of the Board cannot be maintained, protected or provided for otherwise, provided that if after paying such expenses and discharging such obligations and affording such protection any surplus sum remains, such surplus sum, ⁴[may be spent by the Board on any religious or charitable purposes or any other purpose which promotes social welfare]

¹ Substituted for the old sub-section by Punjab Act XI of 1944, section 34.

² Added by Punjab Act No. XI of 1944, section 35.

³ Substituted for the old sub-section by Punjab Act XI of 1944, section 36.

⁴ Substituted for the words “up to the amount of twenty thousand rupees in any year, may be spent by the Board on any religious charitable, educational or industrial purposes” by Punjab Act No. 1 of 1959, section 36.

75

1925: Pb. Act VIII.] SIKH GURDWARAS

and on such non-political purposes as are connected with the general uplift and welfare of the Panth as the Board may deem fit.]

(4) No part of the General Board Fund shall be expended upon the administration of any trust fund described in section 111 or section 112, or upon the object of any such trust fund except in so far as such expenditure may be permissible under the provisions of sub-section (3).

Research fund

¹[(108-A. Notwithstanding anything contained in this Act there shall be established a research fund of the Board to which the Board shall contribute at least twenty thousand rupees per annum from the fund of the Board or from the income of the Gurdwara managed by the Board under section 85 for the purpose of carrying out research in Sikh history and publication of books and journals in connection therewith. Any income realized from the sale of such publications or any contributions made by the public in this behalf shall also be credited to the research fund. This fund shall be administered by the Committee consisting of five persons appointed by the Board out of its members or otherwise. The Board may frame rules for the administration of this fund.

Religious fund

108-B. (1) There shall be established by the Board a religious fund for the purposes of propagating the Sikh religion and matters connected therewith, to which shall be contributed by every committee of management of notified Sikh Gurdwaras as follows:

- (a) five per centum of its gross annual income in the case of a committee having gross annual income exceeding five thousand rupees, but not exceeding thirty thousand rupees;
- (b) seven per centum of its gross annual income in the case of a committee having gross annual income exceeding thirty thousand rupees but not exceeding fifty thousand rupees;

(c) ten per centum of its gross annual income in the case of a committee having gross annual

¹ Sections 108-A, 108-B, and 108-C inserted by Punjab Act No.1 of 1959, section 37.

76

1925: Pb. Act VIII.] SIKH GURDWARAS

income exceeding fifty thousand rupees but not exceeding one lakh and fifty thousand rupees; and

(d) fifteen per centum of its gross annual income in the case of a committee having gross annual income exceeding one lakh and fifty thousand rupees.

(2) ¹[(i) This fund shall be administered by a Committee consisting of the President of the Board and seven persons appointed by the Board in general meeting out of its members other than the members and office-bearers of the Executive Committee except the President or otherwise in the prescribed manner:

Provided that if a member of the above Committee is elected a member or office-bearer of the Executive Committee of the Board except the President, he shall cease to be a member of the said Committee after such election.]

(ii) The Board in general meeting may frame rules for the administration of this fund.

(iii) The term of this committee shall expire on the expiry of the term of the Board appointing it.

Research and religious fund to be governed by the Act 108-C. All the provisions of this Act relating to the administration and deposit of the General Board Fund and other trust funds shall, as far as may be, apply to the funds established under sections 108-A and 108-B.]

Funds transferred to Board by Shiromani Gurdwara Parbandhak Committee. 109. If any sum is transferred to the Board by the Shiromani Gurdwara Parbandhak Committee, then: -

(i) any portion thereof held on behalf of a Notified Sikh Gurdwara shall be paid, as soon as may be, to the committee of such gurdwara, and any portion held on behalf of any other place of worship shall be paid to such

person acting on behalf of the place of worship, as the
2[State] Government may approve;

¹ Clause (1) of sub-section (2) of section 108-B substituted by Punjab Act No. 10 of 1959, section 6.

² Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

1925: Pb. Act VIII.] SIKH GURDWARAS

- (ii) any portion not required to be paid under the provisions of clause (i) shall, in the first place, be used to discharge such debts of the Shiromani Gurdwara Parbandhak Committee as may be legally recoverable;
- (iii) any portion remaining after the debts of the Shiromani Gurdwara Parbandhak Committee have been discharged as required by clause (ii) shall be set apart for such religious, charitable or educational purposes as the Board in general meeting may determine, provided that any portion not so set apart within one year from the constitution of the first Board shall be handed over to the committee described in sub-section (2) of section 85 and shall form part of the funds of that committee.

Funds held in trust by the Board for Specified purposes 110. Every sum made over to the Board under the provisions of this Act by a committee of a Notified Sikh Gurdwara or otherwise received by the Board for a specified religious, charitable, ¹[Industrial] or educational purpose shall be held by the Board as a trust and shall be devoted to the purpose specified.

General Trust Fund. 111. Every sum other than a sum specified in section 107, 109 or 110 or sub-section (8) of section 137 shall be placed to the credit of a fund to be called the General Trust Fund out of which the Board in general meeting may from time to time make allotments for the discharge of any obligations legally incurred in connection therewith or for such religious, charitable ²[Industrial], or educational purposes as the Board may consider proper or for grants-in-aid for the maintenance or service of Notified Sikh Gurdwaras.

Separate funds to be maintained 112. The Board shall establish and maintain a separate fund in respect of each trust held in accordance with the provisions of clause (iii) of section 109 or of

for each section 110, and may discharge out of each such fund any obligations legally incurred
trust. in connection therewith.

¹ Inserted by Punjab Act X1 of 1944, section 37.

² Inserted by Punjab Act X1 of 1944, section 38.

78

1925: Pb. Act VIII.] SIKH GURDWARAS

Trust Funds to 113. ¹(1) Every sum received by the Board in connection with any fund shall
be deposited be placed to the credit of the fund in such bank as the Board in general meeting
in banks. may direct.

¹[(2) The Board may invest any portion of its fund in one or more
Government securities or Defence Saving Certificates ²[or in purchasing immovable
property] and the income or proceeds derived or obtained therefrom shall be credited
to the fund from which the investment was made.]

Board to maintain 114. (1) The Board shall maintain regular accounts showing receipts on
accounts of all account of and expenditure out of the General Board Fund and separate similar
trust funds and of accounts for each fund established under the provisions of section 112 and for the
General Board Fund General Trust Fund.

(2) Any person having interest in a Notified Sikh Gurdwara, shall, on
application being made to the Board, be furnished with a copy, certified to be correct
by the president or other member of the executive committee authorised by the
president on this behalf, of the whole or of any specified part of such account.

(3) The Board shall charge for copies of accounts furnished under the
provisions of sub-section (1) such fees as are charged for copies of records under the
control of Deputy commissioners of districts the control of Deputy Commissioners of
districts under the rules for the time being in force in Punjab.

Audit of 115. (1) The accounts described in section 114 shall be audited and
account examined once in every year by such auditor as may from time to time be appointed
by the ³[Government of the State of Punjab].

(2) For the purpose of any such audit and examination of accounts the
auditor may, by a demand in writing, require from the Board or any member or servant
of the Board the production before him of all books, deeds, vouchers and all other

documents and papers which he deems necessary, and may require any person holding or accountable for any such books.

¹ Section 113 renumbered as sub-section (1), and new sub-section (2), added by Punjab Act No. XXVII of 1953, section 2.

² Inserted by Punjab Act No. 1 of 1959, section 38.

³ Substituted by Ministry of Home Affairs Notification No. S.O.F.17/10/72/SR, dated the 26th July, 1972.

79

1925: Pb. Act VIII.] SIKH GURDWARAS

deeds, vouchers, documents or papers to appear before him at any such audit and examination, and to answer all questions which may be put to him with respect to the same or to prepare and submit any further statement which such auditor may consider necessary.

Auditor's report.

116. (1) Within thirty days after the audit and examination have been completed the auditor shall submit a report to the Board upon each account audited and examined, and shall forward copies of his reports to the ¹[Government of the State of Punjab] and to the Commission.

(2) The report of the auditor shall among other matters specify all items of expenditure which in his opinion are illegal, irregular or improper, all cases of failure to recover money or property due to the Board, all instances of loss or wasteful expenditure of money or property due to negligence or misconduct and all instances in which any money or property has been devoted to any purpose not authorised by this Act.

²(3) Within two months from the date of the consideration of the report under section 117, the Board shall cause the report and abstract of each account to be published in ³[two newspapers one of which must be published daily].

⁴(4) If the Board fails to cause the report to be published in accordance with sub-section (3), the Commission or the ¹[Government of the State of Punjab] may get it so published, and the expenses incurred in this behalf shall be paid by the Board, and shall be recoverable as if it were an arrear of land revenue.]

Board to consider
auditor's
report.

⁵[117. The Board in its general meeting next following the date of the receipt of the auditor's report shall consider such report and satisfy itself that no expenditure shown therein has been incurred otherwise than in accordance with the provisions of this Act and shall pass such orders as are in its opinion

¹ Substituted by Ministry of Home Affairs Notification No. S.O.F.17/10/72/SR, dated the 26th July, 1972.

² Substituted by Punjab Act No. LIII of 1953, section 20 (a).

³ Substituted for the words "at least one English and one Vernacular newspaper printed and published in the Punjab" by Punjab Act No. I of 1959, section 39.

⁴ Added by Punjab Act No. LIII of 1953, section 20 (b).

⁵ Substituted by Punjab Act No. LIII of 1953, section 21.

80

1925: Pb. Act VIII.] SIKH GURDWARAS

necessary and proper to rectify any illegal, unauthorised or improper expenditure, and may also pass such further orders upon the report as it may deem proper:

Provided that if the next general meeting falls on a day earlier than two months after the receipt of the report, it shall be considered in the general meeting next following.]

Payment of
expenses
of audit.

118. (1) The expenses incurred in the audit and examination of the accounts of any fund maintained by the Board in accordance with the provisions of this Act shall be paid out to that fund.

(2) If payment of the expenses referred to in sub-section (1) is not made within three months from the date of the submission of a report as described in section 116, the ¹[Government of the State of Punjab] may, on application to it being made within six months from such date by the auditor, recover the amount due as if it were an arrear of land revenue.

Budget of Board.

119. (1) The executive committee shall lay before the Board at a general meeting to be held each year at such time as may be prescribed, an estimate of the income and expenditure for the ensuing financial year of the Board and of each separate fund administered by the Board.

(2) The Board shall in general meeting take into consideration every estimate laid before it by the executive committee, and it shall be in the discretion of the Board to pass or reject such estimate or to modify or alter it and to pass it as so modified or altered.

Accounts to be
maintained
by committees.

120. (1) The Committee ²[* * * * *] of every Notified Sikh Gurdwara shall maintain a regular account, showing all sums received on behalf of and all disbursements made out of the funds and income of the gurdwara.

(2) Any person having interest in the gurdwara shall, on application to the secretary of the committee

¹ Substituted by Ministry of Home Affairs' Notification No. S.O.F.17/10/72/SR, dated the 26th July, 1972.

² The words "or the local committee" inserted by Punjab Act XI of 1944, section 39, and omitted by Punjab Act No. LIII of 1953, section 22.

81

1925: Pb. Act VIII.] SIKH GURDWARAS

¹[* * * * *], be furnished with a copy of the whole or nay part of such account.

(3) The committee ¹[* * * * *] shall charge for copies furnished under the provisions of sub-section (1) such fees as are charged for copies of records under the control of Deputy Commissioner of districts under the rules for the time being in force in Punjab.

Audit of
Committee's
account

121. (1) Subject to the provisions of sub-section (5), every account described in section 120 shall be audited and examined once in every year by an auditor appointed by the Board.

(2) The accounts of the ²[the Board acting as a Committee under the provisions of section 85] shall be audited by an auditor appointed by the ³[Government of the State of Punjab.]

(3) The Board shall maintain a list of not less than five auditors nominated by the Board with the previous sanction of the ⁴[State] Government for the purpose of the audit of the accounts of committees other than those specified in sub-section (2), and no auditor, whose name is not on the list, shall be appointed to audit such accounts.

(4) If within six months of the constitution of the Board the Board has failed to nominate auditors as required by sub-section (3) the ⁴[State] Government may appoint such number of auditors as are necessary to complete the list.

(5) The committee of any Notified Sikh Gurdwara whose gross annual monetary income does not exceed two thousand rupees, may, with the sanction of the

Board cause the account of such gurdwara to be audited less frequently than on in every year or may with like sanction dispense with the audit and examination of such account.

¹ The words “or the local committee” inserted by Punjab Act XI of 1944, section 39, and omitted by Punjab Act No. LIII of 1953, section 22.

² Substituted for the words “the local committees described in section 85” by Punjab Act No. LIII of 1953, section 23.

³ Substituted by Ministry of Home Affairs notification No. S.O. F.17/10/72-SR, dated the 26th July, 1972.

⁴ Substituted for the word “Provincial” by Adaptation of Laws Order, 1950.

82

1925: Pb. Act VIII.] SIKH GURDWARAS

(6) For the purpose of any such audit and examination the auditor may by a demand in writing, require from the committee or any member or servant of the committee the production before him of all books, deeds, vouchers and all other documents and papers which he deems necessary, and may require any person holding or accountable for any such books, deeds, vouchers, documents, or papers to appear before him at such audit and examination and to answer all questions which may be put to him with respect to the same or to prepare and submit any further statement which such auditor may consider necessary.

Report of auditor

122. (1) Within thirty days after the audit and examination have been completed the auditor shall report to the committee of the gurdwara upon the accounts audited and examined and shall forward a copy of his report to the Board, and in the case of the accounts of ¹[the Board acting as Committee under the provisions of section 85], shall forward a copy to the ²[Government of the State of Punjab] also.

³(2) (i) The report of the auditor shall, among other matters, specify all items of expenditure which in his opinion are illegal, irregular or improper, all cases of failure to recover money or property due to the gurdwara, all instances of loss or wasteful expenditure of money or property due to negligence or misconduct and all instances in which any money or property has been devoted to any purpose not authorised by this Act.

³(ii) The Committee shall consider the report of the auditor and satisfy itself that no expenditure shown therein has been incurred otherwise than in accordance with the provisions of this Act and shall pass such orders as are in its opinion necessary and proper to rectify any illegal, unauthorized or improper expenditure, and may also pass such further orders upon the report as it may deem proper.]

¹ Substituted for the words "the Committees" described in clause (ii) of sub-section (1) of section 85 by Punjab Act No. LIII of 1853, section 24 (a).

² Substituted by Ministry of Home Affairs notification No. S.O. F.17/10/72-SR, dated the 26th July, 1972.

³ Sub-section (2) renumbered as clause (i) of sub-section (2) and clause (ii) added by Punjab Act No. LIII of 1953, section 24 (b).

83

1925: Pb. Act VIII.] SIKH GURDWARAS

¹(3) The auditor's report upon the account of a gurdwara shall be open to inspection by any Sikh, provided that reasonable notice of intention to inspect is given by such Sikh to the committee.

¹(4) The expenses incurred in the audit and examination of the accounts of a gurdwara shall be paid out of the income of the gurdwara.

²(5) If payment of expenses referred to in sub-section (4) is not made within three months from the date of the submission of the report in accordance with sub-section (1), the ³[Government of the State of Punjab] may, on application to it being made within six months from such date by the auditor, through the Board, recover the amount due as if it were an arrear of land revenue.]

Budget of
committees.

123. (1) Every committee shall submit each year to the Board at such time as may be prescribed an estimate of the income and expenditure for the ensuing financial year of the gurdwara or Gurdwaras under its management:

⁴[Provided that nothing herein shall apply to a Committee whose gross annual income is less than two thousand rupees.]

(2) The Board shall scrutinise every estimate submitted in accordance with the provisions of sub-section (1), and if it finds that the estimate provides for expenditure not authorised by this Act, the Board shall direct the committee to modify or alter the estimate within a reasonable time in such manner as the Board may deem

necessary, and if the committee does not within the time stated comply with the direction, the Board shall apply to the Commission to pass an order calling upon the committee to make such notification or alteration, and the Commission may, after making such enquiry as may in its opinion be necessary, pass any order that it considers just and proper.

¹ Renumbered by Punjab Act IV of 1926, section 2.

² Added by Punjab Act No. LIII of 1953, section 24 (c).

³ Substituted by Ministry of Home Affairs' notification No. S.O. f-17/10/72 SR, dated the 26th July, 1972.

⁴ Added by Punjab Act No. I of 1959, section 41.

84

1925: Pb. Act VIII.] SIKH GURDWARAS

(3) If the Board finds that an estimate submitted to it is not in accordance with a scheme of administration settled under the provisions of this Act for the gurdwara to which the estimate relates, the Board may direct the committee to modify or alter the estimate within a reasonable time in such manner as the Board may deem necessary, and if the committee does not within the time stated comply with the direction, the Board may apply to the Commission to pass an order calling upon the committee to make such modification or alteration, and the Commission may, after making such enquiry as may in its opinion be necessary, pass any order that it considers just and proper.

(4) Nothing in this section shall apply to the committee constituted under the provisions ¹* * * * of section 85.

Recovery of
contributions.

124. (1) The contributions payable under the provisions of section 107 shall be paid by the committee of the gurdwara after such notice and in such manner as may be prescribed.

(2) If a committee fails after due notice to pay any sum payable by it under the provisions of sub-section (1), the Commission shall on application being made to it by the Board in this behalf call upon the committee to show cause why it should not be ordered to pay such sum, and may after hearing such member of the committee as may be deputed by the committee for this purpose pass an order directing the committee to pay the sum found payable either in lump sum or by installments, as it deems fit.

CHAPTER X

POWERS AND DUTIES OF THE BOARD

Powers and duties of the Board generally. 125. It shall be the duty of the Board to ensure that every committee deals with the property and income of the gurdwara or Gurdwaras managed by it, in accordance with the provisions of this Act, and for the fulfillment of this duty and subject to the provisions of, and in addition to the powers conferred upon the

¹ The words brackets and figure “of sub-section (1)” omitted by Punjab Act XI of 1944, section 41.

85

1925: Pb. Act VIII.] SIKH GURDWARAS

Board by this Act, the ¹[control, direction and] general superintendence over all committees appointed under the provisions of this Act shall vest in the Board.

126. ²[* * * * *].

Board may hold and administer trusts. OR 127. It shall be competent for the Board to hold and administer trust funds for purposes of a religious, charitable ³[educational or industrial nature] whether such funds are derived from allotments duly made by a committee out of the surplus funds income of a gurdwara under its management or from donations, or contributions or endowments made direct to the Board for such purposes.

Collection of dues payable to notified Sikh Gurdwara left in Pakistan. ⁴[127-A. (1) Notwithstanding anything contained in any other law for the time being in force or in this Act or in any administrative scheme, rules or by-laws framed under the Act, the Board shall be the sole authority to receive, collect, realize and take possession from the Government. Treasuries, Banks, Courts, Post Offices, wheresoever situated or from Custodian, Evacuee Property ⁵[Punjab], or any person, member or office-bearer of any local committee or Gurdwara Management Committee of any notified Sikh Gurdwara ⁶[in the territory in Pakistan known as Punjab] in possession of or against whom any kind of property or sums or dues recoverable by or payable to any notified Sikh Gurdwara left in the territory now known as Pakistan are still outstanding.

(2) The Payment made to the Board in pursuance of sub-section (1) shall constitute a valid discharge of the liabilities of the person or persons aforesaid.

(3) The section shall have retrospective effect as from the 15th day of August, 1947.]

¹Inserted by Punjab Act XI of 1944, section 42.

²Section 126 omitted by Punjab Act No. I of 1959, section 42.

³Substituted for the words "or educational nature" by Punjab Act XI of 1944, section 43.

⁴Section 127-A, added by East Punjab Act XXXII of 1949, section 7.

⁵Substituted for the words "East Punjab" by the Adaptation of Laws Order, 1950.

⁶Substituted for the words "The West Punjab" by the Adaptation of Laws (Third Amendment) Order of 1951.

86

1925: Pb. Act VIII.] SIKH GURDWARAS

¹[127-B. (1) Notwithstanding any other provisions of this Act, any sum of money belonging to any notified Sikh Gurdwara left in the territory now known as Pakistan and deposited with or received by the Board in pursuance of the provisions of section 127-A on behalf of such Gurdwara shall be spent by the Board in the first place for the discharge of obligations legally incurred in connection with such Gurdwara, for the payment of allowances or salaries of the dependents, officers and servants connected with it and for its maintenance and improvement.

(2) When after providing for the purposes specified in sub-section (1), there remains or appears likely to remain any surplus sum, or any portion of the deposit is not required for such purposes, it may be used for such religious, charitable, educational or industrial purposes under the control and management of the Board or by appointment of special committees or trusts elected by a majority of $\frac{3}{4}$ of the Members of the Board in a general meeting as the Board, in a general meeting, may determine.]

Control by Board
cover executive
committee.

128. The Board in general meeting may at any time call upon its executive committee to report upon any matter within the jurisdiction of the Board and may require the executive committee to take any such action as lies under the provisions of this Act within the powers of the Board.

What matters may be discussed by Board in general meeting. 129. The Board in any meeting may consider and discuss any matter with which it has power under this Act to deal and any matter directly connected with the Sikh religion, but shall not consider or discuss, or pass any resolution or order upon, any other matter.

Settling of schemes of administration 130. (1) When at any time the committee or the Board is of opinion that for the proper administration of the property, endowments, funds and income of a Notified Sikh Gurdwara a scheme should be settled, the Board and the committee shall consult together and if they agree upon a scheme, the scheme shall be described in writing and the committee shall give effect thereto.

¹New section 127-B inserted by Punjab Act No. XXVII of 1953, section 3.

1925: Pb. Act VIII.] SIKH GURDWARAS

(2) If at such consultation the committee and the Board do not agree upon a scheme, the committee or the Board may apply to the Commission and the Commission, after hearing such members of the committee and of the Board, respectively, as may be deputed for this purpose by the committee and the Board, respectively, and any such other persons as it may consider proper to hear, may itself settle such scheme as it considers just and proper and pass an order giving effect thereto.

(3) When at any time the committee and the Board, after consultation together, are of opinion that a scheme settled under the provisions of sub-section (1) or sub-section (2) should, in the interests of the proper administration of the property, endowments, funds and income of the gurdwara, be set aside or modified, and the committee and the Board are in agreement in respect of the matter, the decision of the Board and the committee shall be recorded and effect thereto given by the committee.

(4) If the committee or the Board is of opinion that in the interests of the proper administration of the property, endowments, funds or income of a Notified Sikh Gurdwara a scheme settled under the provisions of sub-section (1) or sub-section (2) should be set aside or modified, and the Board and the committee are not in agreement upon the matter, the committee or Board may apply to the Commission to have the scheme set aside or modified as desired, and the Commission, after hearing such members of the committee and of the Board, respectively, as may be deputed for this

purpose by the committee and the Board, respectively, and any such other persons as it may consider proper to hear, may itself set aside or settle such scheme as it considers just and proper and pass an order giving effect thereto.

¹[(5) Scheme framed under this section shall have force of law.]

Exclusion of Board 131. Nothing contained in section 130 shall apply to the committee acting as committee constituted under the provisions ²* * * * * of section 85.
from operation of
Section 130.

¹Added by Punjab Act No. I of 1959, section 43.

²The words, brackets and figure "or sub-section (1)" omitted by Punjab Act XI of 1944, Section 44.

88

1925: Pb. Act VIII.] SIKH GURDWARAS

Power of Board 132. (1) The Board may in general meeting make by-laws, not inconsistent to make with this Act, regulating its procedure, and the fees to be levied under the provisions of sub-section (8) of section 137, provided that the Board shall not, without the by-laws. previous sanction of the ¹[State] Government, make any by-law-

- (a) prescribing the form in which the budgets of the Board and of committees shall be presented;
- (b) providing for the custody and investment of the funds of the Board and prescribing the procedure by which sanction of the Board may be accorded to the deposits of surplus funds in specified banks;
- (c) prescribing the qualification of candidates for membership of the Board and committees;

and provided further that no by-law falling within the preview of clause (c) shall impose any disqualification upon a Sikh only because he is a Sahjdhari Sikh.

(2) All by-laws requiring the previous sanction of the ¹[State] Government under the provisions of sub-section (1) shall when made be published in the ²[Official Gazette].

³[(3) By-laws framed under this section shall have force of law.]

CHAPTER XI
POWERS AND DUTIES OF COMMITTEES

General powers
of committees

133. Subject to the provisions of this Act, a committee shall have full powers of control over the office-holders and dependents of, and all properties and income of whatever description belonging to the gurdwara or Gurdwaras under its management and of enforcing the proper observance of all ceremonies and

¹Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

²Substituted for the word "Gazette" by the Government of India (Adaptation of Indian Laws) Order, 1937.

³Added by Punjab Act No. 1 of 1959, section 44.

89

1925: Pb. Act VIII.] SIKH GURDWARAS

religious observances in connection with such gurdwara or Gurdwaras and of taking all such measures as may be necessary to ensure the proper management of the gurdwara or Gurdwaras and the efficient administration of the property, income and endowments thereof.

Powers of committee
to dismiss
office-holder.

134. The committee may suspend or dismiss any office-holder, provided that it shall not dismiss a hereditary office-holder or a minister unless it finds that such office-holder or minister-

- (a) makes persistent default in the submission of budgets, accounts, reports or returns which it is his duty to submit, or
- (b) wilfully disobeys lawful orders issued by the committee, or
- (c) is guilty of any malfeasance, misfeasance, breach of trust or neglect of duty in respect of a trust, or
- (d) has misappropriated or improperly dealt with the properties of the gurdwara, or

- (e) is of unsound mind or physically unfit to discharge the functions of his office, or
- (f) is guilty of misconduct of such a character as to render him morally unfit for his office, or
- (g) fails persistently to perform his duties in connection with the management or performance of public worship or the management or performance of any rituals and ceremonies in accordance with the teachings of Sri Guru Granth Sahib, or
- (h) has ceased to be a Sikh:

90

1925: Pb. Act VIII.] SIKH GURDWARAS

[Provided that nothing contained in the provisions of this section shall debar the committee from prescribing with the approval of the Board the maximum period of service or age limit for its employees, including the ministers of the Gurdwaras under its management. After the prescribed period of service or age limit, the employees, including the ministers shall have to retire.]

Procedure when hereditary
office-holder
or minister
is dismissed

135. (1) Whenever the dismissal of a hereditary office-holder or of a minister is ordered, the order shall, except when it is based on facts or conclusions established at a judicial trial or when such office-holder or minister is absconding, be preceded by a recorded enquiry, and at such enquiry a definite charge in writing shall be framed in respect of each offence and explained to such office-holder or minister, the evidence in support of it and any evidence which he may adduce in his defence shall be recorded in his presence and his defence shall be taken down in writing, and on each of the charges framed a finding shall be recorded.

(2) A committee may suspend a hereditary office-holder or a minister pending an enquiry into the charges framed against him.

(3) Any hereditary office-holder who has been suspended or dismissed may, within three months of the date of the order of suspension or dismissal, as the

case may be, appeal either to the Board or to the Commission as he may elect; if he elects to appeal to the Board, the order of the Board shall be final, and if he elects to appeal to the Commission a, further appeal shall lie to the High court from the order of the Commission, provided that such appeal shall be made within ninety days of the date of the order.

(4) Any minister other than a hereditary office-holder who has been suspended or dismissed, may, within ninety days of the date of the order of suspension or dismissal, as the case may be, appeal to the Board and the order of the Board shall be final.

¹Added by Punjab Act XI of 1944, section 45.

91

1925: Pb. Act VIII.] SIKH GURDWARAS

(5) When no appeal is preferred against an order of a committee suspending or dismissing a hereditary office-holder or a minister, as the case may be, such order shall be final.

(6) If, in the opinion of the Board, a hereditary office-holder or a minister of a Notified Sikh Gurdwara may be dismissed in accordance with the provisions of section 134, the Board may move the committee of such gurdwara to dismiss him, and if the committee does not within one month of being so moved dismiss such office-holder or minister, the Board may apply to the Commission to order his removal, and if the Commission finds that such office-holder or minister may be so dismissed, it may order his dismissal.

(7) When an application has been made to the commission under the provisions of sub-section (6), the Commission may suspend from office, pending its decision, the person against whom the application has been made.

(8) Any hereditary office-holder dismissed under the provisions of sub-section (6), may, within ninety days of the date of the order of dismissal, appeal to the High Court.

(9) Notwithstanding anything contained in sub-section (3) or sub-section (4), when the Board acting as a committee under the provisions ¹* * * * of section 85

orders the suspension or dismissal of a hereditary office-holder, an appeal from such order shall lie only to the Commission with a further appeal to the High court as provided in sub-section (3) and when, the Board acting as such committee orders the suspension or dismissal of a minister other than a hereditary office-holder the order of the Board shall be final; and nothing contained in sub-section (6), (7) or (8) shall apply to the Board acting as such committee.

Appointment of
ministers and
office-holders.

136. (1) If after the commencement of this Act any vacancy occurs in an office connected with a Notified Sikh Gurdwara, whether by reason of the death, dismissal or resignation of the office-holder or for any

¹The words, brackets and figure "of sub-section (1)" omitted by Punjab Act XI of 1944, Section 46

92

1925: Pb. Act VIII.] SIKH GURDWARAS

other reason, the committee of the gurdwara may appoint any person who, in its opinion, is qualified for the office of fill the vacancy: provided that if the last holder of the office was a hereditary office-holder who had not before the vacancy occurred received compensation under the provisions of section 20, and there is a presumptive successor of such last office-holder who desires to be appointed and has not received compensation under the provisions of section 20, the committee shall appoint such presumptive successor unless, in its opinion, he has not been properly ordained or his moral character is such as to render him unsuitable or his education has not been sufficient to render him fit for appointment.

(2) If any presumptive successor claims to be appointed to fill a vacancy in accordance with the provisions of sub-section (1) and the committee rejects his claim, he may, unless the committee is the Board acting as a committee under the provisions ¹* * * * of section 85, within thirty days of the date of such rejection, appeal to the Board and the decision of the Board shall be final.

Registers to be kept
for gurdwaras.

137. (1) The Committee of every Notified Sikh Gurdwara shall, as soon as may be, prepare registers in which shall be entered-

- (a) the names of past and present ministers of the gurdwara so far as these are known;
- (b) particulars of all immovable properties of the gurdwara and the documents, if any, relating thereto;
- (c) particulars of the scheme of administration, if any;
- (d) the names of all offices connected with the gurdwaras to which any salary, emoluments or perquisite is attached and the nature, period and conditions of service in each case;

¹The words, brackets and figure “of sub-section (1)” omitted by Punjab Act XI of 1944, Section 47.

1925: Pb. Act VIII.] SIKH GURDWARAS

- (e) the jewels, gold, silver, precious stones, vessels and utensils and other moveable property belonging to the gurdwara with their estimated value; and
- (f) such other particulars as the Board may direct.

(2) The ¹[registers] shall be submitted ¹[by] the committee to the Board within such period after the commencement of this Act as the Board may direct.

(3) The Board, after checking them, may direct that the registers be corrected in such manner as appears to be necessary.

(4) The registers as approved by the Board shall be kept by the committee of the gurdwara to which they relate, and copies thereof shall be kept by the Board.

(5) The committee shall cause the entries in the registers to be scrutinised annually, and shall submit to the Board for its approval a verified statement showing the alterations, omissions or additions required therein.

(6) The Board may, after checking the statement, direct such alterations, omissions or additions to be made in the registers as it finds to be necessary.

(7) A copy of every order passed under the provisions of sub-section (3) or sub-section (6) shall be communicated to the committee and the committee shall carry out the alterations, omissions or additions ordered by the Board in the registers.

1872,
I of (8) The President of the Board or any servant authorised by him on this behalf or the president of the committee may grant copies of the registers or of any entries therein on payment of such fees as the Board may by by-law prescribe; such copies shall be certified by the president of the Board or committee, as the case may be, in the manner provided in section 76 of the Indian Evidence Act, 1872.

¹Substituted for words "register" and "through" by Punjab Act No. LIII of 1953.

94

1925: Pb. Act VIII.] SIKH GURDWARAS

(9) Nothing contained in sub-section (2), (3), (4), (6) or (7) or in sub-section (5) with the exception of the provision for the annual scrutiny of entries in registers shall apply to the committee constituted under the provisions ¹* * * * of section 85.

Alienation of
immovable
trust
property. ²[138. No exchange, sale, mortgage or other alienation of immovable property belonging to a Notified Sikh Gurdwara shall be valid unless it is sanctioned by the Committee of the Gurdwara and by the Board, provided that the sanction of the Board shall not be necessary in the case of a lease of any such property for a term which does not exceed the remaining term of the existing Committee by a period of more than one year.]

Power of committee
to make
regulations. 139. A committee of a Notified Sikh Gurdwara may make regulations not inconsistent with the provisions of this Act or with any rules or by-laws made thereunder to regulate its procedure, provided that without the previous sanction of the Board no regulation shall be made-

- (i) authorising by name or office any person to receive or sign acknowledgments of the receipt of any money on behalf of the committee, or

- (ii) prescribing the form in which accounts, returns and reports relating to the management of a gurdwara shall be maintained or submitted.

Power of committee to make regulations re-offering at Sikh Gurdwara. 140. (1) The committee of a Notified Sikh Gurdwara may, from time to time, make regulations for the purpose of determining what portion of the offerings made at, or in connection with such gurdwara shall be deemed to be the property of the gurdwara and regulating the division of such offerings or any portion of them between the various office-holder of such gurdwara.

(2) If no regulations have been made by a committee under the provisions of sub-section (1), all offerings made at, or in connection with, a Notified Sikh Gurdwara shall be deemed to be the property of such gurdwara.

¹The words, brackets and figure "of sub-section (1)" omitted by Punjab Act XI of 1944, Section 48.

²Substituted for the old section by Punjab Act XI of 1944, section 49.

95

1925: Pb. Act VIII.] SIKH GURDWARAS

CHAPTER XII MISCELLANEOUS

Salaries of office-holders to be their property. 141. The salary and allowances of a minister or other office-holder of a Notified Sikh Gurdwara and any property acquired by him out of his salary and allowances shall be the property of such minister or office-holder.

Right of interested persons to complain to Commission in respect of misfeasance, etc. ¹[142. (1) Notwithstanding anything contained in section 92 of the Code of Civil procedure, 1908, or in the Specific Relief Act, 1877, any person having interest in a Notified Sikh Gurdwara may, without joining any of the other persons interested therein, make an application to the Commission, against the Board, the Executive Committee of the Board, or the Committee ²[* * * *], or against any member or past member of the Board, of the Executive Committee or of the Committee ²[* * * *] or against any office-holder or past office-holder of the Gurdwara or against any employee past or present of the Board or Gurdwara in respect of any alleged malfeasance, misfeasance, breach of trust, neglect of duty, abuse of powers conferred by this Act or any alleged expenditure on a purpose not authorised by this Act and the Commission, if it finds any such malfeasance, misfeasance, breach of trust, neglect of duty, abuse of powers or expenditure proved, may consistently with

the provisions of this Act and of any other law or enactment in force for the time being, direct any specific act to be done or forborne for the purpose of remedying the same and may award damages or costs against the person responsible for the same, and may order the removal of any office-holder or member of the Board. Executive Committee, or committee ²[* * * *], responsible for the same and may also disqualify any member of the Board. Executive Committee, or Committee ²[* * * *], thus removed from such membership for a period not exceeding five years from the date of such removal:

³[Provided that no such application shall be entertained by the Commission, if it is made more than six years after the date of the act or omission from which

¹Substituted for the old section by Punjab Act XI of 1944, section 50.

²The words “or local committee” and “or of local committee” omitted by Punjab Act No. LIII of 1953, section 26.

³Proviso added by Punjab Act No. I of 1959, section 45.

96

1925: Pb. Act VIII.] SIKH GURDWARAS

the right to make an application under this sub-section accrues and, in the case of an application against a member of the Board, the Executive Committee of the Board or the Committee, if it is made after such period or after six years of the date of his ceasing to be member, whichever is later.

(2) The Board may make a similar application to the Commission which may, in like manner, dispose of it.

(3) The Board or any person aggrieved by an order passed by the Commission under provisions of sub-section (1) or sub-section (2) may, within ninety days of the orders, appeal to the High Court.]

Notice of application to be given. 143. No application shall be made under the provisions of section 142 against the Board, ¹[Executive Committee of the Board], or a committee until the expiry of two months, after notice in writing has been delivered to the Board or to the committee, as the case may be, stating the cause of action, the name, description and place of residence of the applicant and the relief which he claims, and the application shall contain a statement that such notice has been delivered.

Government not to interfere with Gurdwaras 144. Save as provided in this or any other Act, it shall not be lawful for the ²[State] Government or for any executive officer of the ²[State] Government in his official capacity to undertake or assume the superintendence of any land or other

except as property granted for the support of, or otherwise belonging to, any Notified Sikh
 provided by this Gurdwara, to take any part in the management or appropriation of any endowment
 Act or any made for its maintenance, or to nominate or appoint any office-holder of, or to be
 other Act. concerned in any way with, such gurdwara.

Power to denotify ³[144-A The State Government may, on the recommendation of the Board
 or exempt made by a resolution passed by not less than three-fifths of the total number of
 non-historical members of the Board in its general meeting, denotify or exempt any non-historical
 Gurdwaras. Gurdwara from the operation of all or any of the provisions of the Act:

Provided that the Board shall not make such recommendation unless it is
 satisfied that alternate

¹Inserted by Punjab Act No. I of 1959, section 46.

²Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

³Section 144-A inserted by Punjab Act No. I of 1959, section 47.

1925: Pb. Act VIII.] SIKH GURDWARAS

arrangement for the maintenance of such Gurdwara has been made.]

Act of Board or 145. No act of the Board, or its executive committee or of a committee shall
 committee not to be held invalid in any judicial proceeding on the ground of any defect in the
 be invalidated constitution of the Board, executive committee or committee, as the case may be, or
 by informality. on account of any irregularity in the procedure of the Board, executive committee or
 committee, as the case may be, unless the defect or irregularity has occasioned a
 failure of justice.

Power of central 146. (1) The ¹[Central] Government may make rules not inconsistent with
 Government to the Act to carry out all or any of the purposes of the Act.
 make rules.

(2) In particular, and without prejudice to the generality of the foregoing
 power, the ¹[Central] Government may make rules for-

- (i) the registration of electors;
- (ii) the nomination of candidates, the times of elections to be held under the provisions of this Act, the mode of recording and counting votes and the declaration of the results of such elections;
- (iii) the conduct of enquiries and the decision of disputes relating to elections;

- (iv) the definition of the practices at elections held under the provisions of this Act which are to be deemed to be corrupt;
- (v) the investigation of allegations of corrupt practices at such election;
- (vi) making void the election of any person proved to have been guilty of a corrupt practice or to have connived at or abetted the commission of, a corrupt practice or whose agent has been so proved guilty, or the result of whose election has been materially affected by the breach of any law or rule for the time being in force;
- (vii) rendering incapable of office, either permanently or for a term of years, any person who may have been proved guilty as aforesaid of a corrupt practice or of conniving at or abetting the same;

¹Substituted by Ministry of Home Affairs notification No. S.O.-S- 13013/1/75-SR, dated the 3rd February, 1978.

98

1925: Pb. Act VIII.] SIKH GURDWARAS

- (viii) prescribing the authority by which questions relating to the matters referred to in clause (i), (ii), (iii), (v), (vi); or (vii) shall be determined;
- (ix) the method by which the income of a gurdwara shall be calculated for the purpose of fixing the annual contribution described in section 107; and
- (x) the authority to whom, and the manner in which petitions, applications and records of suits or proceedings which may or should under the provisions of this Act be presented, made or forwarded, as the case may be, to a tribunal or to the commission, as the case may be, are to be presented, made or forwarded when a tribunal or the Commission has not been constituted or is not sitting.

¹[(3) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in

making any modification in the rule or both House agree that the rule should not be made the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of any things previously done under that rule.]

Powers of the State 147. The ²[Central] Government may invest any person or persons Government to invest authorised by it to hold an enquiry into the conduct of, or into allegations of corrupt with judicial powers practices at an election held under the provisions of this officers appointed to enquire into conduct of elections.

¹For rules, see Home Department Notification No.4289-S, dated 12th October, 1925, Punjab Gazette, 1925, Part I, pages 712-13. No. 4290-S, dated 12th October, 1925, *ibid*, 1925 Part I, pages 716-23. No.4291-S, dated 12th October, 1925, *ibid*, Part I, pages 730-38, No. 27176, dated 7th December, 1925, *ibid*, 1925, Part I pages 921-23. No. 27342, dated 9th December, 1925, *ibid*, 1925. Part I, pages 924-25, No. 4041-S dated 2nd September, 1926 *ibid*, 1926, extraordinary, page 67 and No.3336, dated 28th September, 1926, *ibid*, 1926 Part I, page 918.

²Substituted by Home Affairs Notification No. S.O.-S-13013/1/75-SR, dated the 3rd February, 1978

99

1925: Pb. Act VIII.] SIKH GURDWARAS

Act, with all or any of the powers conferred upon ¹[the High Court] to hold an enquiry into an election by the provisions of Chapter III of the Representation of the People Act, 1951 and may prescribe the procedure to be followed, and provide for the execution of any order as to costs passed by such person or persons in such enquiry.

Language of the Commission 148. The language of the Commission shall be such as the Commission may, from time to time determine.

Repeal. ²[148-A. The *ijlas-i-khas* order No.52, dated the 8th November, 1946, relating to the appointment of Interim Gurdwara Board, Patiala, as in force in the extended territories, is hereby repealed and as from the commencement of the Amending Act, the Interim Gurdwara Board, Patiala, shall cease to function.]

³[CHAPTER XII-A]

TEMPORARY AND TRANSITIONAL PROVISIONS.

Additional member of the Board constituted under section 43 and Executive Committee 148-B. (1) As from the commencement of the Amending Act, in addition to the members of the Board constituted under section 43 and till and next election of the new board under section 43-A. –

constituted under section 62.

- (a) every person in the extended territories who, immediately before the commencement of the Amending Act, is a member of the Interim Gurdwara Board, Patiala, constituted by Punjab Government, Home Department, notification No.18-Gurdwaras, dated the 10th January, 1958, shall be deemed to be a member of the Board, constituted under section 43; and
- (b) thirty-five Sikhs including six Sikhs belonging to the Scheduled Castes residents in the extended territories, to be divided among different districts thereof in proportion to the Sikh population of each district in the prescribed manner, who shall, within forty days of the commencement of the Amending Act, be elected by the persons specified

¹Substituted by Ministry of Home Affairs' notification No. S.O.-S-13013/1/75-SR, dated the 3rd February, 1978.

²Inserted by Punjab Act No. I of 1959, section 18.

³Chapter XII-A added by Punjab Act No. I of 1959, section 40.

100

1925: Pb. Act VIII.] SIKH GURDWARAS

in sub-section (2) in accordance with the rules made in this behalf by the State Government, shall become the members of the Board from the date specified in sub-section (3).

- (2) The thirty-five persons referred to in clause (b) of sub-section (1) shall be elected by-
 - (i) the persons who are deemed to be the members of the Board under clause (a) of sub-section (1);
 - (ii) the twelve members of the Board being residents of Pepsu as are referred to in clause (iii) of sub-section (1) of section 43;
 - (iii) the sitting Sikh members of Parliament and the two Houses of State Legislature returned from any constituency or part thereof from the extended territories;

- (iv) the Sikh Members of Municipal Committee in the extended territories;
- (v) the Presidents or Chairmen of such Singh Sabhas and the managers or Secretaries of such Sikh Educational institutions or Sikh religious organisations as are registered on or before the 1st December, 1958, in the extended territories; and
- (vi) the Sikh Sarpanches and Sikh Nayay Pardhans of Nagar Panchayats and panchayati Adalats, respectively:

Provided that the electors under clauses (iii), (iv), (v) and (vi) are not disqualified under the proviso to section 49 of the Act.

(3) The prescribed authority shall, as soon as possible, intimate to the State Government the names of persons elected under clause (b) of sub-section (1) for being notified in the Official Gazette and the date of publication of the notification shall be deemed to be the date from which each person shall become a member of the Board.

101

1925: Pb. Act VIII.] SIKH GURDWARAS

(4) As soon as may be after the election of members has been notified under sub-section (3), a meeting of the members of the Board belonging to the extended territories shall be called by the Deputy Commissioner, Patiala, at Patiala, to elect four persons to be members of the Executive Committee of the Board in accordance with the provisions of section 62 and, notwithstanding anything to the contrary contained in that section, the persons so elected shall be the members of the Executive Committee of the Board till the next annual election of the office-bearers and the Executive Committee of the Board.

(5) For carrying out the purposes of this section, the [Central] Government may by notification make rules, and such rules may, among other things, provide for-

- (a) the delimitation of constituencies for holding the election and allocation of seats to each constituency in a district; and
- (b) all or any of the matters specified in sub-section (2) of section 146 in so far as they relate to or are connected with, the election under this section.

Provisions relating to the existing local committees functioning under the Interim Gurdwara Board, Patiala

148-C. Notwithstanding anything contained in this Act, every local committee in the extended territories functioning for the management of one or more Gurdwaras under the control of the Interim Gurdwara Board, Patiala, immediately before the commencement of the Amending Act, shall, till the constitution of the new Committees, be deemed to be a Committee for such Gurdwaras under this Act.

Provisions as to employees of the Interim Gurdwara Board, Patiala, and local committees functioning under it.

148-D. Every person in the extended territories who, immediately before the commencement of the Amending Act, is an employee of the Interim Gurdwara Board, Patiala, or of a local Committee functioning under such Board, shall, on and from such commencement, be transferred to and become a servant of the Board or of the Committee, as the case may be, and shall hold office on the same terms and conditions of service as he would have held if the Amending Act had not been passed and shall continue to do so unless and until such terms and conditions are

¹Substituted by Ministry of Home Affairs' notification No. SOS-13013/1/75-SR, dated the 3rd February, 1978.

102

1925: Pb. Act VIII.] SIKH GURDWARAS

duly altered by the Board or the Committee, as the case may be.

Special provisions Regarding the assets and liabilities of Interim Gurdwara Board, Patiala

148-E. As from the commencement of the Amending Act, -

(a) all lands and buildings (together with all interests of whatsoever nature or kind therein) belonging to or owned by the Interim Gurdwara Board, Patiala, immediately before such commencement shall pass to and vest in the Board;

(b) all assets, including stores, articles, and movable properties belonging to the Interim Gurdwara Board, Patiala, immediately before such commencement and utilized for or in connection

with the Interim Gurdwara Board, Patiala, shall pass to and vest in the Board;

- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the Interim Gurdwara Board, Patiala, immediately before such commencement, shall be deemed to have been incurred, entered into, engaged to be done by, with or for the Board;
- (d) all rents and other sums of money due to the Interim Gurdwara Board, Patiala, immediately before such commencement shall be deemed to be due to the Board;
- (e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by or against the Interim Gurdwara Board, Patiala, immediately before such commencement may be continued or instituted by or against the Board.

103

1925: Pb. Act VIII.] SIKH GURDWARAS

Power to remove difficulties. 148-F. If any difficulty arises in giving effect to the provisions of this Act in the extended territories, the ²[Central] Government may, by order as occasion requires, do anything, which appears to it to be necessary for the purpose of removing the difficulty.

¹[CHAPTER XIII]

ELECTORAL OFFENCES

Prohibition of public meetings on the Election day. 149. (1) No person shall convene, hold or attend any Public meeting within any constituency on the date or dates on which a poll is taken for an election in that constituency.

(2) Any person who contravenes the provisions of sub-section (1) shall be punishable with fine which may extend to two hundred and fifty rupees.

Disturbances at
election
meetings.

150. (1) Any person who at a public meeting to which this section applies acts, or incites others to act, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be punishable with fine which may extend to two hundred and fifty rupees.

(2) This section applies to any public meeting of a political character held in any constituency between the date of the issue of a notice under the Sikh Gurdwaras Board or Committee Election Rules, framed under this Act calling upon the constituency to elect a member or members and date on which such election is held.

(3) If any police officer reasonably suspects any person of committing an offence under sub-section (1), he may, if requested so to do by the chairman of the meeting, require that person to declare to him immediately his name and address and, if that person refuses or fails so to declare his name and address, or if the police officer reasonably suspects him of giving a false name, or address, the police officer may arrest him without warrant.

¹Chapter XIII added by Punjab Act XXV of 1954, section 3.

²Substituted by Ministry of Home Affairs' notification No. SOS-13013/1/75-SR, dated the 3rd February, 1978.

104

1925: Pb. Act VIII.] SIKH GURDWARAS

Maintenance of
secrecy of
voting.

151. (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain, and aid in maintaining, the secrecy of the voting and shall not (except for some purpose authorised by or under any law) communicate to any person any information calculated to violate such secrecy.

(2) Any person who contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.

Officers, etc, at elections
not to act
for candidates

152. (1) No person who is a Returning Officer or a presiding or polling officer at an election, or an officer or clerk appointed by the Returning Officer or the presiding officer to perform any duty in connection with an election shall in the

or to influence conduct or the management of the election do any act (other than the giving of vote)
voting. for the furtherance of the prospects of the election of a candidate.

(2) No such person as aforesaid and no member of a police force, shall endeavour: -

- (a) to persuade any person to give his vote at an election, or
- (b) to dissuade any person from giving his vote at an election, or
- (c) to influence the voting of any person at an election in any manner.

(3) Any person who contravenes the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment which may extend to six months or with fine or with both.

Prohibition of 153. (1) No person shall, on the date or dates on which a poll is taken at any
canvassing in or polling station, commit any of the following acts within the polling station or in any
near polling public or private place within a distance of one hundred yards of the polling
stations. station, namely: -

- (a) canvassing for votes; or
- (b) soliciting the vote of any elector; or

105

1925: Pb. Act VIII.] SIKH GURDWARAS

- (c) persuading any elector not to vote for any particular candidate;
or
- (d) persuading any elector not to vote at the election; or
- (e) exhibiting any notice or sign (other than an official notice) relating to the election

(2) Any person who contravenes the provisions of sub-section (1) shall be punishable with fine which may extend to two hundred and fifty rupees.

(3) An offence punishable under this section shall be cognizable.

Penalty for disorderly conduct 154. (1) No person shall, on the date or dates on which a poll is taken at any in or near polling station, -
Station.

- (a) use or operate within or at the entrance of the polling station, or in any public or private place in the neighbourhood thereof, any apparatus for amplifying or reproducing the human voice, such as a megaphone or a loud speaker, or
- (b) shout, or otherwise act in a disorderly manner, within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof so as to cause annoyance to any person visiting the polling station or the poll, or so as to interfere with the work of the officers and other persons on duty at the polling station.

(2) Any person who contravenes, or willfully aids or abets the contravention of, the provisions of sub-section (1) shall be punishable with imprisonment which may extend to three months or with fine or with both.

(3) If the presiding officer of a polling station has reasons to believe that any person is committing or has committed an offence punishable under this section, he may direct any police officer to arrest such person and thereupon the police officer shall arrest him.

106

1925: Pb. Act VIII.] SIKH GURDWARAS

(4) Any police officer may take such steps and use such force, as may be reasonably necessary for preventing any contravention of the provisions of sub-section (1), and may seize any apparatus used for such contravention.

Penalty for misconduct 155. (1) Any person who during the hours fixed for the poll at any polling station misconducts himself or fails to obey the lawful directions of the presiding officer may be removed from the polling station by the presiding officer or by any police officer on duty or by any person authorised in this behalf by such presiding officer.

(2) The powers conferred by sub-section (1) shall not be exercised so as to prevent any elector who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

(3) If any person who has been so removed from a polling station re-enters the polling station without the permission of the presiding officer, he shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.

(4) An offence punishable under sub-section (3) shall be cognizable.

Penalty for illegal hiring or procuring of conveyances elections.

156. If any person is guilty of any such corrupt practice in respect of illegal hiring or procuring of conveyances as is specified in the Sikh Gurdwaras Election Enquiries Rules, framed under this Act at or in connection with an election, he shall be punishable with fine which may extend to two hundred and fifty rupees.

Breaches of official Duty in connection with elections.

157. (1) If any person to whom this section applies is without reasonable cause guilty of any act or omission in breach of his official duty, he shall be punishable with fine which may extend to five hundred rupees.

(2) No suit or other legal proceedings shall lie against any such person for damages in respect of any such act or omission as aforesaid.

107

1925: Pb. Act VIII.] SIKH GURDWARAS

(3) The persons to whom this section applies are the Deputy Commissioners, Returning Officers, presiding officers, polling officers and any other person appointed to perform any duty in connection with the preparation of an electoral roll, the receipt of nominations or withdrawal of candidatures, or the recording or counting of votes at an election; and the expression "official duty" shall for the purposes of this section be construed accordingly, but shall not include duties imposed otherwise than by or under the Sikh Gurdwaras Board or Committee Election Rules framed under this Act.

Removal of ballot papers from polling station to be an offence. 158. (1) Any person who at any election fraudulently takes, or attempts to take a ballot-paper out of a polling station, or willfully aids or abets the doing of any such act, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five hundred rupees or with both.

(2) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under sub-section (1), such officer may, before such person leaves the polling station, arrest or direct a police officer to arrest such person and may search such person or cause him to be searched by a police officer:

Provided that when it is necessary to cause a woman to be searched, the search shall be made by another woman with strict regard to decency.

(3) Any ballot-paper found upon the person arrested on search shall be made over for safe custody to a police officer by the presiding officer, or when the search is made by a police officer, shall be kept by such officer in safe custody.

(4) An offence punishable under sub-section (1) shall be cognizable.

Other offences and penalties therefor. 159. (1) A person shall be guilty of an electoral offence if at any election he—
 (a) fraudulently defaces or fraudulently destroys any nomination paper; or

108

1925: Pb. Act VIII.] SIKH GURDWARAS

- (b) fraudulently defaces, destroys or removes any list, notice or other document affixed by or under the authority of a Returning Officer, or
- (c) fraudulently defaces or fraudulently destroys and ballot-paper or the official mark, if any, on any ballot-paper or any declaration of identity or official envelope used in connection with voting by special ballot paper; or
- (d) without due authority supplies any ballot-paper to any person; or

- (e) fraudulently puts into any ballot-box any thing other than the ballot-paper which he is authorised by law to put in; or
 - (f) without due authority destroys, takes, opens or otherwise interferes with any ballot-box or ballot-papers then in use for the purposes of the election; or
 - (g) fraudulently or without due authority, as the case may be, attempts to do any of the forgoing acts or willfully aids or abets the doing of any such acts.
- (2) Any person guilty of an electoral offence under this section shall-
- (a) if he is a Returning Officer or a presiding officer at a polling station or any other officer or clerk employed on official duty in connection with the election, be punishable with imprisonment for a term which may extend to two years or with fine or with both;
 - (b) if he is any other person, be punishable with imprisonment for a term which may extend to two years or with fine or with both;

(3) For the purpose of this section, a person shall be deemed to be on official duty if his duty is to take part in the conduct of an election or part of an election including the counting of votes or to be responsible after an election for the used ballot-papers and other documents in connection with such election, but the expression "official duty" shall not include any duty imposed otherwise than by or under the Sikh Gurdwaras Board or Committee Election Rules, framed under this Act.

109

1925: Pb. Act VIII.] SIKH GURDWARAS

(4) An offence punishable under clause (b) of sub-section (2) shall be cognizable.

Prosecution regarding
certain
offences.

160. (1) If the Elections Commissioner has reason to believe that any offence punishable under section 152, or under section 157, or under clause (a) of sub-section (2) of section 159 has been committed in reference to any election, it shall be the duty of the Elections Commissioner to cause such enquiries to be made and such prosecutions to be instituted as the circumstances of the case may appear to him to require.

(2) No Court should take cognizance of any offence punishable under section 152 or under section 157 or under clause (a) of sub-section (2) of section 159 unless there is a complaint made by order or, or under authority from, the Elections Commissioner.

Amendment of Act V of 1898. 161. For the purposes of elections under this Act, in the Code of Criminal Procedure, 1898-

- (a) in section 196, after the word and figures “section 127” the words, figures and letter and section 171-F; so far as it relates to the offence of personation” shall be inserted;
- (b) In Schedule II-
- (i) In the entry relating to section 171-F of the Indian Penal Code (Act XLV of 1860) from the paragraph in column 2 the words “and personation” shall be omitted;
- (ii) after the paragraph in column 2 of the said entry as so amended, the following paragraph shall be inserted, namely:-
- “Personation at an election”;
- (iii) in column 3, opposite the paragraph inserted by sub-clause (ii), the following paragraph shall be inserted, namely:-
- “May arrest without warrant”;
- (iv) in columns 4, 5, 6, 7 and 8 opposite the paragraph inserted by sub-clause (ii) the words “Ditto”, shall be inserted;
- (v) In the entry relating to section 171-G of the Indian Penal Code, in column 3, for the word “Ditto” the words “shall not arrest without warrant” shall be substituted.

110

SCHEDULES

(As amended by Punjab Acts IV of 1926, XIII of 1926, I of 1927 and I of 1959)

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
1[1-22]	..	..	..	..
23	3(Amritsar)	Kasur	Rattoki	Gurdwara Baba Bir Singh
2[24-25]	..	..	..	..

26	Amritsar	Amritsar	Amritsar City	Shri Harmandir Sahib (Darbar Sahib)
27	Amritsar	Amritsar	Amritsar City	Akal Takhat sahib (Akal Bunga)
28	Amritsar	Amritsar	Amritsar City	Baba Atal Sahib
29	Amritsar	Amritsar	Amritsar City	Kaulsar and Mai Kaulan da Asthan
30	Amritsar	Amritsar	Amritsar City	Ram Sar (Manji Sahib)
31	Amritsar	Amritsar	Amritsar City	Bibeksar
32	Amritsar	Amritsar	Amritsar City	Tahli Sahib with Santokh Sar
33	Amritsar	Amritsar	Amritsar City	Churasti Atari
34	Amritsar	Amritsar	Amritsar City	Guru Ke Maihl
35	Amritsar	Amritsar	Amritsar City	Lohgarh
36	Amritsar	Amritsar	Amritsar City	Thara Sahib
37	Amritsar	Amritsar	Amritsar City	Pipli Sahib
38	Amritsar	Amritsar	Amritsar City	Chhawani Nahangan (Angitha Guru Naina Singh)
39	Amritsar	Amritsar	Amritsar City	Shahid Ganj Baba Dip Singh Ji
40	Amritsar	Amritsar	Chabba	Sangrana Sahib
41	Amritsar	Amritsar	Chabba	Walla Sahib
42	Amritsar	Amritsar	Baba Bakala	Baba Bakala
43	Amritsar	Amritsar	Chabba	Chabba
44	Amritsar	Amritsar	Wadali Guru	Damdama Sahib
45	Amritsar	Amritsar	Wadali Guru	Chheharata Sahib
46	Amritsar	Amritsar	Mian Randhawa	Udoke
47	Amritsar	Amritsar	Sultanwind	Damdama Sahib

¹Substituted for the words "See section 3 and 90" by Punjab Act No. 10 of 1959, section 7.

²Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948 (G.G.O.40).

³Substituted for the word "Lahore" by ibid.

⁴Column six headed "Constituencies for Election of Committee of Management" omitted by Punjab Act No. 1 of 1959, section 50.

111

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
48	Amritsar	Amritsar	Verka	Nanak Sar
49	Amritsar	Tarn Taran	Khara	Dukh Niwaran
50	Amritsar	Tarn Taran	Tarn Taran	Sri Darbar Sahib
51	Amritsar	Tarn Taran	Naurangabad	Gurdwara Baba Wir Singh Ji
52	Amritsar	Tarn Taran	Khadur Sahib	Sri Darbar Sahib Khadur Sahib

53	Amritsar	Tarn Taran	Goindwal	Baloli Sahib
54	Amritsar	Tarn Taran	Chabhal Kalan	Bibi Wiro Ji Ka Asthan
55	Amritsar	Tarn Taran	Khan Chhabri	Chhabri Sahib
56	Amritsar	Tarn Taran	Sarhali Kalan	Chobacha Sahib
57	Amritsar	Tarn Taran	Chohla	Chohla Sahib
58	Amritsar	Tarn Taran	Basarke	Basarke
59	Amritsar	Tarn Taran	Gaggo Buha	Gaggo Buha
60	Amritsar	Tarn Taran	Hoshiarnagar	Guru Sar Satlani
61	Amritsar	Tarn Taran	Thatha	Bir Sahib
62	Amritsar	Tarn Taran	Lohar	Dera Sahib
63	Amritsar	Ajnala	Ghokewali	Guru-ka-Bagh
64	Amritsar	Ajnala	Dalla	Dalla Kiralgarh
65	Amritsar	Ajnala	Barar	Barar Modoke
66	Amritsar	Ajnala	Ram Dass	Ram Dass
67	Amritsar	Ajnala	Jandiala	Maihl Jandiala
68	Gurdaspur	Batala	Batala	Dera Sahib
69	Gurdaspur	Batala	Salho Chahl	Achal Sahib Gurdwara (excluding shiwala Talab Kalan and Shiwala Bhandarian)
70	Gurdaspur	Batala	Pakhoke Dera Nanak	Darbar Sahib, Dera Baba Nanak
71	Gurdaspur	Batala	Talwara	Damdama Sahib
72	Gurdaspur	Batala	Pakhoke Dera Nanak	Chola Sahib (including Langar Mandar Chola Sahib)
73	Gurdaspur	Batala	Teja Kalan	Teja
74	Gurdaspur	Batala	Othian	Othian
75	Gurdaspur	Gurdaspur	Fateh Nangal	Burj Sahib
76	Gurdaspur	Gurdaspur	Gurdaspur	Jhulna Mahal
77	Gurdaspur	Gurdaspur	Dhariwal	Gurdwara Dhaliwal
78	Gurdaspur	Gurdaspur	Bhumbli	Bhumbli

112

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
[79-80]	..	..	..	..
81	Gurdaspur	Pathankot	Bharat Lahri	Darbar Sahib Bharat
[82-117]	..	..	..	..

118	Hoshiarpur	Una	Anandpur	Shri Takht Keshgarh Sahib
119	Hoshiarpur	Una	Anandpur	Taragarh
120	Hoshiarpur	Una	Anandpur	Navin Padshahi Guru Tegh Bahadur
121	Hoshiarpur	Una	Anandpur	Bhora Sahib
122	Hoshiarpur	Una	Anandpur	Damdama Sahib
123	Hoshiarpur	Una	Lodhipur	Qila Anandgarh Sahib
124	Hoshiarpur	Una	Bhatoli	Charan Kanwal
125	Hoshiarpur	Una	Lodhipur	Lohgarh
126	Hoshiarpur	Una	Basali Nurpur	Basali
127	Hoshiarpur	Una	Anandpur	Holgarh
128	Hoshiarpur	Una	Agampur	Mata Jito Ji
129	Hoshiarpur	Una	Kalyanpur	Baba Gurditta Ji
130	Hoshiarpur	Una	Kiratpur	Shish Mahal
131	Hoshiarpur	Una	Kiratpur	Takhat Sahib
132	Hoshiarpur	Una	Kiratpur	Manji Sahib
133	Hoshiarpur	Una	Kiratpur	Hari Mandir Sahib
134	Hoshiarpur	Una	Kiratpur	Patalpuri
135	Hoshiarpur	Una	Kiratpur	Babangarh
136	Hoshiarpur	Una	Bhabaur	Bhabaur
137	Hoshiarpur	Una	Bathu	Gurplah
138	Hoshiarpur	Una	Kalmot	Kalmot
139	Hoshiarpur	Una	Chandpur	Chandpur
140	Hoshiarpur	Una	Jandbari	Jandbari
141	Hoshiarpur	Dasuya	Bodal	Gurna Sahib
142	Hoshiarpur	Hoshiarpur	Lahli Kalan	Jand Sahib
143	Hoshiarpur	Hoshiarpur	Bajraur	Harian Welan
144	Hoshiarpur	Hoshiarpur	Bhungarni	Bhungarni

¹Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 19 (G.G.O.40).

²Substituted for the word "Kiratpur" by section 10 of Punjab Act III of 1930. This amendment shall have effect as if made on 1st November, 1925, - vide section 11 of Punjab Act III of 1930.

113

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
145	Hoshiarpur	Hoshiarpur	Purhiran	Zahira Zahur
146	Hoshiarpur	Garhshankar	Gond Pur	Tahli Sahib
147	Jullundur	Phillaur	Mau	Mau
148	Jullundur	Nawanshahr	Pharala	Gurdwara Guru Har Rai Sahib

149	Jullundur	Nawanshahr	Chak Guru	Gur Palah
150	Jullundur	Nawanshahr	Hakimpur	Nanaksar
151	Jullundur	Nawanshahr	Jindwal	Charan Kanwal
152	Jullundur	Nawanshahr	Sotran	Gurplah
153	Jullundur	Nawanshahr	Durgapur	Gurdwara Guru Hargobind
154	Ludhiana	Ludhiana	Gujarwal	Manji Sahib
155	Ludhiana	Ludhiana	Gujarwal	Guru Granth Sahib
156	Ludhiana	Ludhiana	Alimgir	Gurdwara Alamgir (Manji Sahib)
157	Ludhiana	Ludhiana	Kanech	Gurdwara Manji Sahib
158	Ludhiana	Samrala	Machhiwara	Charan Kanwal
159	Ludhiana	Jagraon	Mohi	Mohi
160	Ludhiana	Jagraon	Silowani	Gurdwara Sailowani
161	Ludhiana	Jagraon	Raikot	Tanliana Sahib
162	Ludhiana	Samrala	Chuharpur	Jhar Sahib
163	Ludhiana	Jagraon	Sidwan Kalan	Sri Guru Hargobind
164	Ludhiana	Jagraon	Sadhar	Gurdwara Sri Guru Hargobind and Guru Sar Chhevin Padshahi
165	Ludhiana	Jagraon	Lama Jatpura	Gurdwara Guru Sar
166	Ludhiana	Jagraon	Chakar	Guru Sar
167	Ludhiana	Jagraon	Kaonke Kalan	Guru Sar
168	Ludhiana	Jagraon	Hehran	Hehran
169	Ferozepore	Ferozepore	Bazidpur	Guru Sar Bazidpur
170	Ferozepore	Ferozepore	Chak Fateh Singhwala	Gurdwara Guru Gobind Singh
171	Ferozepore	Ferozepore	Nathuana	Guru Sar Nathana
172	Ferozepore	Ferozepore	Mehraj	Guru Sar Mehraj
173	Ferozepore	Moga	Daroli Bhai	Dhera Daroli Bhai

114

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
174	Ferozepore	Moga	Lopon	Guru Sar
175	Ferozepore	Moga	Madoke	Guru Sar Madoke
176	Ferozepore	Moga	Wada Ghar	Chhevin Padshahi
177	Ferozepore	Moga	Takhtupura	Nanaksar
178	Ferozepore	Moga	Madya	Pakka Sahib

179	Ferozepore	Moga	Dina	Lohgarh Sahib
180	Ferozepore	Moga	Patto Hira Singh	Guru Sar
181	Ferozepore	Moga	Salina	Guru Sar
182	Ferozepore	Moga	Dagru	Tambu Mal
183	Ferozepore	Moga	Mehron	Mehron
184	Ferozepore	Moga	Banbiha Bhai	Nanak Sar
185	Ferozepore	Moga	Wandar	Guru Gobind Singh
186	Ferozepore	Moga	Smadh Bhai	Gurdwara Guru Granth Sahib Mohtamin Prem Das
187	Ferozepore	Moga	Mari Mustafa	Mari Mustafa
188	Ferozepore	Mukatsar	Mukatsar	Darbar Sahib
189	Ferozepore	Mukatsar	Mukatsar	Tambu Sahib
190	Ferozepore	Mukatsar	Mukatsar	Shahid Ganj
191	Ferozepore	Mukatsar	Mukatsar	Tibbi Sahib
192	Ferozepore	Mukatsar	Sarai Nanga	Paihli Padshahi and Dusri Padshahi
193	Ferozepore	Mukatsar	Rupana	Guru Sar
194	Ferozepore	Mukatsar	Guru Sar	Guru Sar
195	Ferozepore	Mukatsar	Thehari	Guru Gobind Singh
196	Ferozepore	Mukatsar	Chhatiana	Guptsar and Sahib Chand
197	Ferozepore	Zira	Kho Kotla	Guru Sar
198	Ferozepore	Zira	Sunehr	Guru Sar]
199	Ferozepore	Zira	Thatha	Chhevin Padshahi
200	..	..	..	..
201	Hissar	Sirsa	Sirsa	Gurdwara Guru Gobind Singh
202	Hissar	Sirsa	Dabwali	Guruasthan Dabwali
203	Hissar	Sirsa	Kewal	Kewal

¹Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, of 1948 (G.G.O.40).

115

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
204	Hissar	Fatehabad	Ratia	Ratia
205	Rohtak	Rohtak	Rohtak	Bangla Sahib (excluding temples of goddess Sitla and Manji Sahib)
206	Rohtak	Gohana	Lakhan Mazra	Manji Sahib

207	Karnal	Karnal	Karnal	Manji Sahib
208	Karnal	Thanesar	Thanesar	Sidh Batti
209	Karnal	Thanesar	Thanesar	Chhevin Padshahi
210	Karnal	Thanesar	Bhari	Navin Padshahi
211	Karnal	Thanesar	Thanesar	Satvin Padshahi
212	Karnal	Thanesar	Thanesar	Dasvin Padshahi
213	Karnal	Thanesar	Thanesar	Kurchhetar
214	Karnal	Thanesar	Bani and Badarpur	Guru Teg Bahadur
215	Ambala	Ambala	Ambala City	Sis Ganj
216	Ambala	Ambala	Ambala City	Dasvin Padshahi Labhuwala
217	Ambala	Ambala	Ambala City	Dasvin Padshahi
218	Ambala	Ambala	Kharrampur Majri	Manji Sahib
219	Ambala	Ambala	Ambala City	Mohalla Mehr Dhumin
220	Ambala	Ambala	Panjokhra	Guru Har Kishan Sahib
221	Ambala	Ambala	Mardon	Mardon
222	Ambala	Ambala	Bhanon Kheri	Guru Gobind Singh Sahib
223	Ambala	Ambala	Sular	Sular
224	Ambala	Ambala	Chhani	Gurdwara Chhani
225	Ambala	Naraingarh	Raipur	Ranike Raipur and Manak Tabra
226	Ambala	Jagadhri	Bilaspur	Gurdwara Guru Gobind Singh Sahib in Gopal Mochan
227	Ambala	Jagadhri	Bilaspur	Bilaspur Gurdwara
228	Ambala	Jagadhri	Jagadhri	Gurdwara Jagadhri
229	Ambala	Jagadhri	Balachaur	Agampura
230	Ambala	Jagadhri	Sudhal	Sudhal
231	Ambala	Rupar	Chamkaur	Gurdwara of Damdama Sahib Katalgarh, Tilak Asthan

116

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
232	Ambala	Rupar	Kotla Nihang	Bhatta Sahib
233	Ambala	Rupar	Rupar	Rupar
234	Ambala	Rupar	Morinda	Morinda
235	Ambala	Rupar	Bur Majra	Bur Majra
236	Ambala	Rupar	Bir Guru	Jand Sahib
237	Ambala	Rupar	Saheri	Saheri
238	Ambala	Kharar	Mani Majra	Manji Sahib

239	Ambala	Kharar	Khizrabad	Khizrabad (Gurdwara Baba Zorawar Singh)
¹ [240-241]	--	--	--	--
² [242-243]	Patiala	Patiala	Budhmor	Gurdwara Sahib Padshahi Dasmi
243	Patiala	Patiala	Bahadurgarh	Gurdwara Sahib Padshahi Naumi
244	Patiala	Patiala	Lehal	Gurdwara Sahib Sri Dukhniwaran Sahib Padshahi Naumi
³ [245-246]	Patiala	Patiala	Patiala	Gurdwara Sahib Moti Bagh (including Gurdwara Sudhasar)
³ [246-247]	Patiala	Patiala	Lehal	Gurdwara Khel Sahib
247	Patiala	Rajpura	Nathana Sahib Jand Mangoli	Gurdwara Sahib Padshahi Teesri
248	Patiala	Patiala	Karhali	Gurdwara Sahib Padshahi Naumi
249	Patiala	Kandaghat	Panjaur	Gurdwara Sahib Panjaur, Padshahi Pehli
250	Patiala	Kandaghat	Nada	Gurdwara Sahib Padshahi Dasmi
251	Patiala	Rajpura	Nabha	Gurdwara Sahib Padshahi Naumi
252	Patiala	Rajpura	Dhakauli	Gurdwara Sahib Padshahi Dasmi (Baoli Sahib)
253	Patiala	Rajpura	Banur	Gurdwara Sahib Padshahi Dasmi
254	Patiala	Rajpura	Ugani	Gurdwara Sahib Padshahi Naumi and Dasmi
255	Patiala	Rajpura	Bhagrana	Gurdwara Sahib Padshahi Naumi
⁴ [256-257]	Patiala	Nabha	Simbron	Gurdwara Sahib Padshahi Naumi

¹Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order of 1948 (G.G.O.40).

²Gurdwaras at social numbers 242 to 415 added by Punjab Act No. 1 of 1959, section 50.

³Substituted by Punjab Act No. 10 of 1951, section 2, with effect from the 8th January, 1959.

117

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
¹ [257-258]	Patiala	Rajpura	Loh Simbli	Gurdwara Sahib Padshahi Dasmi
¹ [258-259]	Patiala	Rajpura	Loh Simbli	Gurdwara Sahib Baharla
259	Patiala	Rajpura	Narru	Gurdwara Sahib Padshahi Naumi
260	Patiala	Rajpura	Lachhru Kalan	Gurdwara Sahib
261	Patiala	Rajpura	Thuha	Gurdwara Sahib
262	Patiala	Rajpura	Tesimbli (Hamayonpur)	Gurdwara Sahib Padshahi Naumi
¹ [263-264]	Patiala	Rajpura	Nilpur	Gurdwara Sahib Smadh Bhai

				Sukha Singh
264	Patiala	Rajpura	Dhamoli	Gurdwara Sahib Padshahi naumi
265	Patiala	Nabha	Rotha	Gurdwara Sahib Padshahi Chhemi
266	Patiala	Nabha	Nabha	Dera Baba Ajapal Singh
¹ [267	Patiala	Nabha	Bir Bauran	Gurdwara Dera Sahib (Damdama Sahib)
¹ [268	Patiala	Nabha	Bauran Kalan	Gurdwara Sahib Padshahi Naumi
269	Patiala	Sirhind	Nau Lakha	Gurdwara Sahib Padshahi Naumi
270	Patiala	Sirhind	Atewali	Gurdwara Joti Sarup
² 271	Patiala	Sirhind	Harnam Nagar	Gurdwara Sahib Shahid Ganj
272	Patiala	Sirhind	Fatehgarh Sahib	Gurdwara Fatehgarh Sahib (Shahid- Asthan) Babu Fateh Singh Ji and Baba Jorawar Singh Ji, Burj Mata Gujri
273	Patiala	Sirhind	Fatehgarh Sahib	Gurdwara Bibangarh Sahib
274	Patiala	Sirhind	Bahadurgarh	Gurdwara Sahib Bhai Sukha Singh Shahid
275	Patiala	Sirhind	Nandpur	Gurdwara Sahib Padshahi Naumi
276	Patiala	Sirhind	Akar	Gurdwara Sahib Padshahi Naumi
277	Patiala	Sirhind	Saunti	Gurdwara Sahib Padshahi Dasmi
278	Patiala	Sirhind	Mandi Gobindgarh	Gurdwara Sahib Padshahi Chhemi (HarGobindpura)
279	Patiala	Sirhind	Kudani Kalan	Gurdwara Sahib Padshahi Chhemi, Gurdwara Nimsar Gurdwara Damdama Sahib

¹Substituted by Punjab Act No. 10 of 1961, section 2, with effect from the 8th January, 1959.

²Substituted by Punjab Act No. 10 of 1959 section 7.

118

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
280	Patiala	Sirhind	Katana Sahib	Gurdwara Sahib Padshahi Chhemi and Dasmi
281	Patiala	Sirhind	Jandali	Gurdwara Sahib Padshahi Chhemi
¹ 282	Patiala	Patiala	Kotli	Gurdwara Sahib Jandsar
283	Sangrur	Malerkotla	Molowal	Gurdwara Sahib Padshahi Naumi

284	Sangrur	Sangrur	Shahpur Kalan	Gurdwara Sahib Padshahi Dasmi
285	Sangrur	Sangrur	Ganduan	Gurdwara Padshahi Naumi
286	Sangrur	Sangrur	Gagga	Gurdwara Sahib Padshahi Naumi
287	Sangrur	Sangrur	Makror	Gurdwara Sahib Padshahi Naumi
288	Sangrur	Sangrur	Moonak	Gurdwara Sahib Padshahi Naumi
289	Sangrur	Sangrur	Jharon	Gurdwara Sahib Padshahi Dasmi
290	Sangrur	Sangrur	Anwala	Gurdwara Sahib Padshahi Naumi
291	Sangrur	Sangrur	Allauarkh	Gurdwara Sahib Padshahi Naumi (Manji Sahib)
292	Patiala	Patiala	Behar Jachh	Gurdwara Sahib Padshahi Naumi
293	Sangrur	Sangrur	Kamal Pur	Gurdwara Sahib Padshahi Chhemi
294	Sangrur	Sangrur	Lehra Mandi	Gurdwara Sahib Guru Granth Sahib
295	Sangrur	Sangrur	Longowal	Gurdwara Sahib Baba Ala Singh
296	Sangrur	Sangrur	Longowal	Gurdwara Sahib Bhai Mani Singh
297	Sangrur	Sangrur	Longowal	Gurdwara Bhai Ki Smadh
298	Sangrur	Sangrur	Shahpur Kalan	Gurdwara Sahib Padshahi Naumi
299	Sangrur	Sangrur	Chima	Gurdwara Sahib Guru Granth Sahib
300	Sangrur	Sangrur	Chima	Gurdwara Nanaksar
301	Sangrur	Sangrur	Jhakhepal Kambalwas	Gurdwara Sahib Bhai Ka Barsal Pati
302	Sangrur	Sangrur	Sunam	Gurdwara Bhai Mul Chand
303	Sangrur	Sangrur	Chhajli	Gurdwara Sahib Padshahi Naumi and Dasmi

¹Substituted by Punjab Act No. 10 of 1961, section 2, with effect from the 8th January, 1959.

²Substituted by Punjab Act No. 10 of 1959 section 7.

119

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
304	Sangrur	Sangrur	Chhajli	Gurdwara Guru Granth Sahib
305	Sangrur	Sangrur	Bhawanigarh	Gurdwara Sahib Padshahi Naumi
306	Sangrur	Sangrur	Kamalpur	Gurdwara Sahib Padshahi Dashmi
307	Sangrur	Sangrur	Kamalpur	Gurdwara Sahib Padshahi Naumi
308	Sangrur	Sangrur	Nanakiana	Gurdwara Sahib Padshahi Pehli
309	Sangrur	Sangrur	Akoi	Gurdwara Sahib Padshahi Naumi
¹ [310	Sangrur	Sangrur	Khurana	Gurdwara Sahib Padshahi Chhemi
² [311	Sangrur	Sangrur	Dirbha	Gurdwara Sahib Padshahi Naumi
312	Sangrur	Sangrur	Phagguwala	Gurdwara Sahib Padshahi Naumi

313	Sangrur	Sangrur	Tal Ghanaur	Gurdwara Dukhniwaran Sahib Padshahi Pehli, Chhemi and Naumi
¹ [314	Sangrur	Narwana	Dhamtan	Gurdwara Padshahi Naumi at Dhamtan along with Bunga Dhamtanian near Railway Station Patiala
315	Sangrur	Narwana	Kharak Bhura	Gurdwara Sahib Padshahi Naumi
316	Sangrur	Narwana	Khatkaran	Gurdwara Sahib Padshahi Naumi
317	Sangrur	Barnala	Gahel	Gurdwara Sahib Padshahi Chhemi
318	Sangrur	Barnala	Bhadaur	Gurdwara Sahib Padshahi Chhemi and Dasmi (Andruni Qila)
319	Sangrur	Barnala	Handiaya	Gurdwara Sahib Padshahi Naumi (Guru Sar)
320	Sangrur	Barnala	Pharwahi	Gurdwara Sahib Padshahi naumi
321	Sangrur	Barnala	Sekha	Gurdwara Sahib Padshahi Chhemi (Manji Sahib)
322	Sangrur	Barnala	Kattu	Gurdwara Padshahi Naumi
323	Sangrur	Malerkotla	Kanjala	Gurdwara Sahib Padshahi Pehli, Chhemi and Naumi (Jhira Sahib)
¹ [324	Sangrur	Barnala	Dhaura	Gurdwara Sahib Padshahi Naumi (Sohiana)
325	Bhatinda	Bhatinda	Bhai Rupa	Gurdwara Sahib Padshahi Chhemi
326	¹ [Bhatinda	Bhatinda	Dayal Pura Bhai Ka	Gurdwara Sahib Padshahi Chhemi and Dasmi
327	Bhatinda	Bhatinda	Dayal Pura Bhai Ka	Gurdwara Sahib Padshahi Dasmi
² [328	Sangrur	Barnala	Badra	Gurdwara Guru Granth Sahib

¹Substituted by Punjab Act No. 10 of 1961, section 2, with effect from the 8th January, 1959.

²Substituted by Punjab Act No. 10 of 1959 section 7.

Page-120

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
¹ [329	Sangrur	Barnala	Handiaya	Gurdwara Sahib Padshahi Naumi (Arisar)
² [330	Sangrur	Barnala	Mauran	Gurdwara Sahib Padshahi Naumi Dulamsar along with Gurdwara Khuhi Singh Wali
² [331	Sangrur	Barnala	Maur Kalan	Gurdwara Sahib (Kalle Da Khuh)
332	Sangrur	Barnala	Dhillwan	Gurdwara Sahib Padshahi Naumi
333	Sangrur	Barnala	Thikriwala	Gurdwara Sahib Padshahi Dasmi

				(Panchaiti)
2[334	Sangrur	Barnala	Paudharen	Gurdwara Sahib Padshahi Naumi (Manji Sahib)
335	Sangrur	Barnala	Bhadaur	Gurdwara Sahib Padshahi Dasmi
336	Sangrur	Barnala	Bhadaur	Gurdwara Sahib Padshahi Chhemi
2[337	Sangrur	Barnala	Sanghera	Gurdwara Sahib Dera Patti Khera and Gurdwara Sahib Dera Patti Sujjal
2[338	Bhatinda	Bhatinda	Bhagta Bhai Ka	Gurdwara Sahib Padshahi Chhemi
339	Sangrur	Barnala	Kaleke	Gurdwara Sahib Nankwera
2[340	Sangrur	Jind	Singhpura	Gurdwara Sahib Padshahi Dasmi
341	Sangrur	Jind	Jind	Gurdwara Sahib Padshahi Naumi
342	Sangrur	Barnala	Diwana	Gurdwara Sahib Dera Chuli Smadh Baba Ogand
343	Bhatinda	Bhatinda	Maur Kalan	Gurdwara Sahib Padshahi Naumi
344	Bhatinda	Bhatinda	Maluka	Gurdwara Sahib Padshahi Naumi Taruana
345	Bhatinda	Bhatinda	Rajgarh Kubbe	Gurdwara Sahib Padshahi Naumi (Talla Sahib)
346	Bhatinda	Bhatinda	Haji Rattan	Gurdwara Sahib Padshahi Dasmi
347	Bhatinda	Bhatinda	Pakka Kalan	Gurdwara Sahib Padshahi Dasmi
2[348	Bhatinda	Bhatinda	Bhatinda	Gurdwara Sahib Padshahi Dasmi Qila Mubarik
349	Bhatinda	Bhatinda	Bhagu	Gurdwara Sahib Padshahi Dasmi
350	Bhatinda	Bhatinda	Jassi-Baghwali	Gurdwara Sahib Padshahi Dasmi
1[351	Bhatinda	Bhatinda	Bechak	Gurdwara Sahib Padshahi Dasmi
2[352	Bhatinda	Bhatinda	Pathrala	Gurdwara Sahib Padshahi Dasmi

¹Substituted by Punjab Act No. 10 of 1961, section 2, with effect from the 8th January, 1959.

²Substituted by Punjab Act No. 10 of 1959 section 7.

121

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
353	Bhatinda	Bhatinda	Talwandi Sabo	Gurdwara Sahib Padshahi Dasmi and Naumi (Damdama Sahib)
354	Bhatinda	Bhatinda	Talwandi Sabo	Gurdwara Sahib Takht Sri Damdama Sahib, Jandsar and Bunga Kattuwala
355	Bhatinda	Bhatinda	Talwandi Sabo	Gurdwara Sahib Damdama Sahib Bunga Mata Sahib Dewan Ji
356	Bhatinda	Bhatinda	Talwandi Sabo	Gurdwara Sahib Padshahi Dasmi (Takht Damdama Sahib)
357	Bhatinda	Bhatinda	Talwandi Sabo	Gurdwara Sahib Bhai Bir Singh Dhir Singh Mazhabi Singhan Wala

358	Bhatinda	Bhatinda	Talwandi Sabo	Gurdwara Sahib Takht Sri Damdama Sahib Malwai Bunga Padshahi Dasmi
359	Bhatinda	Bhatinda	Talwandi Sabo	Gurdwara Sri Damdama Sahib Bunga Likhansar Padshahi Dasmi
360	Bhatinda	Bhatinda	Talwandi Sabo	Gurdwara Sri Holsar Sahib Padshahi Dasmi
361	Bhatinda	Faridkot	Malla	Gurdwara Sahib Padshahi Dasmi
362	Bhatinda	Faridkot	Jaitu	Gurdwara Sahib Padshahi Dasmi (Gangsar)
363	Bhatinda	Faridkot	Jaitu	Gurdwara Sahib Shahid Ganj (Tibbi Sahib).
364	Bhatinda	Bhatinda	Ram Tirath Jagga	Gurdwara Sahib Padshahi Dasmi (Guru Sar).
365	Bhatinda	Bhatinda	Behbal Kalan	Gurdwara Sahib Padshahi Dasmi
366	Bhatinda	Bhatinda	Kot Shamir	Gurdwara Sahib Padshahi Dasmi (Gurusar)
367	Bhatinda	Bhatinda	Kot Shamir No.2	Gurdwara Sahib Padshahi Dasmi
368	Bhatinda	Bhatinda	Jeon Singh Wala	Gurdwara Sahib Padshahi Dasmi
369	Bhatinda	Bhatinda	Maisar Khana	Gurdwara Sahib Padshahi Naumi
370	Bhatinda	Bhatinda	Maisar Khana	Gurdwara Sahib Padshahi Dasmi (Thittarsar)
371	Bhatinda	Bhatinda	Kotha Gur	Gurdwara Sahib Guru Kaul Sahib Padshahi Dasmi
372	Bhatinda	Bhatinda	Gumti (Kotha Guru)	Gurdwara Sahib Padshahi Chhemi (Jandsar)
373	Bhatinda	Faridkot	Malla	Gurdwara Sahib Padshahi Chhemi (Chabutra Sahib)

¹Substituted by Punjab Act No. 10 of 1959, section 7.

²Substituted by Punjab Act No. 10 of 1961, section 2, with effect from the 8th January, 1959.

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
374	Bhatinda	Bhatinda	Amargarh alias Jhubluti	Gurdwara Sahib Padshahi Satmi (Amargarh)
375	Bhatinda	Bhatinda	Kotha Guru	Gurdwara Sahib Padshahi Dasmi (Gangsar)
376	Bhatinda	Faridkot	Dod	Gurdwara Sahib, Padshahi Dasmi (Harsar)
377	Bhatinda	Faridkot	Dod	Gurdwara Sahib Padshahi Chhemi and Dasmi (Dhalsar)
² 378	Bhatinda	Faridkot	Lambwali	Gurdwara Sahib Padshahi Pehli,

				Chhemi and Dasmi
379	Bhatinda	Faridkot	Bargari	Gurdwara Sahib, Padshahi Dasmi
380	Bhatinda	Mansa	Ralla	Gurdwara Sahib, Padshahi Naumi
381	Bhatinda	Mansa	Jhanda Kalan	Gurdwara Sahib Padshahi Dasmi (Jhanda Sahib)
382	Bhatinda	Mansa	Kot Dharmun	Gurdwara Sahib Padshahi Naumi (Sulisar)
383	Bhatinda	Mansa	Khewa Kalan	Gurdwara Sahib Padshahi Naumi
384	Bhatinda	Mansa	Bhikhi	Gurdwara Sahib Padshahi Naumi
385	Bhatinda	Mansa	Samaon	Gurdwara Sahib Padshahi Naumi
386	Bhatinda	Mansa	Joga	Gurdwara Sahib Padshahi Naumi
387	Bhatinda	Mansa	Malakpur Khaiala	Gurdwara Sahib Padshahi Naumi
¹ [388	Bhatinda	Mansa	Bareh	Gurdwara Sahib Padshahi Naumi
389	Bhatinda	Mansa	Akbarpur Khudal	Gurdwara Sahib Padshahi Dasmi (Bhora Sahib)
² [390	Bhatinda	Mansa	Fafre Bhai Ke	Gurdwara Sahib Padshahi Dasmi (in memory of Bhai Behlo Jee)
391	Bhatinda	Bhatinda	Gill Kalan	Gurdwara Sahib Padshahi Chhemi
² [392	Bhatinda	Mansa	Bachhaona	Gurdwara Sahib Padshahi Dasmi
393	Bhatinda	Mansa	Fafre Bhaike	Gurdwara Sahib
¹ [394	Bhatinda	Bhatinda	Mehma Sarja	Gurdwara Sahib Lakhi Jangal
395	Bhatinda	Faridkot	Kotkapura	Gurdwara Sahib Padshahi Dasmi
¹ [396	Bhatinda	Faridkot	Birewal Kalan	Gurdwara Sahib Padshahi Dasmi (Janda Sahib)
² [397	Bhatinda	Faridkot	Gurusar	Gurdwara Sahib Padshahi Dasmi (Gurusar)

¹Substituted by Punjab Act No. 10 of 1961, section 2, with effect from the 8th January, 1959.

²Substituted by Punjab Act No. 10 of 1959 section 7.

123

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
398	Bhatinda	Faridkot	Ramiana	Gurdwara Sahib Padshahi Dasmi
399	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Sahib Padshahi Pehli (Ber Sahib)
400	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Sahib Padshahi Pehli (Hat Sahib)
401	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Sahib Padshahi Pehli (Kohtri Sahib)

¹ [402	Kapurthala	Kapurthala	Randhirpur	Gurdwara Sahib Sant Ghat
403	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Sehra Sahib
404	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Sahib Guru Ka Bagh
405	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Sahib Padshahi Chhemi
406	Kapurthala	Kapurthala	Dalla	Gurdwara Sahib Padshahi Panjmi and Parkash Asthan Bhai Lalo
² [407	Kapurthala	Phagwara	Lakhpur	Gurdwara Sahib Guru Granth Sahib
408	Kapurthala	Kapurthala	Nadala	Gurdwara Sahib Padshahi Chhemi
409	Kapurthala	Phagwara	Chaura Khuh (Phagwara)	Gurdwara Sahib Padshahi Chhemi
¹ [410	Kapurthala	Phagwara	Phagwara East	Gurdwara Sahib Padshahi Chhemi
411	Kapurthala	Phagwara	Bubeli	Gurdwara Sahib (Chaunta Sahib)
¹ [412	Kapurthala	Phagwara	Dumeli	Gurdwara Sahib Padshahi Chhemi (Tham Sahib)
413	Kapurthala	Phagwara	Palahi	Gurdwara Sahib Padshahi Chhemi
¹ [414	Mohindergarh	Mohindergarh	Mohindergarh	Gurdwara Sahib Padshahi Naumi (Bhora Sahib)
*415	Mohindergarh	Narnaul	Narnaul City	Gurdwara Sahib Padshahi Naumi

*Gurdwara atserial Nos. 242 to 415 added by Punjab Act No. 1 of 1959, section 50.

¹Substituted by Punjab Act No. 10 of 1961, section 2, with effect from the 8th January, 1959.

²Substituted by Punjab Act No. 10 of 1959 section 7.

124

1925: Pb. Act VIII.] SIKH GURDWARAS

Schedule II

(See section 7)

Serial No.	District	Revenue Estate	Name of Institution
¹ [1- 3]			
4	Amritsar	Amritsar City	Akhara Santokh Das Mahant Brahm Buta
5	Amritsar	Amritsar City	Akhara Baba Nand
6	Amritsar	Amritsar City	Akhara Pritam Das or Nirban Katra
7	Amritsar	Amritsar City	Akhara Kanshiwala, inside Sultanwind Gate
8	Amritsar	Amritsar City	Akhara Beriwala

9	Amritsar	Amritsar City	Akhara Chattewala
10	Amritsar	Amritsar City	Akhara Chitta
11	Amritsar	Amritsar City	Akhara Nirban Bawa Tehldas
12	Amritsar	Amritsar City	Akhara Kanihiwala Ghi Mandi
13	Amritsar	Amritsar City	Akhara Bibeksar
14	Amritsar	Amritsar City	Akhara Sangalwala
15	Amritsar	Amritsar City	Dera Mahant Misra Singh
16	Amritsar	Amritsar City	Dera Thakran
17	Amritsar	Amritsar City	Dera Antarajamian
18	Amritsar	Amritsar City	Dera Bhai Parduman Singh
19	Amritsar	Amritsar City	Nirmal Chhetar
20	Amritsar	Amritsar City	Dera Mahant Gurmukh Singh
21	Amritsar	Amritsar City	Dera Punchian
22	Amritsar	Amritsar City	Dera Mahant Bahawal Singh
23	Amritsar	Amritsar City	Dera Giani Bakhshish Singh
24	Amritsar	Amritsar City	Dera Mahant Basant Singh
25	Amritsar	Amritsar City	Dera Baba Budh Singh
26	Amritsar	Amritsar City	Dera Sainlok Ram Singh
27	Amritsar	Amritsar City	Dera Warianwala
28	Amritsar	Amritsar City	Dera Baba Joga Singh
29	Amritsar	Amritsar City	Dera Bhai Sewa Singh
30	Amritsar	Amritsar City	Dharamsala Mai Sarsati
31	Amritsar	Amritsar City	Dera Chattewala

Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, of 1948 (G.G.O.40).

125

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Revenue Estate	Name of Institution
32	Amritsar	Amritsar City	Dharamsala Brahm Huzura, opposite Akhara Balanana
33	Amritsar	Amritsar City	Dharamsala Bawa Rattan Hari
34	Amritsar	Amritsar City	Dharamsala Baba Mela Ram
35	Amritsar	Amritsar City	Dharamsala Baba Har Das
36	Amritsar	Amritsar City	Dera Gyani Babek Singh
37	Amritsar	Tarn Taran	Dera Bhai Tara Singh
38	Gurdaspur	Shankarpur	Dera Sant Mohan Singh
39	Gurdaspur	Qadian	Dera Sant Nihal Singh

40	Gurdaspur	Batala	Dera Bagh Bawa Saran Das
(Revenue estate No. 211)			
[41-69]			
70	Hoshiarpur	Bhadurpur	Dera Baba Charan Shah
71	Hoshiarpur	Daffar	Dhakki
72	Hoshiarpur	Khuddah	Dehra
73	Hoshiarpur	Tanda	Mastgarh
74	Hoshiarpur	Tooto Mazara	Dharamsala
75	Hoshiarpur	Maili	Chini Ghati
76	Jullundur	Alawalpur	Dera Maru Das
77	Ludhiana	Bhaini	Bhaini Sahib
78	Ludhiana	Baraich	Dera Gur Parshad
79	Ludhiana	Gurah	Dera Puran Das
80	Ferozepore	Smadh Bhai	Dera Guru Granth Sahib, Gurmukh Das Mohtamin
81	Ferozepore	Gholia Khurd	Dera Bhai Gulab Singh
82	Ferozepore	Nathuwala	Dera Bhai Bhajan Singh
83	Ferozepore	Daodar	Dera Bhai Mangal Singhwala
84	Ferozepore	Rania	Dera Bhai Khalak Singh
85	Ferozepore	Muktsar	Dera Bhai Mastan Singh
86	Ferozepore	Harike Kalan	Dera Bhai Ran Singh
87	Ferozepore	Sekhwan	Dera Sekhwan

[Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, of 1948 (G.G.O.40).

126

1925: Pb. Act VIII.] SIKH GURDWARAS

Serial No.	District	Revenue Estate	Name of Institution
88	Hissar	Rohri	Dera Mahant Bishudhanand
89	Hissar	Kewal	Dera Kewal
90	Hissar	Kalanwali	Dera Kalanwali
91	Hissar	Takhtmi	Dera Mahant Chhetanand
92	Karnal	Shahabad	Dera Sadh Charan Das, Devi Tal
93	Karnal	Thanesar	Bara Akhara, Kurukshetra
94	Karnal	Thanesar	Chhota Akhara, Kurukshetra
95	Karnal	Thanesar	Dera Kumerwala (Known as Dera Mahant

			Sampuran Singh)
96	Karnal	Sirsala	Dera Sadh Charan Das
97	Karnal	Fatehgarh jhurauli	Dera Fatehgarh Jharauli
98	Karnal	Lakhmari	Dera Bishan Das Sadh
99	Karnal	Sagri	Dera Asthal Ram Kishan Sadh
100	Karnal	Ladwa	Dera Bawa Prem Das
101	Karnal	Kanipla	Dera Sadh Jamna Das
102	Karnal	Khurdban	Dera Udasian
103	Karnal	Umri	Dera Udasian
104	Karnal	Bapdi	Dera Harnam Das Sadh
105	Karnal	Jogi Mazra	Dera Sadhni
106	Karnal	Khera Sudhpur	Dera Sadh Lachhman Das
107	Karnal	Bapauli	Dera Sadh Mohan Das
108	Karnal	Mehra	Dera Sadhni
109	Karnal	Nalvi Mahman Singh	Dera Nirmala Sikh
110	Karnal	Pehowa	Dera Mahant Charan Dass (known as Chhota Akhara)
111	Karnal	Pehowa	Dera Mahant Deva Das (known as Bara Akhara)
112	Karnal	Pehowa	Dera Mahant Thaman Das (known as Dera Nirmal)
113	Karnal	Arnauli	Dera Udasian
114	Karnal	Arnauli	Dera Nirmala Sikhan, Bhagal
115	Karnal	Shamgarh	Dera Udasian
116	Karnal	Fatehgarh	Dera Prem Das

127

1925: Pb. Act VIII.] SIKH GURDWARAS
Schedule III
 (See section 7)

Section	Description of the document	Proper fee
3	List of property alleged to belong to scheduled gurdwara	Ten rupees
5	Petition of claim to property included in a consolidated list	Five rupees
6	Claim for compensation by hereditary office-holder of a notified Sikh Gurdwara or his presumptive successor	Five rupees
7	Petition to have a gurdwara declared to be a Sikh Gurdwara	Ten rupees
8	Petition to have it declared that a gurdwara is not a Sikh Gurdwara	Ten rupees
10	Petition of claim to property included in a list published under section 7	Five rupees

11	Claim for compensation by hereditary office-holder of gurdwara notified under section 7 or his presumptive successor	Five rupees
19	Petition for consideration of an agreement by tribunal	Five rupees
20	Claim for compensation by hereditary office-holder who has resigned or been dismissed or by his presumptive successor	Five rupees
21	Claim to compensation by person alleging right to nominate office-holder	Five rupees
1[25-A	Plaint to have a decree for possession passed	Five rupees
26	Application to have entry made in revenue records	Eight rupees
27	Petition to have it determined who shall manage dedicated property etc.	Five rupees
28	Plaint for the possession of undisputed property	Five rupees
34	Appeal to High Court against order of tribunal	Ten rupees
38	Suit to have it declared that provisions of Part III should be applied to a gurdwara	Ten rupees
52(2)	Appeal to the Commission for setting aside the findings of the Board	Five rupees
84	Application to Commission to have it decided whether a person is a patit	Five rupees
95(2)	Appeal to the Commission for setting aside the findings of the Board	Five rupees
106(3)	Application to Commission by Board for order relating to disposal of surplus income of Sikh Gurdwara	Five rupees
106(5)	Appeal to High Court by Board or a Committee	Ten rupees
123(3)	Application by Board to Commission for alteration of Committee's budget	Five rupees
124	Application to Commission for order against Committee for recovery of annual contribution	One rupee

¹Added by Punjab Act No. LIII of 1953, section 28.

²Added by Punjab Act No. XLII of 1953, section 4.

128

1925: Pb. Act VIII.] SIKH GURDWARAS

Section	Description of the document	Proper fee
30(2) and (4)	Application to Commission relating of scheme of administration	Five rupees
135(3)	Appeal by hereditary office-holder to Commission against order of suspension or dismissal	Five rupees
135(3)	Further appeal to High Court	Ten rupees
135(6)	Application to Commission by Board for order of dismissal of hereditary office-holder	Five rupees
135(8)	Further appeal to High Court	Ten rupees

142(1) and (2) Application to Commission for relief against misfeasance, etc

Ten rupees

142(3) Appeal to High Court

Twenty-five rupees

.. Miscellaneous applications under the Act

One rupee

SCHEDULE IV

1Schedule IV omitted by Punjab Act No.1 of 1959, section 51.