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THE SIKH GURDWARA ACT, 1955

ARRANGEMENT OF SECTIONS

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THE SIKH GURDWARAS ACT, 1925.
(PUNJAB ACT VIII OF 1925)¹

[Received the assent of the Governor-General on the 28th July, 1925 and was published in the Punjab Gazette of the 7th August, 1925 p. 494—543].

Amended, repealed or otherwise affected by :—

- (i) Act XXIV of 1925.¹
- (ii) Punjab Act IV of 1926.²
- (iii) Punjab Act XIII of 1926.³
- (iv) Punjab Act I of 1927.⁴
- (v) Punjab Act III of 1930.⁵
- (vi) Punjab Act IV of 1932.⁶
- (vii) Government of India (Adaptation of Indian Laws) Order, 1937.
- (viii) Punjab Act VII of 1938.⁷

¹For Statement of Objects and Reasons, see *Punjab Gazette*, 1925, Extra., dated 25th April 1925 ; for the Report of the Select Committee, see *Punjab Gazette*, 1926, Extra., dated 20th June, 1925.

The Act applies to merged areas and also to Bilaspur District of old areas, to the former by section 88 of the Punjab Re-organisation Act, 1966, and to the latter by the Bilaspur (Application of Laws) Order, 1949, as subsequently amended by No. 177 (f)-J, dated the 31st July, 1949. It does not apply to old areas other than Bilaspur District. The Act as published here is as applicable to merged areas and in its application to Bilaspur District, it has to be read with the modifications that sub-sections (1) and (2) of section 1 shall be omitted (see Bilaspur Application of Laws Order, 1949), and the amendments made in the Punjab after the date of its application to Bilaspur, shall not apply.

The Act has been included in the Schedule to the Inter-State Corporations Act, 1957 (Central Act 38 of 1957), by Government of India, Ministry of Home Affairs, Not. No. F-17/10/72-SR, dated the 26th July, 1972, published in *Gaz. of India Extra.*, Pt. II, Sec. 3 (i), dated the 26th July, 1972.

²For Statement of Objects and Reasons see *Punjab Gazette* 1926, Part V, p. 8 ; for report of the Select Committee see *Punjab Gazette*, 1926, Part V, p. 36—61.

³For Statement of Objects and Reasons, see *Punjab Gazette* 1926, Extra., p. 67.

⁴For Statement of Objects and Reasons, see *Punjab Gazette* 1927, Part I, p. 616.

⁵For Statement of Objects and Reasons, see *Punjab Gazette*, 1930, Part V, p. 11—12; It came into force on the 1st November, 1930,—vide Punjab Government (Gurdwaras) notification No. 2914, dated the 27th October, 1930, on p. 1205, of *Punjab Gazette*, 1930, Part I.

⁶For Statement of Objects and Reasons, see *Punjab Gazette* 1932, Extra., P. 79, It came into force on 1st January, 1933,—vide Punjab Government notification No. 2695-H. (G. Gurdwaras), dated 19th December, 1932.

⁷For the Statement of Objects and Reasons, see Punjab Government Gazette, 1938, Part V, p. 27.

- (ix) Punjab Act I of 1941.¹
- (x) Punjab Act XI of 1944.²
- (xi) India (Adaptation of existing Indian Laws) Order, 1947.
- (xii) East Punjab Act XLIV of 1948.³
- (xiii) Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, (G. G. O. 40).
- (xiv) East Punjab Act XXXII of 1949.⁴
- (xv) Adaptation of Laws Order, 1950.
- (xvi) Adaptation of Laws (Third Amendment) Order, 1951.
- (xvii) Punjab Act XXVI of 1953.⁵
- (xviii) Punjab Act No. XXVII of 1953.⁶
- (xix) Punjab Act No. XXV of 1953.⁷

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1. For Statement of Objects and Reasons, see *Punjab Gazette*, 1941, . *Extra*, P. 1.
 2. For Statement of Objects and Reasons, see *Punjab Gazette*, 1943 *Extra*, p. 82 ; for Select Committee Report, see *Punjab Gazette*, 1944, *Extra*. p. 493—513.
 3. For Statement of Objects and Reasons, see *East Punjab Gazette*, 1948, *Extra*, p. 622.
 4. For the Statement of Objects and Reasons, see *East Punjab Gazette*, 1948., *Extra*. p. 1134—36
 5. For Statement of Objects and Reasons, see *Punjab Government Gazette*, *Extra*., dated 23rd February, 1953 ; p. 156.
 6. For Statement of Objects and Reasons, see *Punjab Government Gazette*, *Extra*. dated 24th March, 1953, p. 366—67.
 7. For Statement of Objects and Reasons, see *Punjab Government Gazette*, *Extra*. dated 24th March, 1953, p. 370.

- (xx) Punjab Act No. XLII of 1953.¹
- (xxi) Punjab Act No. XLIV of 1953.²
- (xxii) Punjab Act No. LIII of 1953.³
- (xxiii) Punjab Act No. V of 1954.⁴
- (xxiv) Punjab Act No. XI of 1954.⁵
- (xxv) Punjab Act No. XXV of 1954.⁶
- (xxvi) Punjab Act No. XXXVII of 1954.⁷
- (xxvii) Punjab Act No. XXII of 1957.⁸
- (xxviii) Punjab Act No. I of 1959.⁹
- (xxix) Punjab Act No. 10 of 1959.¹⁰
- (xxx) Punjab Act No. 10 of 1961.¹¹

1. For Statement of Objects and Reasons, *see Punjab Government Gazette, Extra*, dated the 23rd February, 1953.

2. For Statement of Objects and Reasons, *see Punjab Government Gazette, Extra*, dated the 17th April, 1953, P. 564.

3. For Statement of Objects and Reasons, *see Punjab Government Gazette, Extra*, dated the 10th September, 1953, p. 1541—66.

4. For Statement of Objects and Reasons, *see Punjab Government Gazette, Extra*, dated the 26th February, 1954, p. 110.

5. For Statement of Objects and Reasons, *see Punjab Government Gazette, Extra*, dated the 16th February, 1954, p. 76.

6. For Statement of Objects and Reasons, *see Punjab Government Gazette, Extra*, dated the 1st November, 1954, p. 848.

7. For Statement of Objects and Reasons, *see Punjab Government Gazette, Extra*, dated the 2nd November, 1954, p. 858.

8. For Statement of Objects and Reasons, *see Punjab Government Gazette, Extra*, dated the 22nd May, 1957, p. 692.

9. For Statement of Objects and Reasons *see Punjab Government Gazette, Extra*, dated 28th March, 1958, p. 725.

10. For Statement of Objects and Reasons, *see Punjab Gazette, Extra*, dated the 30th March, 1959.

11. For Statement of Objects and Reasons *see Punjab Gazette (Extra)*, dated 24th October, 1960.

An Act to provide for the better administration of certain Sikh Gurdwaras and the inquiries into matters 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

1. Short title, extent and commencement.—(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 States of Punjab and Patiala and East Punjab States Union].

(3) It shall come into force on such ²[date] 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 hereby repealed.

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

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

(2) “Commission” means the Judicial Commission constituted under the provisions of Part III.

(3) (i) ⁵[“Committee” means a committee of management constituted under the provisions of Part III.]

⁶[(i) * * * * *].

1. Subs. 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 first day of November, 1925, see notification No 4288-S, dated 12th October, 1925, in the *Punjab Gazette*, 1925, Part I, page 712.

3. Subs. for the word “Provincial” by Adaptation of Laws Order, 1950.

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

5. The old clause (3) renumbered as sub-clause (3) (i) by Punjab Act No. XI of 1944, section 2(a)

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

¹[(3-A). "The extended territories" means the territories, which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union].

(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 or performance of any rituals or ceremonies observed therein and "office-holder" means any person who holds an office.

(ii) "Present 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] holds an office.

(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 ³[or, in the case of the extended territories, before the commencement of the Amending Act as the case may be].

(iv) "Hereditary office" means an office the succession to which before the first day of January, 1920, ⁴[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.

(v) "Present hereditary office-holder" means a person who on the commencement of this Act ⁵[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.

(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 ⁶[or, in the case of the extended territories, before the commencement of the Amending Act as the case may be].

(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 :

⁷[Provided that an office-holder to whom either solely or along with others the performance of public worship in a Gurdwara and of the rituals and ceremonies observed therein is not entrusted directly shall not be deemed to be a Minister for the purposes of sections 134 and 135].

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1. Ins. by Punjab Act No. 1 of 1959, Sec. 3(i)
 2. Ins. by Punjab Act No. 1 of 1959, Sec. 3(2)(a).
 3. Added by Punjab Act No. 1 of 1959, Sec. 3 (2)(b).
 4. Ins. by Punjab Act No. 1 of 1959, Sec. 3(2) (c).
 5. Ins. by Punjab Act No. 1 of 1959, Sec. 3(2) (a)
 6. Added by Punjab Act No. 1 of 1959, Sec. 3(2)(b).
 7. Added by Punjab Act No. 1 of 1959, Sec. 3(2) (d).

(5) "Police Station area" means a local area specified by the ¹[State Government] under the provisions of clause (s) of sub-section (1) of section 4 of the Code of Criminal Procedure, 1898.

(6) "Prescribed" means prescribed by the ¹[State Government] by rules made under this Act.

(7) "Presumptive successor" where the succession to the office devolves according to hereditary right, means the persons 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 ²[or, in the case of the extended territories, before the 1st day of November, 1956, as the case may be].

(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.

³[(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 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].

⁴[(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 religions and rites at the hands of five *pyaras* or 'beloved ones'];.

⁵[(10-A.) 'Sahjdhari Sikh' means a person—

(i) who performs ceremonies according to Sikh rites ;

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

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

3 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 sec. 11.

4 Ins. by Punjab Act No. XI of 1944 sec 2(b).

5 Ins. by Punjab Act No. 1 of 1959, sec. 3(4).

- (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].

¹[(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*].

²[(12) "Notified Sikh Gurdwara" means any gurdwara declared by notification by the ³[State Government] under the provisions of this Act to be a Sikh Gurdwara].

²[(13) "Treasury" means a Government Treasury or sub-treasury and includes any bank to which the Government treasury business has been made over]

²[(14) "Tribunal" means a tribunal constituted under the provisions of section 12].

⁴[(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.

(17) "⁵[Commissioner, Gurdwara Elections]" means the officer appointed by the State Government to perform the duties of the Elections Commissioner for the purposes of this Act.]

CHAPTER II.

PETITIONS TO ⁴[STATE GOVERNMENT] RELATING TO GURDWARAS.

3. List of property of Scheduled Gurdwara to be forwarded to the State Government.—(1) Any Sikh or any present office-holder of a gurdwara specified in Schedule I ⁶[or, added thereto by the Amending Act, may forward to the State Government through the appropriate Secretary to Government so as to reach the Secretary within ninety days of the commencement of this Act, or, in the case of the extended territories, within one hundred and eighty

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1. Ins. by Punjab Act No. XI of 1944, sec. 2(b).
 2. The old clauses 10, 11 and 12, renumbered as 12, 13, and 14 by Punjab Act, XI of 1944, sec. 2(b).
 3. Subs. for the word "Provincial" by Adaptation of Laws Order, 1950.
 4. Ins. by Punjab Act No. XXV of 1954, sec. 2.
 5. Subs. for the words "Election Commsioner" by Punjab Act No. 22 of 1957, sec. 2.
 6. 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. 1 of 1959, section 4(1).

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, 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 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 sections, the expression “Punjab” shall mean the State of Punjab as formed by section 11 of the States Reorganization Act, 1956.]

Declaration of scheduled Gurdwara and publication of list forwarded under sub-section (1) in a consolidated list.—(2) On receiving a list duly forwarded under the provisions of sub-section (1) the ²[State Government] shall, as soon as may be, publish a notification declaring that the gurdwara to which it relates is a Sikh Gurdwara and, after the expiry of the period provided in sub-section (1) for forwarding lists shall, as soon as may be, publish by notification a consolidated list in which all rights, titles and interests in any such properties as are described in sub-section (1) which have been included in any list duly forwarded, shall be included, and shall also cause the consolidated 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 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 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 ²[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 is the person who forwarded the list in which the right, title or interest was claimed.

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

2. Subs. for the word “Provincial” by the Adaptation of Laws Order, 1950

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-sections (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 date of the publication of the notification declaring it to be a Sikh Gurdwara.

4. Effect of omission to forward a list under section 3.—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.

5. Petitions of claim to property included in a consolidated list. (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 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 ¹[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.

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1. Subs. for the word "Provincial" by Adaptation of Laws Order, 1950.
 2. Ins. by Punjab Act No. 1 of 1959, sec. 5.
 3. Subs. for the words "Secretary to Government, Transferred Departments" by Government of India (Adaptation of Indian Laws) Order, 1937.
 4. Ins. by Punjab Act No. 1 of 1959, sec. 6.

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 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 of 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 alongwith 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 is situated and shall also give such other notice thereof as may be prescribed :

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

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.

8. Petition to have it declared that a place asserted to be a Sikh Gurdwara is not such a gurdwara.—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 ²[appropriate Secretary to Government], so as to reach 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 ⁵[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 :

1. Proviso added by Punjab Act, IV of 1932, Sec. 2. It came into force on 1st January, 1933—*vide* Punjab Government notification No. 2695 (H—G./Gurdwara) dated 19th December, 1932.
2. Subs. for the words "Secretary to Government, Punjab, Transferred Departments" by Government of India (Adaptation of Indian Laws) Order, 1937.
3. Subs. for the word "Provincial" by Adaptation of Laws Order, 1950.
4. Ins. by Punjab Act No. I of 1959 Sec. 9 (a).
5. Ins. by Punjab Act No. I of 1959, Sec. 9 (b).

Provided that the ¹[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 ²[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.

9. Effect of omission to present a petition under section 8.—(1) If no petition has been presented in accordance with the provisions of section 8 in respect of a gurdwara to which a notification published under the provisions of sub-section (3) of section 7 relates, the ¹[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.

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.

10. Petition of claim to property included in a list published under sub-section (3) of section 7.—(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 not 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 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 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.

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

2. Ins. by Punjab Act No. I of 1959, Sec.9(b).

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

11. Claim for compensation by a hereditary office-holder of a gurdwara notified under section 7 or his presumptive successor.—(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 awarded compensation on the grounds that such office-holder has been unlawfully removed from his office after the first day of January, 1920 ³[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 petition 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.

CHAPTER III

APPOINTMENT OF AND PROCEEDINGS BEFORE A TRIBUNAL

12. Constitution and procedure of tribunal for the purposes of the Act.—(1) For the purpose of deciding claims made in accordance with the provisions of this Act the ¹[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 ⁴[* * *] and two other members appointed by notification by the ¹[State Government].

(3) The president of a tribunal shall be ⁵[a person who is or has been], a Judge of the High Court and each other members shall be—

- (i) a District Judge or a Subordinate Judge of the first class, or
- (ii) a barrister of not less than ten year's standing, or

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

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

3. Ins. by Punjab Act No. I of 1959, sec 10.

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

5. Ins. by Punjab Act No. I of 1959 sec. 11.

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

(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 tribunal under the provisions of ⁶[* * * *] sub-section (6) shall not invalidate any previous or subsequent proceedings 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 ²[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 Indian Penal Code.

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1. Ins. by Punjab Act XIII of 1926 sec. 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. Subs. for the word “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 Government of India (Adaptation of Indian Laws) Order, 1937.
 4. Sub-section (5) was omitted by 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 (d) of Act XXIV of 1925, were omitted by Government of India (Adaptation of Indian Laws) Order, 1937.
 6. The words, brackets and figure “sub-section (5) or” omitted by East Punjab Act No. XLIV of 1948, sec. 2.

(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 ¹[the territories specified in sub-section (1) of section 5 of the Punjab Reorganisation Act, 1966], and shall have no jurisdiction over any proceedings other than is expressly vested in it by this Act.

(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.

(12) If more tribunals than one are constituted, the ²[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.

13. Procedure on difference of opinion.—(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.

14. Tribunal to dispose of petitions under sections 5, 6, 8, 10 and 11.—(1) The ²[State Government] shall forward to a tribunal all 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.

1. Subs. for "Punjab" which was subs. by Adaptation of Laws Order, 1950, for "East Punjab"— which had been subs. for the "Punjab" by G.G.O. 40 of 1948.

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

(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 the provisions of section 8, shall be conclusive proof that the provisions of section 8 with respect to such worshippers were duly complied with.

15. Power of tribunal to join parties and award costs.—(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 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 (20 of 1908).

16. Issue as to whether a gurdwara is a Sikh Gurdwara to be decided first and how issue is to be decided.—(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. Subs. for the word "is" by Punjab Act, No. III of 1930, sec. 3(i).

2. Ins. by Punjab Act No. III of 1930, sec. 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 No. III of 1930, sec. 11(i).

- (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 (I) 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 (I) 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 (I) 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 (I) 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 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 ³[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.

1. Subs. for the word "is" by Punjab Act No. III of 1930, sec. 3(i).

2. Ins. by Punjab Act No. III of 1930, sec. 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, sec. 11(i).

3. Ins. by Punjab Act No. I of 1959, sec. 12.

17. Notification of Sikh Gurdwara on finding of tribunal.—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 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 ¹[State Government] through the ²[Appropriate Secretary to Government], accordingly, and the ³[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.

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.—(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 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 ³[or, in the case of the extended territories, before the 1st 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 ;

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

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

3. Ins. by Punjab Act No. I of 1959, sec. 13(a).

- (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 1st day of November, 1956, as the case may be] and 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 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 occasions ;
- (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.

19. Adjudication by tribunal upon agreements made between office-holder and persons acting on behalf of a Sikh Gurdwara.—Where a change in the system of management of a Notified Sikh Gurdwara has occurred on or after the first day of January, 1920 ²[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

¹ Ins. by Punjab Act No. I of 1959, sec. 13(a).

² Ins. by Punjab Act No. I of 1959, sec. 14.

(iii) the forms of notices to be given or declarations to be made by the Controlling Authority .

16. Repeal of Ordinance No. IV of 1948.—The East Punjab Refugee Rehabilitation (Loans and Grants) Ordinance, 1948, is hereby repealed; and any rules made or notification issued, anything done and any action taken in execution of any power conferred by or under the said Ordinance shall be deemed to have been made, issued, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 27th day of January, 1948.

THE PUNJAB REPEALING ACT, 1960

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title
2. Repeal of certain enactments.
3. Savings

The Schedule

THE PUNJAB REPEALING ACT, 1960

(PUNJAB ACT NO. 16 OF 1960)¹

[Received the assent of the Governor of Punjab on May 4, 1960 and was published in the Punjab Gazette (Extra.), Legislative Supplement, Part I, dated May 11, 1960/Vaisakha 21, 1882, Saka].

An Act to repeal certain enactments.

BE it enacted by the Legislature of the State of Punjab in the Eleventh Year of the Republic of India as follows :—

1. **Short title.**—This Act may be called the Punjab Repealing Act, 1960.
2. **Repeal of certain enactments.**—The enactments specified in the Schedule are hereby repealed.
3. **Savings.**—The repeal by this Act, of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to ;

¹ For Statement of Objects and Reasons, see the Punjab Gazette, Extra., dated the 25th March, 1960.

This Act is applicable only in respect of merged areas, by virtue of sec. 88 of the Punjab Re-organisation Act, 1966.

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 in the Indian Registration Act, 1908, or the Indian Stamp Act, 1899, pass such orders 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.

20. Claim for compensation by a hereditary office-holder who has resigned or been dismissed.—Any hereditary office-holder of a Notified Sikh Gurdwara who, within twelve months after the date of the publication of a notification declaring the gurdwara to be a Sikh Gurdwara, 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 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.

21. Claim for compensation by person alleging right to nominate office-holder of a Notified Sikh Gurdwara.—When a notification has been published under the provisions of this Act declaring a gurdwara to be a Sikh Gurdwara, any person claiming that the right to nominate an office-holder thereof was vested in him at the date of the publication, or before the first day of January, 1920 ¹[or, in the case of the extended territories, before the first day of November, 1956], may, within ninety days from the date of the 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 ²[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 Ins. by Punjab Act No. I of 1959, sec. 15.

2 Ins. by Punjab Act No. I of 1959, sec. 14.

22. Matters for consideration in awarding compensation.—In deciding claims for compensation made under the provisions of section 6, 11 or 20, a tribunal—

(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 life time 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 be ;]
- (ii) the conviction of the claimant by a criminal court for an offence which, in the opinion of the tribunal, involves moral turpitude or an order passed against him under the provisions of sections 110 and 118 of the Code of Criminal Procedure, 1898 ²;
- (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.

¹ Added by Punjab Act No. I of 1959, sec. 16.

² Now Code of Criminal Procedure, 1973.

23. Compensation to be paid annually out of income of gurdwara.—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.

24. Payment to heirs of person compensated.—If any person to 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.

25. Manner in which compensation is to be paid and recovered if not duly paid.—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 way of temporary alienation of the agricultural land of such gurdwara for a period which the Collector may determine.]

²[**25-A. Power of tribunal to pass decrees for possession in favour of the committees of Gurdwaras.**—(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 a 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 ;]

³[(2) * * * * *].

1. Subs. 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, sec. 3.]

2. Added by Punjab Act No. III of 1930, sec. 4. 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* section 11 of Punjab Act III of 1930.

3. Omitted by Punjab Act No. LIII of 1953, sec. 3.

26. Entry of rights of gurdwara in revenue records.—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 Act, 1887. accordance with the provisions of the Punjab Land Revenue (XVII of 1887.)

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

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

¹[(3) * * * * *].

29. Exclusion of jurisdiction of the courts.—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 in respect of which 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 provisions of section 16 that such gurdwara should not be declared to be a Sikh Gurdwara.

1. Omitted by Punjab Act No. LIII of 1953, sec. 4.

30. Decision by courts on certain claims in certain circumstances.—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 forwarded to the ³[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 diligence, 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 :

1. Ins. by Punjab Act No. I of 1959, sec. 17.

2. Subs. for the expression "Central Government" (which was subs. for "State Government" by A.O. 1968) by A.O. 1973. The word "State" was Subs. for "provincial" by Adaptation of Laws Order, 1950.

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

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.

31. Courts not to continue certain proceedings pending decision as to whether a place is or is not a Sikh Gurdwara.—(1) No court shall continue any proceedings in so far as 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 provisions of sub-section (2) of section 3, if such claim could have been made in a petition forwarded to the ¹[State] Government under the provisions of section 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 provisions 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 ¹[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.

32. Transfer of suits pending in court (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.

33. Disputes relating to rights of office-holder after a year from commencement of Act.—When any place has 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.

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

34. Appeal against orders of a tribunal.—(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 Divisional Court of the High Court.

35. Court fees.—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.

36. No court to take cognizance of manner in which the State Government or tribunal exercises its power under the Act.—No suit shall lie in any Court to question any thing purporting to be done by the ¹[State] Government or, by a tribunal, in exercise of any powers vested in it by or under this Act.

37. Courts not to pass an order or grant or execute a decree inconsistent with decision of a tribunal.—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.

PART II

CHAPTER IV

Application of Provisions of Part III to Gurdwaras Found to be Sikh Gurdwaras by Courts other 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.—(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 Sikh Gurdwara has been published under the provisions of this Act, may, after the expiry of one year from the commencement of this Act ²[or, in the case of the extended territories, from the commencement of the Amending Act, as the case may be,] or of

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

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

such further period as the ¹[State] Government may have fixed under the provision 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 ¹[State] Government within the local limits of whose jurisdiction the gurdwara is situated, praying for any of the reliefs 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 described 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 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 the 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

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

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.

(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

39. Suits for Relief claimable by application under this Part barred.—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

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

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

42. Name of Board.—(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 ³[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 ³[State Government] the Board shall be designated the Central Board.

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 No. XI of 1944, section 5, and omitted by Punjab Act No. LIII of 1953; section 6.

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

(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.

43. Composition and constitution of the Board.—(1) The Board shall consist of—

- (i) one hundred and thirty-two elected members ;
- (ii) the head ministers of the Darbar Sahib, Amritsar, and the following four Takhats, namely,—

The Sri Akal Takhat Sahib, Amritsar, the Sri Takhat Keshgarh Sahib, Anandpur, the Sri Takhat Patna Sahib, Patna, and the Sri Takhat Hazur Sahib, Hyderabad Deccan.

- (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 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].

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

- (i) one hundred and forty elected members ;
- (ii) the Head Ministers of the Darbar Sahib Amritsar, and the following four Takhats namely :—
 - the Sri Akal Takhat Sahib, Amritsar,
 - the Sri Takhat Keshgarh Sahib, Anandpur,
 - the Sri Takhat Patna Sahib, Patna, and
 - the Sri Takhat Hazur Sahib, Nanded ; 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).

1. Subs. by Punjab Act No. XLIV of 1953, sec. 2.

2. Ins. by Punjab Act No. 1 of 1959, sec. 19.

(2) The State 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 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.]

¹[44. Constituencies for election of members of Board.—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) each constituency shall return a single member].

³(2) The State Government shall from time to time, and after such consultation with the Board as it considers proper, select fifteen constituencies specified in Schedule IV and the constituencies so selected shall be plural constituencies ; each returning two members of whom one shall be a Sikh belonging to any of the Scheduled Castes 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 .]

45. Qualifications of elected members—(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 four Sikh Takhats specified in clause (ii) of sub-section (1) 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 ;

⁴[(vi) being a *Keshadhari* Sikh is not a *amritdhari* ;

(vii) takes alcoholic drinks. ;

1. Subs. for the old section by Punjab Act No. XI of 1944, sec. 7.

2. Subs. by Punjab Act No. 1 of 1959, sec. 20(a).

3. Subs. by Punjab Act No. XLIV of 1953, sec. 3.

4. Added by Punjab Act No. XI of 1944, sec. 8.

¹[(viii) not being a blind person cannot read and write Gurmukhi.

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 Gurmukhi ; 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 election 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.

46. Qualifications of nominated members.—A person shall not be ⁴[* * *] or 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 ;
- (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 four Sikh Takhats specified in clause (ii) of sub-section (1) of section 43;

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1. Subs. by Punjab Act No. 1 of 1959, section 21(1).
 2. The words "specified in Schedule IV" omitted by Punjab Act No. 1 of 1959, section. 21(2).
 3. Ins. by Punjab Act No. 1 of 1959 sec. 21(3).
 4. Omitted by Punjab Act No. XLIV of 1953, section 4.
 5. Subs. for the words "twenty-one" by Punjab Act No. 1 of 1959, sec. 22(a).

(vii) is paid servant of any Notified Sikh Gurdwara of the Board, other than a member of the executive committee of the Board;

¹[(viii) being a *Keshadhari* 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 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.]

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

48. Electoral roll.—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.

⁴[**49. Qualifications of electors.**—Every person shall be entitled to have his name registered on the electoral roll of a constituency constituted for the election of a member or members of the Board who is a resident in that constituency and ** 5 2**

(i) ** 6 **;

(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.

Provided that no person shall be registered as an elector who—

(a) trims or shaves his beard or *keshas* except in case of *sehjdhari* Sikhs;

-
1. Added by Punjab Act No. XI of 1944, sec. 9.
 2. Subs. by Punjab Act No. 1 of 1959 sec. 22(b).
 3. Subs. for the word "Provincial" by Adaptation of Laws Order, 1950.
 4. Subs. for the old section by Punjab Act No. XI of 1944, sec. 10.
 5. The word "either" omitted by Adaptation of Laws (Thrd Amendment) Order of 1950.
 6. Clause (i) omitted by Adaptation of Laws (Thrd Amedment) Order of 1950.

(b) smokes;

(c) takes alcoholic drinks.]

50. Right to vote.—(1) 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 the 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.]

51. Term of membership.—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.

52. Effect of subsequent disability to serve as member of Board.—³[(1) If any person having been elected ⁴[* * *] or ⁵[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 or section 46. as the case may be, he shall cease to be a member thereof.

⁷[(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.]

1. Subs. by Punjab Act No. XLIV of 1953, sec 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. Subs. for the word "three" by Punjab Act No. XI of 1944, sec. 12.

3. Subs. for the old section 52 by Punjab Act No. III of 1930, sec. 5.

4. Omitted by Punjab Act No. XLIV of 1953, sec 6.

5. Ins. by Punjab Act No. XI of 1944, sec. 13(i).

6. Ins. by East Punjab Act No. XXXII of 1949, sec. 2.

7. Added by Punjab Act No. XLII of 1953, sec. 2(a).

¹(3) If any person having been elected ²[* * *] ³[or co-opted] a member of the Board absents 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.]

53. Vacancy in Board, how to be filled.—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, ⁴[* * *] 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.

54. First meeting of the Board.—The first general meeting of the Board shall be held at a time not later than one month after the ⁶[State] Government has notified that it has been constituted, and notice thereof shall be given by notification by the ⁶[State] Government.

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

56. Notice of meeting.—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.

57. Power of members to call meeting.—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.

58. Office of Board.—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.

59. Quorum of Board in general meeting.—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.

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

2. Omitted by Punjab Act No. XLIV of 1953, sec. 6.

3. Ins. by Punjab Act No. XI of 1944, sec. 13(1).

4. See Punjab Act No. XXV of 1953 which provides for the filling of vacancies in the Shiromani Gurdwara Parbandhak Committee constituted in exercise of powers conferred by Article 9(2) of the India (Adaptation of Existing Indian Laws) Order, 1947.

5. The words "nominated" and "or nominated" omitted by Punjab Act No. XLIV of 1953, sec. 7.

6. Subs. for the word "Provincial" by Adaptation of Laws Order, 1950.

¹[**60. Chairman at meetings of the Board.**—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.]

61. Decision of questions before Board.—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 an equality of votes the chairman shall have a second or casting vote:

²[Provided that no member of the Board referred in 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.]

³[**62. Office-bearers and executive committee of Board.**—(1) The Board shall at its first general meeting elect by a ballot one of its members to be President ⁴[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 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.

(2) If the President is not elected in the first general meeting, the State 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. Subs. by Punjab Act No. LIII of 1953, sec. 7.

2. Added by Punjab Act No. I of 1959, sec. 23.

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

4. Subs. for the words "and another to be Vice-President of the Board" by Punjab Act No. XI of 1944, sec. 14.

63. Annual election of executive committee.—(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 non-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 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.]

64. Powers of executive committee of Board.—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. ⁵[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.]

1. Ins. by Punjab Act. No. XI of 1944, Sec. 15 (a).

2. Subs. for the words "office-holders" by Punjab Act No. XI of 1944, sec. 15(b).

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

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

5. Added by Punjab Act No. 1 of 1959, sec. 24.

65. Vacancy in executive committee, how to be filled.—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.

66. Member of a committee of management not to be member of executive committee of Board.—A member of a committee of management shall not be eligible for election as 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 forth with cease to be a member of the executive committee.

67. Resignation of member of executive committee or of Board.—A member of the executive committee ¹[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.

68. Remuneration of members of executive committee.—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.

69. Servants of the Board ; their appointment and punishment.—The executive committee of the Board may appoint ²such servants 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

70. The Judicial Commission.—(1) The Judicial Commission shall consist of three members who shall be Sikhs appointed from time to time as may be necessary by the ²[State] Government.

1. Ins. by Punjab Act No. XI of 1944, sec. 16.

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

(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 ¹[the service of the ²[Government]], was a District Judge or a Subordinate Judge of the first class or of not less than ten years' standing or ³[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 ⁴[or any Court which is a High Court within the meaning of clause (24) of 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 ⁵[State] Government out of a list of qualified persons prepared and maintained as described in section 71.

71. Appointment of members of the Commission.—(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 ⁵[State] Government, 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 ⁵[State] Government 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 ⁵[State] Government 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.

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

2. Subs. for the word "Crown" by Adaptation of Laws Order, 1950.

3. Added by Punjab Act No. III of 1930, sec. 6.

4. Ins. by Punjab Act No. XIII of 1926, sec. 2. This amendment has been given retrospective effect by Punjab Act No. XIII of 1926, sec. 3.

5. Subs. for the word "Provincial" by Adaptation of Laws Order, 1950.

(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[State] Government and his name shall be removed from the list.

(4) The ¹[State] Government 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.

(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 ¹[State] Government 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 ¹[State] Government may after giving one month's notice of its intention to the Board place the name of any qualified person on list to fill the vacancy.

72. Member of the Board or of a committee to resign if appointed a member of Commission.—If any person who is a 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 a member of the Board or committee, or of both, as the case may be.

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

74. Officers and servants of the Commission.—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 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. Subs. for the word "Provincial" by Adaptation of Laws Order, 1950.

2. Ins. by Punjab Act No. XI of 1944, sec. 17 (i).

3. Ins. by Punjab Act No. XI of 1944, sec. 17(ii).

75. Expenses to be shared by Government and Board.—(1) ¹[The net] expenses arising ²[on and from the 1st day of November, 1966], from the appointment of the Commission including the remuneration of its members, officers and servants shall be defrayed by the ³[Government of Punjab] and the Board, the ³[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 ³[Government of Punjab] and the portion thereof payable by the Board shall be recovered from the Board after the close of each financial year.

⁴[1-A] 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 States 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 ³[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.

76. Jurisdiction and procedure of Commission.—(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.

(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.

(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.

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1. Subs. for the word "All" by Punjab Act No. I of 1941, sec. 2.
 2. Ins. by Government of India Ministry of Home Affairs, S.O. 465, dated the 3rd February, 1969, published in Gaz. of India, Extra., Pt. I, Sec. 3(ii), dated the 3rd February, 1969.
 3. Subs. for the words "State Government" by *ibid.*
 4. Added by *ibid.*

77. Court and office of Commission.—The Commission shall have its court and office at such place or places as the ¹[State Government] may from time to time fix.

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

79. Removal of member of Commission.—The ¹[State Government] may remove any member of the Commission—

(i) if he refuses to act or becomes in the opinion of the ¹[State Government] 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, ²[or].

³[(iv) if he has served as a member for more than two years.]

80. Election of president of Commission.—(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 ¹[State Government].

(3) No proceedings shall be taken by the Commission unless at least two members are present and sitting together: provided that notices and summonses 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.

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

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

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

81. Settlement of difference of opinion in Commission.—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.

82. Costs in proceedings may be made payable out of income of Sikh Gurdwara.—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 that the whole or any part of such expenses shall be paid by any party to such proceedings or out of the property or income of the notified Sikh Gurdwara to which the proceedings relate.

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

84. Decision as to whether a person is or is not a *patit*.—If it is necessary to decide for the purposes of the constitution of the Board or a committee, under the provisions of this 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

²85. 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 Takht Keshgarh Sahib, Anandpur ;
- (ii) The Darbar Sahib, Baba Atal Sahib and all other Notified Sikh Gurdwaras other than Sri Akal Takht 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 ;

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

2. Subs. for the old section by Punjab Act No. XI of 1944, Sec. 19.

3. Subs. by Punjab Act No. 1 of 1959, Sec. 25(a).

- (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 ;
- (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 Gauj 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[* *] Takht Sri Damdama Sahib, Jandsar and Bunga Kattuwala at Sabo Ki Talwandi, Gurdwara Sri Damdama Sahib Bunga Mata Sahib Dewan Ji at Talwandi Sabo, Gurdwara Sahib Padshahi Dasmi Takht Damdama Sahib, Bhai Bir Singh Dhir Singh, Mazhabi Singh Wala at Talwandi Sabo, Gurdwara Sahib Takht 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. Subs. for the words "Gurdwara Dhamtan Sahib" by Punjab Act No. 10 of 1959 Sec. 2(a).

2. The word "Mastuana" omitted by Punjab Act No. 10 of 1959 ; Sec. 2(b).

(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) * * * * *

86. Committees of Gurdwaras other than those specified in section 35.—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 sub-section (1), the Gurdwaras at Narnaul and Mahendragarh shall be managed by the Board].

⁷86-A. * * * * *

87. Constitution of committee not specially provided for.—⁸(1) Every Committee shall consist of five members out of which one at least shall be a person belonging to the scheduled castes and shall be constituted as follows :—

⁹(a) The Board shall nominate the members, with their written consent, of the committee of the Gurdwara or Gurdwaras,

1. The words "in consultation with local committees" omitted by East Punjab Act No. XXXII of 1949, Sec. 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 No. XXXII of 1949 Sec. 3.

3. Omitted by Punjab Act No. 1 of 1959, Sec. 25(b).

4. Sub-sections (3), (4) and (5) omitted by East Punjab Act No. XXXII of 1949 Sec. 3(b).

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

6. Subs. for the word "Provincial" by the Adaptation of Laws Order, 1950.

7. Section 86-A as inserted by Punjab Act No. XI of 1944, Sec. 20. omitted by Punjab Act No. LIII of 1953, Sec. 10.

8. Subs. by Punjab Act No. 1 of 1959, Sec. 27.

9. Subs. by Punjab Act No. 10 of 1959, Sec. 3.

whose gross annual income does not exceed three thousand 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 three thousand 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 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].

88. Constitution of Committees : Publication of constitution and effect thereof.—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)]

1. Subs. by Punjab Act No. LIII of 1953, Sec. 12(a).

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

¹[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 ²[State Government] shall notify these facts and when all the members of such Committee have been nominated or have been elected and nominated, 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.

³[89. Election of member.—(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 ²[State Government], by the Board in a general meeting.

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

(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.

90. Qualification for election to Committee.—(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 Takhts 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

1. Subs. by Punjab Act No. I of 1959, Sec. 28.

2. Subs. for the expression "Central Government" (which was subs. for "State Government" by A. O. 1968) by A.O. 1973.

3. Sections 89 and 90 inserted by Punjab Act No. 10 of 1959, Sec. 4

- (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
- (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 *patit*, his election shall be void].

91. Qualification for nomination to a Committee.—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.

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

2. Ins. by Punjab Act No. XI of 1944, Sec. 25(b).

¹[(vii) being a *keshadhari* Sikh is not a *amritdhari*], or

(viii) takes alcoholic drinks, or

²[(ix) not being a blind person cannot read or write Gurmukhi].

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.

92. Qualification of electors.—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 :

Provided that no person shall be registered as an elector who—

(a) trims or shaves his beard or *keshas* except in case of *sehjdhari* Sikhs ;

(b) smokes ; and

(c) takes alcoholic drinks.

93. Right to vote.—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].

94. Period of continuance of committees.—Every committee shall continue for ³[five] years from the date of its constitution or until a new committee has been constituted, whichever is later.

1. Ins. by Punjab Act No. XI of 1944, Sec. 25(c).

2. Subs. by Punjab Act No. I of 1959, Sec. 29(b).

3. Sections 92 and 93 inserted by Punjab Act No. 10 of 1959, Sec. 4
These were previously omitted by Punjab Act No. 1 of 1958, Sec. 42.

4. Subs. for the word "three" by Punjab Act No. XI of 1944, Sec. 28.

¹[94-A. **Incorporation of committees.**—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.]

²[95. **Effect of subsequent disability to serve as a member of a committee.**—(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].

⁵[96. **Vacancies in Committees.**—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.]

⁶[97. * * * * *].

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1. Sec. 94-A inserted by Punjab Act No. III of 1930, Sec. 7.
 2. Subs. for the old section by Punjab Act No. III of 1930, Sec. 8.
 3. Ins. by East Punjab Act No. XXXII of 1949, Sec. 5.
 4. Sub-section (2) added and old sub-section (2) renumbered as sub-section (3) by Punjab Act No. XLII of 1953, Sec. 3
 5. Subs. by Punjab Act No. 10 of 1959, Sec. 5.
 6. Omitted by Punjab Act No. LIII of 1953, Sec. 17.

198. Committees to meet at least three times a year.—(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.

99. Notice of meetings.—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 ²[* * *].

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

101. Presidents and Vice-Presidents of Committees.—(1) Every committee shall at its first meeting ³[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.

(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.

102. Decisions of questions before committees.—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.

103. Minutes to be recorded.—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.

1. The original section 98 was renumbered as sub-section (1) and sub-section (2) was added by Punjab Act No. III of 1930, Sec. 9.

2. Omitted by Punjab Act No. I of 1959, Sec. 31.

3. Ins. by Punjab Act No. I of 1959, Sec. 32.

104. Resignation of president and members of committee.—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 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.

(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.].

³[**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.]

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

CHAPTER IX

FINANCES

106. Object on which the funds of a gurdwara may be spent.—(1) Subject to the provisions of this Act, all properties and income of a Notified Sikh Gurdwara shall be used, in the 1st place, for the maintenance or improvement of the gurdwara ; for the maintenance of 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 fulfilment 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.

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

2. Added by Punjab Act No. I of 1959, Sec. 33(b).

3. Added by Punjab Act No. LIII of 1953, Sec. 18.

4. Subs. by Punjab Act No. LIII of 1953, Sec. 19

(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 purposes, the committee may, by resolution passed by not less than two-thirds of its members, propose to allocate a part or 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 or 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 objections, 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 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.

²[(6) Nothing contained in sub-sections (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

1. Ins. by Punjab Act No. I of 1959, Sec. 34.

2. Added by Punjab Act XI of 1944, Sec. 33.

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.]

¹[106-A. **Utilization of surplus income.**—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.]

107. Annual contribution to Board.—(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.

²[(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.]

³[(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.]

108. Formation of General Board Fund.—(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 contributions 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.

1. Ins. by Punjab Act No. I of 1959, Sec. 35.

2. Subs. for the old sub-section by Punjab Act No. XI of 1944, sec 34.

3. Added by Punjab Act No. XI of 1944, Sec 35.

¹[(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 ²[may be spent by the Board on any religious or charitable purposes or any other purpose which promotes social welfare], 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).

³[108-A. **Research fund.**—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 Gurdwaras 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 a 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.

108-B. Religious fund.—(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 ;

1. Subs. for the old sub-section by Punjab Act No. XI of 1944, Sec. 36.

2. Subs. by Punjab Act No. I of 1959, Sec. 36.

3. Sections 103-A, 103B, and 103 C inserted by Punjab Act, No. I of 1959, Sec. 37.

(c) ten per centum of its gross annual income in the case of a committee having gross annual 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) (i) ¹[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.

108-C. Research and religious fund to be governed by the Act.—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.

109. Funds transferred to Board by Shromani Gurdwara Parbandhak Committee.—If any sum is transferred to the Board by the Shromani 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 ;

(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 Shromani Gurdwara Parbandhak Committee as may be legally recoverable ;

(iii) any portion remaining after the debts of the Shromani Gurdwara Parbandhak Committee have been discharged as required by clause (ii) shall be set apart for such religious, charitable or

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

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

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.

110. Funds held in trust by the Board for specified purposes.—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.

111. General Trust Fund.—Every sum other than a sum specified in sections 107, 109 or 110 or sub-section (2) of section 114 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.

112. Separate funds to be maintained for each trust.—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 section 110, and may discharge out of each such fund any obligations legally incurred in connection therewith.

113. Trust Funds to be deposited in banks.—³[(1) Every sum received by the Board in connection with any fund shall be placed to the credit of the fund in such bank as the Board in general meeting may direct.]

³[(2) The Board may invest any portion of its fund in one or more Government securities or Defence Saving Certificates ⁴[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].

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

1. Ins. by Punjab Act No. XI of 1944, Sec. 37.

2. Ins. by Punjab Act No. XI of 1944, Sec. 38.

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

4. Ins. by Punjab Act No. I of 1959, Sec. 38.

(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 under the rules for the time being in force in Punjab.

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

(2) For the purposes 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, 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.

116. Auditors' report.—(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.

1. Subs. for the words "State Government" by Government of India, Ministry of Home Affairs Not- No. F-17/10/72 -SR, dated the 26th July, 1972 (issued under Section 72 of the Punjab Re-organisation Act, 1966), published in Gaz., of India, Pt. II, Sec. 3 (ii), dated the 26th July, 1972. The word "State" was subs. for "Provincial" by Adaptation of Laws Order, 1950.

¹[(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 ²[two newspapers one of which must be published daily.]

³[(4) If the Board fails to cause the report to be published in accordance with sub-section (3), the Commission or the ⁴[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].

§117. Board to consider auditor's report.—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 necessary and proper to rectify any illegal, unauthorised or improper expenditure and may also pass such further orders upon the reports 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].

118. Payment of expenses of audit.—(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 of 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 ⁴[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.

119. Budget of Board.—(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.

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1. Subs. by Punjab Act No. LIII of 1953, Sec. 20(a).
 2. Subs. for the words "at least one English and one Vernacular newspaper printed and published in the Punjab" by Punjab Act No. 1 of 1959, Sec. 39.
 3. Added by Punjab Act No. LIII of 1953, Sec. 20(b).
 4. Subs. for the words "State Government" by Government of India, Ministry of Home Affairs Not. No.F 17/10/72-SR, dated the 26th July, 1972 (issued under Section 72 of the Punjab Re-organisation Act, 1966) published in Gaz., of India, Pt. II, Sec. 3 (ii), dated the 26th July, 1972. The word "State" was subs. for "Provincial" by Adaptation of Laws Order, 1950.
 5. Subs. by Punjab Act No. LIII of 1953, Sec. 21.

120. Accounts to be maintained by committees.—(1) The Committee ¹[or the local committee] 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[or the local committee], be furnished with a copy of the whole or any part of such account.

(3) The Committee ¹[or the local committee] 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 Commissioners of districts under the rules for the time being in force in Punjab.

121. Audit of committee's account.—(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 ²[the Board acting as a Committee under the provisions of section 85] shall be audited by an auditor ³[appointed by the ⁴[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 in 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 once in every year or may with like sanction dispense with the audit and examination of such account.

1. Ins. by Punjab Act, No. XI of 1944, Sec. 39.

2. Subs. for the words "the local committees described in section 85" by Punjab Act No. LIII of 1953, Sec. 23.

3. Subs. for the words "who may act as auditor under the provisions of section 144 of the Indian Companies Act, 1913," by Punjab Act No. I of 1959, Sec. 40.

4. Subs. for the words "State Government" by Government of India, Ministry of Home Affairs Not. No. F. 17/10/72-SR, dated the 26th July, 1972 issued under Section 72 of the Punjab Re-organisation Act, 1966, published in Gaz. of India, Pt. II, Sec. 3 (ii), dated the 26th July, 1972. The word 'State' was subs. for "Provincial" by Adaptation of Laws Order, 1950.

(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 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.

122. Report of auditor.—(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, unauthorised or improper expenditure, and may also pass such further orders upon the report as it may deem proper.]

⁴(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.

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

1. Subs. by Punjab Act No. LIII of 1953, Sec. 24(a).

2. Subs. for the words "State Government" by Government of India, Ministry of Home Affairs Notification No. F. 17/10/72-SR, dated the 26th July, 1972 (issued under Section 72 of the Punjab Re-organisation Act, 1966) published in Gaz. of India, Pt. II, Sec. 3(ii), dated the 26th July, 1972. The word "State" was subs. for "Provincial" by Adaptation of Laws Order, 1950.

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

4. Renumbered by Punjab Act No. IV of 1926, Sec. 2.

¹(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 ²[State 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]

123. Budget of Committees.—(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.

³[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 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.

(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 ⁴[* * * *] of section 85.

1. Added by Punjab Act No. LIII of 1953, Sec. 24(c).

2. Subs. for the words "State Government" by Government of India, Ministry of Home Affairs Notification No. F 17/10/72-SR, dated the 26th July, 1972 (issued under Section 72 of the Punjab Re-organisation Act, 1966), published in Gaz. of India, Pt. II, Sec. 3(ii), dated the 26th July, 1972. The word "State" was subs. for "Provincial" by Adaptation of Laws Order, 1950.

3. Added by Punjab Act No. 1 of 1959, Sec. 41.

4. The words, brackets and figure "of sub-section (1)" omitted by Punjab Act No. XI of 1944, Sec. 41.

124. Recovery of contributions.—(1) The contributions payable under the provisions of section 107 shall be paid by the committee of a 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 a lump sum or by instalments, as it deems fit.

CHAPTER X

POWERS AND DUTIES OF THE BOARD

125. Powers and duties of the Board generally.—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 fulfilment of this duty and subject to the provisions of, and in addition to the powers conferred upon the 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[* * * *]

127. Board may hold and administer trusts.—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 or income of a gurdwara under its management or from donations, or contributions or endowments made direct to the Board for such purposes.

⁴[127-A. Collection of dues payable to notified Sikh Gurdwaras left in Pakistan.—(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,

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1. Ins. by Punjab Act No. XI of 1944, sec. 42.
 2. Section 126 omitted by Punjab Act No. I of 1959, sec. 42.
 3. Subs. for the words "or educational nature" by Punjab Act No. XI of 1944, sec. 43.
 4. Section 127-A added by East Punjab Act No. XXXII of 1949, sec. 7.

Post Offices, wheresoever situated or from Custodian, Evacuee Property,¹[Punjab] or any person, member or office-bearer of any local committee or Gurdwara Management Committee of any notified Sikh Gurdwara²[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) This section shall have retrospective effect as from the 15th day of August, 1947.

³[127-B.—(1) Notwithstanding any other provision 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 dependants, 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 3/4 of the Members of the Board in a general meeting as the Board, in a general meeting may determine].

128. Control by Board over executive committee.—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.

129. What matters may be discussed by Board in general meeting.—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.

1. Subs for the words "East Punjab" by Adaptation of Laws Order, 1950. Now Himachal Pradesh.

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

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

130. Settling of schemes of administration.—(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.

(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.]

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

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

2. The words, brackets and figure "of sub section (1)" omitted by Punjab Act No. XI of 1944 sec. 44.

132. Power of Board to make by-laws.—(1) The Board may in general meeting make by-laws, not inconsistent 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 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 purview 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

133. General powers of committees.—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 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.

134. Powers of committee to dismiss office-holders.—The committee may suspend or dismiss any office-holder provided that it shall not dismiss a

1. Subs. for the word "Provincia!" by Adaptation of Laws Order, 1950.
2. Subs. for the word 'Gazette' by Government of India (Adaptation of Indian Laws) Order, 1937.
3. Added by Punjab Act No. I of 1959, sec. 44.

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 Shaib, or
- (h) has ceased to be a Sikh ;

¹[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.]

135. Procedure when hereditary office-holder or minister is dismissed.—

(1) Whenever the dismissal of 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 minister pending an enquiry into the charges framed against him.

1. Added by Punjab Act No, XI of 1944, sec. 45.

(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.

(5) When no appeal is preferred against an order of 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 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.

136. Appointment of ministers and office-holders.—(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

1. The words, brackets and figure "of sub-section (1)" omitted by Punjab Act No. XI of 1944, sec. 47.

of the office-holder or for any other reason, the committee of the gurdwara may appoint any person who, in its opinion, is qualified for the office to 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 provision 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.

137. Registers to be kept for gurdwaras.—(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 ;
- (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 ²[registers] shall be submitted ²[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.

1. The words, brackets and figure "of sub-section (1)" omitted by Punjab Act No. XI of 1944, sec. 47.

2. Subs. for the words "register" and "through" by Punjab Act No. LIII of 1953.

(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.

(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.

(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.

²[138. Alienation of immovable trust property.—No exchange, sale, mortgage or other alienation of immoveable 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.]

139. Power of committee to make regulations. 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 acknowledgements of the receipts of any money on behalf of the committee, or

¹ The words, brackets and figure “ of sub-section (1)” omitted by Punjab Act No. XI of 1944, sec. 48.

² Subs. for the old section by Punjab Act No. XI of 1944, sec. 49.

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

140. Power of committee to make regulations re-offering at Sikh Gurdwara.—

(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-holders 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.

CHAPTER XII

MISCELLANEOUS

141. Salaries of Office-holders to be their property.—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 ministers or office-holder.

¹[**142. Right of interested persons to complain to commission in respect of misfeasance, etc.—**(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 :

1 Subs. for the old section by Punjab Act No. XI of 1944, sec. 50.

2. The words, "or local committee" and "or of local committee" omitted by Punjab Act No. LIII of 1953, sec. 26.

¹[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 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 a 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 the provisions of sub-section (1) or sub-section (2) may, within ninety days of the orders, appeal to the High Court.]

143. Notice of Application to be given.—No application shall be made under the provisions of section 142 against the Board ²[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.

144. Government not to interfere with the gurdwaras except as provided by this Act or any other Act.—Save as provided in this or any other Act, it shall not be lawful for the ³[State Government] or for any executive officer of the ³[State Government] in his official capacity to undertake or assume the superintendence of any land or other property granted for the support of, or otherwise belonging to, any Notified Sikh Gurdwara, to take any part in the management or appropriation of any endowment made for its maintenance, or to nominate or appoint any office-holder of, or to be concerned in any way with, such gurdwara.

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

Provided that the Board shall not make such recommendation unless it is satisfied that alternate arrangement for the maintenance of such Gurdwara has been made.]

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1. Added by Punjab Act No. 1 of 1959, sec. 45.
 2. Ins. by Punjab Act No. 1 of 1959, sec. 46.
 3. Subs. for the word "Provincial" by adaptation of Laws Order, 1950.
 4. Section 144-A inserted by Punjab Act No. 1 of 1959, sec. 47.

145. Act of Board or committee not to be invalidated by informality.—

No act of the Board, or its executive committee or of a committee shall be held invalid in any judicial proceeding on the ground of any defect in the constitution of the Board, executive committee or committee, as the case may be, or 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.

146. Power of State Government to make rules.—(1) The ¹[State Government] may make ²rules not inconsistent with the Act to carry out all or any of the purposes of the Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the ²[State 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 elections ;
- (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 ;
- (viii) prescribing the authority by which questions relating to the matters referred to in clauses (i), (ii), (iii), (v), (vi) or (vii) shall be determined ;

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

2. For rules, see Home Department notifications 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.

- (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.

147. Power of the State Government to invest with Judicial powers officers appointed to enquire into conduct of elections. The ¹[State Government] may invest any person or persons authorised by it to hold an enquiry into the conduct of, or into allegations of corrupt practices at, an election held under the provisions of this Act, with all or any of the powers conferred upon ²[the Tribunal appointed 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.

148. Language of the Commission.—The language of the Commission shall be such as the Commission may, from time to time, determine.

³[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.]

⁴CHAPTER XII-A

Temporary and Transitional provisions.

148-B. Additional Members of the Board constituted under section 43 and Executive Committee constituted under section 62.—(1) As from the commencement of the Amending Act, in addition to the members of the Board constituted under section 43 and till the next election of the new Board under section 43-A,—

- (a) every person in the extended territories who, immediately before the commencement of the Amending Act, is a member of the

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

². Subs. by Punjab Act No. LIII of 1953, sec. 27.

³. Ins. by Punjab Act No. I of 1959, sec. 18.

⁴. Chapter XII-A added by Punjab Act No. I of 1959, sec. 49.

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 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 Committees 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 Panchayat 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.

(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 State 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.

148-C. Provisions relating to the existing local committees functioning under the Interim Gurdwara Board, Patiala.—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.

148-D. Provisions as to employees of the Interim Gurdwara Board, Patiala, and local committees functioning under it.—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 duly altered by the Board, or the Committee, as the case may be.

148-E. Special provisions regarding the assets and liabilities of Interim Gurdwara Board, Patiala.—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 moveable 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.

148-F. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act in the extended territories, the State Government may, by order as occasion requires, do anything, which appears to it to be necessary for the purpose of removing the difficulty.

CHAPTER XIII

ELECTORAL OFFENCES

149. Prohibition of public meetings on the Election day.—(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.

150. Disturbances at election meetings.—(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 the 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.

1. Chapter XIII added by Punjab Act No. XXV of 1954, sec. 3.

151. Maintenance of secrecy of voting.—(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.

152. (1) Officers etc., at elections not to act for candidates or to influence voting. (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 conduct or the management of the election do any act (other than the giving of vote) 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.

153. (1) Prohibition of canvassing in or near polling stations.—(1) No person shall on the date or dates on which a poll is taken at any polling station, commit any of the following acts within the polling station or in any public or private place within a distance of one hundred yards of the polling station, namely :—

- (a) canvassing for votes ; or
- (b) soliciting the vote of any elector ; or
- (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.

154. Penalty for disorderly conduct in or near polling station.—(1) No person shall, on the date or dates on which a poll is taken at any polling 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 wilfully 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.

(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.

155. Penalty for misconduct at the polling station.—(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.

156. Penalty for illegal hiring or procuring of conveyances at elections.— 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.

157. Breaches of official duty in connection with elections.—(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.

(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 Elections Rules framed under this Act.

158. Removal of ballot papers from polling station to be an offence.—

(1) Any person who at any election fraudulently takes or attempts to take, a ballot paper out of a polling station, or wilfully 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.

159. Other offences and penalties therefor.—(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
- (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 any 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 anything 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 foregoing acts or wilfully 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 six months or with fine or with both.

(3) For the purposes 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.

(4) An offence punishable under clause (b) of sub-section (2) shall be cognizable.

160. Prosecution regarding certain offences.—(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 of, or under authority from, the Elections Commissioner.

161. Amendment of Act V of 1898.—For the purposes of elections under this Act, in the Code of Criminal Procedure, 1898¹—

(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.

1. Now the Code of Criminal Procedure, 1973.

SCHEDULES

(As amended by Punjab Acts IV of 1926 XIII of 1926, 1 of 1927,
1 of 1959, X of 1959 and X of 1961)

SCHEDULE I

[See Section 3]¹

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
² [1— 22]	..	..	..	..
23	3 [Amritsar]	Kasurj	Rattoki	Gurdwara Baba Bir Singh
³ [24— 25]	..	..	..	..
26	Amritsar	Amritsar	Amritsar City	Shri Harminder Sahib (Darbar Sahib)
27	Amritsar	Amritsar	Amritsar City	Akal Takht 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	R am 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 Bakalā	Baba Bakala
43	Amritsar	Amritsar	Chabba	Chabba
44	Amritsar	Amritsar	Wadali Guru	Damdama Sahib
45	Amritsar	Amritsar	Wadali Guru	Chheharta Sahib
46	Amritsar	Amritsar	Mlan Ranthawa	Udoke
47	Amritsar	Amritsar	Sultanwind	Damdama Sahib
48	Amritsar	Amritsar	Verka	Nanak Sar

1. Subs. . for the words "See section 3 and 90" by Punjab Act No. 10 of 1959, sec. 7.
2. Omitted by Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948 (G.G.O.40)
3. Subs. for the word "Lahore" by *ibid.*
4. Column six headed "Constituencies for Election of Committee of Management" omitted by Punjab Act No. 1 of 1959, sec. 50.

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
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 ..	Baoli 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 Madoke
66	Amritsar	Ajnala	Ram Dass ..	Ram Das
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 Dhariwal
78	Gurdaspur	Gurdaspur	Bhumbli ..	Bhumbli

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
179-80]	..	..	..	..
81	Gurdaspur	Pathankot	Bharat Lahri	.. Darbar Sahib Bharat
^a [82—117]	..	..	..	..
118	Hoshiarpur	Una	Anandpur	.. Sri Takht Kesgarh 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 ²	.. Charan Kanwal
125	Hoshiarpur	Una	Lodhipur	.. Lohgarh
126	Hoshiarpur	Una	Basali Nurpur	.. Basali
127	Hoshiarpur	Una	Anandpur	.. Hogarh
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	.. Jandbazri
141	Hoshiarpur	Dasuya	Bodal	.. Gurna Sahib
142	Hoshiarpur	Hoshiarpur	Lehli Kalan	.. Jand Sahib
143	Hoshiarpur	Hoshiarpur	Bajraur	.. Harian Welan
144	Hoshiarpur	Hoshiarpur	Bhungarni	.. Bhungarni

1. Omitted by Indian Independence (Adaptation of Bengal and Punjab Acts) Order 1948 (G.G.O. 40)

2. Subs. for the word "Kiratpur" by sec. 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 No. III of 1930.

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
145	Hoshiarpur	Hoshiarpur	Purhira	.. Zahira Zahur
146	Hoshiarpur	Garhshankar	Gondpur	.. 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 Silowani
161	Ludhiana	Jagraon	Raikot	.. Tanliana Sahib
162	Ludhiana	Samrala	Chuharpur	.. Jhar Sahib
163	Ludhiana	Jagraon	Sidhwan 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
174	Ferozepore	Moga	Lopon	Guru Sar
175	Ferozepore	Moga	Madoke	.. Guru Sar Madoke

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
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	Samadh Bhai	Gurdwara Guru Granth Sahib Mohtamin Prem Dass
187	Ferozepore	Moga	Mari Mustafa ..	Mari Mustafa
188	Ferozepore	Muktsar	Muktsar ..	Darbar Sahib
189	Ferozepore	Muktsar	Muktsar	Tambu Sahib
190	Ferozepore	Muktsar	Muktsar ..	Shahid Ganj
191	Ferozepore	Muktsar	Muktsar ..	Tibbi Sahib
192	Ferozepore	Muktsar	Sarai Nanga	Paihli Padshahi and Dusri Padshahi
193	Ferozepore	Muktsar	Rupana ..	Guru Sar
194	Ferozepore	Muktsar	Guru Sar	Guru Sar
195	Ferozepore	Muktsar	Thehari ..	Guru Gobind Singh
196	Ferozepore	Muktsar	Chhatiana ..	Guptsar and Sahib Chand
197	Ferozepore	Zira	Khosa 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

1. Omitted by Indian Independence (Adaptation of Bengal and Punjab Acts) Order of 1948 (G.G.O. 40)

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
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 Padsahi
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	is Ganj
216	Ambala	Ambala	Ambala City	Dasvin Padshahi Labhuwala
217	Ambala	Ambala	Ambala City	Dasvin Padshahi
218	Ambala	Ambala	Khurrampur Majri	Manji Sahib
219	Ambala	Ambala	Ambala City	Mohala Mehr Dhumini
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

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
232	Ambala	Rupar	Kotla Ninang	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]	..	..	..	..
242	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.
² { 245	Patiala	Patiala	Patiala	Gurdwara Sahib Moti Bagh (including Gurdwara Sudha Sar)
246	Patiala	Patiala	Lehal	Gurdwara Khel Sahib
247	Patiala	Rajpura	Nathana Sahib Jand Mangoli	Gurdwara Sahib Padshahi Tesri.
248	Patiala	Patiala	Karhali	Gurdwara Sahib Padshahi Naumi.
249	Patiala	Kandhaghat	Panjaur	Gurdwara Sahib Panjaur Padshahi Pehli.
250	Patiala	Kandhaghat	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.
256	Patiala	Nabha	Simbron	Gurdwara Sahib Padshahi Naumi.

1. Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order of 194 (G.G.O. 40).

2. Subs. by Punjab Act No. 10 of 1961, Sec. 2. (to be effective from 8-1-1959)

Note.—Gurdwaras at serial Nos. 242 to 415, added by Punjab Act No. 1 of 1959, sec., 50.

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
¹ { 257	Patiala	.. Rajpura	.. Loh Simbli	.. Gurdwara Sahib Padshahi Dasmi.
258	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	.. Tasimbli (Hamayon Pur)	Gurdwara Sahib Padshahi Naumi.
263	Patiala	.. Rajpura	.. Nilpur	.. Gurdwara Sahib Samdh Bhai Sukha Singh.
264	Patiala	.. Rajpura	.. Dhamoli	.. Gurdwara Sahib Padshahi Naumi.
265	Patiala	.. Nabha	.. Rohta	.. Gurdwara Sahib Padshahi Chhemi.
266	Patiala	.. Nabha	.. Nabha	.. Dera Baba Ajapal Singh.
¹ { 267	Patiala	.. Nabha	.. Bir Bauran	.. Gurdwara Dera Sahib (Damdama Sahib).
268	Patiala	.. Nabha	.. Bauran Kalan	Gurdwara Sahib Padshahi Naumi.
269	Patiala	.. Sirhind	.. Nau Lakha	.. Gurdwara Sahib Padshahi Naumi.
² { 270	Patiala	.. Sirhind	.. Atewali	.. Gurdwara Joti Sarup.
271	Patiala	.. Sirhind	.. Harnam Nagar	Gurdwara Sahib Shahid Ganj.
272	Patiala	.. Sirhind	.. Fatehgarh Sahib	Gurdwara Fatehgarh Sahib (Shahid-Asthan) Baba 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 Sahid 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 (Har Gobindpura).
279	Patiala	.. Sirhind	.. Kudani Kalan	Gurdwara Sahib Padshahi Chhemi, Gurdwara Nimsar Gurdwara Damdama Sahib.

1. Substituted by Punjab Act No. 10 of 1961, section 2 (to be effective from 8-1-1959).

2. Substituted by Punjab Act No. 10 of 1959, section 7.

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).
² 292	Patiala	.. Patiala	.. Behar Jaxhh	.. 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 Samadh.
298	Sangrur	.. Sangrur	.. Shahpur Kalan	Gurdwara Sahib Padshahi Naumi.
299	Sangrur	.. Sangrur	.. Chima	.. Gurdwara Sahib Guru Granth Sahib
300	Sangrur	.. Sangrur	.. Chima	.. Gurdwara Nanaksar.
¹ 301	Sangrur	.. Sangrur	.. Jakhepal (Hambalwas)	Gurdwara Sahib Bhai Ka Barsal Pati
302	Sangrur	.. Sangrur	.. Sunam	.. Gurdwara Bhai Mul Chand .
303	Sangrur	.. Sangrur	.. Chhajli	.. Gurdwara Sahib Padshahi Naumi and Dasmi.

1. Substituted by Punjab Act No. 10 of 1961, section 2 (to be effective from 8-1-1959).

2. Substituted by Punjab Act No. 10 of 1959, section 7.

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 Dasmi.
307	Sangrur	.. Sangrur	.. Kamalpur	.. Gurdwara Sahib Padshahi Naumi.
308	Sangrur	.. Sangrur	.. Nanaklana	.. Gurdawra Sahib Padshahi Pehli.
309	Sangrur	.. Sangrur	.. Akol	.. Gurdwara Sahib Padshahi Naumi.
310	Sangrur	.. Sangrur	.. Khurana	.. Gurdwara Sahib Padshahi Chhemi.
311	Sangrur	.. Sangrur	.. Dirbha	.. Gurdwara Sahib Padshahi Naumi.
312	Sangrur	.. Sangrur	.. Phagguwala	.. Gurdwara Sahib Padshahi Naumi.
313	Sangrur	.. Sangrur	.. Tal Ghanaur	.. Gurdwara Dukhnwaran Sahib Padshahi Pehli, Chhemi and Naumi.
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 (Jitra Sahib).
324	Sangrur	.. Barnala	.. Dhaula	.. Gurdwara Sahib Padshahi Naumi, (Sohlana).
325	Bhatinda	.. Bhatinda	.. Bhai Rupa	.. Gurdwara Sahib Padshahi Chhemi.
326	Bhatinda	.. Bhatinda	.. Dayalpura Bhai Ka	Gurdwara Sahib Padshahi Chhemi and Dasmi.
327	Bhatinda	.. Bhatinda	.. Dayal Pura Bhai Ka	Gurdwara Sahib Padshahi Dasmi
328	Sangrur	.. Barnala	.. Badra	.. Gurdwara Guru Granth Sahib.

1. Substituted by Punjab Act, No. 10 of 1961, section 2, (to be effective from 8-1-1959).

2. Substituted by Punjab Act, No. 10 of 1959, section 7.

Serial No.	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
¹ { 329	Sangrur	.. Barnala	.. Handiaya	.. Gurdwara Sahib Padshahi Naumi (Arisar).
330	Sangrur	.. Barnala	.. Mauran	.. Gurdwara Sahib Padshahi Naumi Dulamsar along with Gurdwara Khuhi Singh Wali.
331	Sangrur	.. Barnala	.. Maur Kalan	Gurdwara Sahib (Kalle Da Khuh).
332	Sangrur	.. Barnala	.. Dhilwan	.. Gurdwara Sahib Padshahi Naumi.
333	Sangrur	.. Barnala	.. Thikriwala	Gurdwara Sahib Padshahi Dasmi (Panchaiti).
¹ 334	Sangrur	.. Barnala	.. Pandheran	Gurdwara Sahib Padshahi Naumi (Manji Sahib).
335	Sangrur	.. Barnala	.. Bhadaur	.. Gurdwara Sahib Padshahi Dasmi.
336	Sangrur	.. Barnala	.. Bhadaur	.. Gurdwara Sahib Padshahi Chhemi.
¹ { 337	Sangrur	.. Barnala	.. Sandhera	.. Gurdwara Sahib Dera Patti Khara and Gurdwara Sahib Dera Pati Sujja.
338	Bhatinda	.. Bhatinda	.. Bhagta Bhai Ka	Gurdwara Sahib Padshahi Chhemi.
339	Sangrur	.. Barnala	.. Kaleke	.. Gurdwara Sahib Nanakawara.
¹ 340	Sangrur	.. Jind	.. Singhpura	Gurdwara Sahib Padshahi Naumi.
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 (Tarwana).
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.
¹ 348	Bhatinda	.. Bhatinda	.. Bhatinda	.. Gurdwara Sahib Padshahi Dasmi Qila Mubarak.
349	Bhatinda	.. Bhatinda	.. Bhagu	.. Gurdwara Sahib Padshahi Dasmi.
² 350	Bhatinda	.. Bhatinda	.. Jassi Baghwali	Gurdwara Sahib Padshahi Dasmi.
¹ { 351	Bhatinda	.. Bhatinda	.. Bachak	Gurdwara Sahib Padshahi Dasmi.
352	Bhatinda	.. Bhatinda	.. Pathrala	.. Gurdwara Sahib Padshahi Dasmi (Gusayan).

1. Substituted by Punjab Act No. 10 of 1961, section 2 (to be effective from 8-1-1959).
2. Substituted by Punjab Act No. 10 of 1959, section 7.

Serial No.	District	Tahsil	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 Kattuwalla.
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 Shri 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 (Gurusar).
365	Bhatinda ..	Faridkot ..	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 (Tittar Sar).
371	Bhatinda ..	Bhatinda ..	Kotha Guru	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).

1. Substituted by Punjab Act No. 10 of 1959, sec. 7.

2. Subs. by Punjab Act No. 10 of 1961, sec. 2 (to be effective from 8-1-1959).

Serial No.	District	Tahsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
¹ 374	Bhatinda ..	Bhatinda ..	Amargarh <i>alias</i> 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).
² 377	Bhatinda ..	Faridkot ..	Dod ..	Gurdwara Sahib Padshahi Chhemi and Dasmi (Dhalsar).
{ 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).
¹ 382	Bhatinda ..	Mansa ..	Kot Dharmun	Gurdwara Sahib Padshahi Maumi (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.
¹ { 387	Bhatinda ..	Mansa ..	Malakpur Khiala	Gurdwara Sahib Padshahi Naumi.
{ 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.
¹ 392	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. Subs. by Punjab Act No. 10 of 1961, sec. 2 (to be effective from 8-1-1959)

2. Subs. by Punjab Act No. 10 of 1959, section 7.

Note.—Gurdwaras at serial Nos. 242 to 415 added by Punjab Act No. 1 of 1959, sec. 50.

Serial No	District	Tehsil	Revenue Estate	Name of Gurdwara
1	2	3	4	5
¹ 396	Bhatinda	Faridkot	Birewal Kalan	Gurdwara Sahib Padshahi Dasmi (Jand Sahib).
397	Bhatinda	Faridkot	Guru Sar	Gurdwara Sahib Padshahi Dasmi (Guru Sar).
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 (Kothari Sahib).
¹ 402	Kapurthala	Kapurthala	Randhir Pur	Gurdwara Sahib Sant Ghat
403	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Si era Sahib.
404	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Sahib Guru J a Bagh.
405	Kapurthala	Kapurthala	Sultanpur Lodhi	Gurdwara Sahib Padshahi Chhemi.
406	Kapurthala	Kapurthala	Dala	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	Phagwra East.	Gurdwara Sahib Padshahi Chhemi.
4.1	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.
² 414	Mohinder-garh	Mohinder-garh	Mohinder-garh	Gurdwara Sahib Padshahi Naumi (Bhore Sahib).
415	Mohinder-garh	Narnaul	Narnaul City	Gurdwara Sahib Padshahi Naumi.

1. Subs. by Punjab Act No. 10 of 1961, sec. 2 (to be effective w.e.f. 8-1-959).

2. Subs. by Punjab Act No. 10 of 1959, sec. 7.

Note.—Gurdwaras at serial Nos. 242 to 415 added by Punjab Act No. 1 of 1959, sec. 50.

SCHEDULE II

[See section 7]

Serial No.	District	Revenue Estate	Name of Institution
[1-3]	..	..	..
4	Amritsar	Amritsar City	Akhara Santokh Das Mahant Brahm Buta
5	Amritsar	Amritsar City	Akhara Bala 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 Tehidas
12	Amritsar	Amritsar City	Akhara Kanihwala Ghi Mandi
13	Amritsar	Amritsar City	Akhara Bileebkesar
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 Antarjarian
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 Panchan
22	Amritsar	Amritsar City	Dera Mahant Bahawal Singh
23	Amritsar	Amritsar City	Dera Gian 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 Warlanwala
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

1. Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order of 1948. (G.G.O.40).

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 Gyanī Babek Singh
37	Amritsar	Amritsar City	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 Mohtamln
81	Ferozepore	Gholla 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

1. Omitted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order of 1948. (G.G.O. 40).

Serial District No.	Revenue Estate	Name of Institution
88 Hissar	.. Rohri	.. Dera Mahant Bishudhanand
89 Hissar	.. Kewal	.. Dera Kewal
90 Hissar	.. Kalanwali	.. Dera Kalanwali
91 Hissar	.. Takhtmal	.. Dera Mahant Chhetanand
92 Karnal	.. Shahabad	.. Dera Sadh Charan Das, Devi Tali
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	.. Sisala	.. Dera Sadh Charan Das
97 Karnal	.. Fatehgarh Jharauli	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 Lachman Das
107 Karnal	.. Bapauli	.. Dera Sadh Mohan Das
108 Karnal	.. Mehra	.. Dera Sadhni
109 Karnal	.. Nalvi Mahiman Singh	Dera Nirmal Sikh
110 Karnal	.. Pehowa	.. Dera Mahant Charan Das (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 Nirmala)
113 Karnal	.. Arnauli	.. Dera Udasian
114 Karnal	.. Arnauli	.. Dera Nirmal Sikh, Bhagal
115 Karnal	.. Shamgarh	.. Dera Udasian
116 Karnal	.. Fatehgarh	.. Dera Prem Das

SCHEDULE III

[See section 35]

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 a gurdwara notified under section 7 or his presumptive successor	Five rupees
19	Petition for consideration of an agreement by tribunal	.. Five rupees
20	Claim to 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
125-A	Plaint to have a decree for possession passed	.. Five rupees
26	Application to have entry made in revenue records	.. Eight annas
27	Petition to have it determined who shall manage dedicated property, etc.	Five rupees
128	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
25 ² (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 <i>paitit</i>	Five rupees
295(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

1. Added by Punjab Act No. LIII of 1953, section 28.

2. Added by Punjab Act No. XLII of 1953, section 4.

Section	Description of the document	Proper fee
30(2) and (4)	Application to Commission relating to 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

1. Schedule IV omitted by Punjab Act No. 1, of 1959, section 51.

THE SIKH GURDWARAS (SUPPLEMENTARY) ACT, 1925

ARRANGEMENT OF SECTIONS

SECTIONS :

1. Short title and commencement.
2. Validation of certain provisions of Punjab Act VIII of 1925.
3. (Repealed).

THE SIKH GURDWARAS (SUPPLEMENTARY) ACT, 1925
(ACT No. XXIV OF 1925)¹

[Received the assent of the Governor-General on the 11th September, 1925].

Amended, repealed or otherwise affected by—

- (i) Government of India (Adaptation of Indian Laws) Order, 1937,
- (ii) Central Act No. 1 of 1938.
- (iii) India (Adaptation of Existing Laws) Order, 1947.
- (iv) Adaptation of Laws Order, 1950.

An Act to supplement certain provisions of the Sikh Gurdwaras Act, 1925.

Whereas it is expedient to supplement by legislation in the Indian Legislature, certain provisions of the Sikh Gurdwaras Act, 1925, for the purpose hereinafter appearing ; it is hereby enacted as follows :—

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

(2) It shall come into force on the date² appointed by the ³[State Government] under sub-section (3) of section 1 of the Sikh Gurdwaras Act, 1925.

2. Validation of certain provisions of Punjab Act VIII of 1925.—The Sikh Gurdwaras Act, 1925 (hereinafter referred to as the said Act), shall so far as it adds to or takes from the jurisdiction of the ⁴[High Court of ⁵(Punjab)] or prescribes the procedure of the said Court, be as valid as if it had been passed by the Indian Legislature.

3. * * * * *

1. For Statement of Objects and Reasons, see Gazette of India, 1925, Part V, p. 216.

2. The Act came into force on the 1st January, 1926.

3. Subs. for the expression "Central Government" (which was subs. for "State Government" by A.O. 1968) by A.O. 1973. The word "State" was subs. for "Provincial" by Adaptation of Laws Order, 1950, and the term "Provincial Government" for "Local Government" by Government of India (Adaptation of Indian Laws) Order, 1937.

4. Subs. for the words "High Court of Judicature at Lahore" by India (Adaptation of Existing Laws) Order, 1947. Now High Court of Himachal Pradesh,— vide A.O. 1973, para 8.

5. Subs. for 'East Punjab' by Adaptation of Laws Order, 1950.

6. The amendments to Sec. 12 of the Sikh Gurdwaras Act, 1925 made by this Section were omitted by the Government of India (Adaptation of Indian Laws) Order, 1937. Section later, repealed by Central Act I of 1938, Schedule.