Appendix-I
SIKH GURUDWARAS ACT VIII OF 1925

Chapter I

1. **Board:** “Board” means the Board constituted under the provisions of Part III of the Gurdwara Act VII of 1925.

2. **Commission:** “Commission” means the Judicial Commission constituted under the provisions of Part III of the Gurdwara Act VII of 1925.

3. **Committee:** “Committee” means a committee of management constituted under the provisions of Part III of the Gurdwara Act VII of 1925.

4. **Office:** (i) “Office” means any office by virtue of which the holder thereof participates in the management of performance of public worship in a Gurdwara or in the management 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:** “Present office-holder means a person who, on the commencement of this Act holds an office.

(iii) **Past Office-holder:** “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.

(iv) **Hereditary office:** “Hereditary office” means an office the succession to which before the first day of January 1920 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:** “Present hereditary office-holder” means a person who on the commencement of this Act is a hereditary office-holder.

(vi) **Past hereditary office-holder:** ‘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.

(vii) **Minister:** “Minister” means an officer holder to whom either solely or along with others the control of the management or performance of public worship in a Gurdwara and of the rituals and ceremonies observed therein, is entrusted.

5. **Sikh:** “Sikh” means a person who professes the Sikh religion. If any question arises as to whether any person is, or not to be 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 Local 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.

6. **Notified Sikh Gurdwara:** “Notified Sikh Gurdwara” means any Gurdwara declared by notification by the Local Government under the provisions of this Act to be a Sikh Gurdwara.

7. **Treasury:** “Treasury” means a Government treasury or sub-treasury and includes any bank to which the Government treasury business has been made over.

8. **Tribunal:** “Tribunal” means a Tribunal constituted under the provisions of section 12.
Chapter III

Appointment of and Proceedings before a Tribunal

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 Local 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 and two other members appointed by notification by the Local Government.

3) The president of a tribunal shall be a Judge of the High Court and each other member shall be a District Judge or a Subordinate Judge of the first class, or a barrister of not less than ten years standing, or a person who has been a pleader of any High Court 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 Local Government such remuneration as may from time to time be fixed by the Local Government and shall be deemed to be public servant within the meaning of section (21) of the Indian Penal Code.

5) The Local Government may by notification remove any member of tribunal.
   (i) if he refuses to act or becomes in the opinion of the Local Government incapable of acting, or unfit to act, as a member, or if he absented himself from more than three consecutive meetings of the tribunal, or if he is an undischarged insolvent.

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

7) A change in the membership of a tribunal under the provisions of sub section (5) or sub-section (6) shall not invalidate 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 Local 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.

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 the Punjab, 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 I 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 provisions of the Code of Civil Procedure, 1908.
12) If more tribunals than one are constituted, the local Government may by notifications direct which tribunal may entertain petitions relating to a particular Gurdwara or Gurdwaras situated in any specified areas, and may at 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 as 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 section 5.6.8.10 and 11.**

1. The local 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.

2. The forwarding of the petitions shall be conclusive proof that the petitions were received by the local Government within the time prescribed in section 5, 6, 8, 10, or 11, as the case may be, and in the case of a petitions 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 proceedings 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 him, the tribunal may decide the matter in dispute against him: provide 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.

16. **Issue as to whether a Gurdwara is a Sikh Gurdwara to be decided first and how issue is to be decided.**

1. Notwithstanding any thing contained in any other law in force, if in any proceedings before a tribunal it is disputed that a Gurdwara should or should not be declared to be a Sikh
Gurdwara, the tribunal shall, before inquiring 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 Gurdwaras.**

(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 Guru, and is used for public worship by Sikhs, or

(ii) owing to some tradition connected with one of the Sikh Gurus, is used for public worship predominantly by Sikh, or

(iii) was established for use by Sikhs for the purpose of public worship and is used for such worship by Sikhs, or

(iv) was established in memory of a Sikh martyr, saint or historical person and is used for public worship by Sikhs, or

(v) owing to some incident connected with religion is used for public worship predominantly by Sikhs,

**PART III**

**CHAPTER V**

39. **Suit for relief claimable by application under this Act, 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 purpose of this Act there shall be constituted a Board and for every notified Sikh *Gurdwara* a committee of management, 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 constituted therefore, the Board and the Commission in accordance with the provisions of this Part.

**CHAPTER VI**

**THE BOARD MANAGEMENT COMMITTEE**

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 ten 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 Local 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 Local Government, the Board shall be designated the Central Board.

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

43. **Composition and Constitutions of the Board**

1. The Board shall consist of:
   i. one hundred and twenty elected members;
ii. the head ministers of the Darbar Sahib, Amritsar, and
the following four Sikh Takhts, namely-
The Sri Akal Takht Sahib, Amritsar, the Sri Takht Kesgarh Sahib,
Anandpur, the Sri Takht Patna Sahib, Patna, and the Sri Takht Huzur
Sahib, Hyderabad, Dekkan;

iii. twelve members nominated by the Darbars of the
Indian States specified in sub-section (2);

iv. fourteen members resident, in India, of whom not more
than five shall be residents in the Punjab, co-opted by
the members of the Board as described in clauses (i), (ii)
and (iii).

2. The Local Government shall invite the Darbars of the Indian
States specified in the list following to nominate the number of
members stated therein against their respective names:-

<table>
<thead>
<tr>
<th>State</th>
<th>Nominees</th>
</tr>
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<tbody>
<tr>
<td>Patiala</td>
<td>…</td>
</tr>
<tr>
<td>Nabha</td>
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<td>Faridkot</td>
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<td>Kapurthala</td>
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<td>Jind</td>
<td>…</td>
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<tr>
<td>Kalsia</td>
<td>…</td>
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</tbody>
</table>

3. If the Darbars of any Indian State fails to nominate members
in response to an invitation by the Local Government, the
Board shall be deemed to be duly constituted notwithstanding
such failure.

4. The Local Government shall, as soon as may be, call a meeting
of the members of the Board described in clause (i), (ii) and
(iii) of sub-section; and after the members have been co-opted
the Local Government shall notify the fact of the Board having
been duly constituted; and the date of the publication of the
44. **Constituencies for election of members of Board**

The elected members of the Board shall be elected by the constituencies specified in Schedule IV, and the number of members to be elected by each constituency shall be as stated therein against that constituency, provided that the Local Government may, from time to time, and after such consultation with the Board as it considers proper, by notification alter the local limits of any consistency.

45. **Qualification 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 undercharged 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 Takhts specified in clauses (ii) of sub-section (1) of section 43.

46. **Qualification of nominated members**

   A person shall not be nominated or co-opted to be a member of the Board if he-

   i. is less than twenty-one 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 *Takhts* specified in clause (ii) of sub-section (1) of section 43,

vii. is a paid servant of any notified Sikh *Gurdwara* or of the Board other than a member of the executive committee of the Board.

47. **Date of Board election**

Election of members of the Board under the provisions of this Act shall be held on dated to be fixed by the Local 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.

49. **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 the Board who-

i. is a resident is that constituency and either.

ii. is on the electoral roll for the time being in force of persons entitled to vote for the election of member to represent a Sikh Government of the Punjab, or

iii. 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.

50. **Right to vote**

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.

51. **Term of membership**

The members of the Board shall hold office for three years from the date of its constitution or until the constitution of a new Board whichever is later.

52. **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, nominated or co-opted, as the manner in which the member whose seat is to be filled was elected or nominated or co-opted.

53. **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 Local Government has notified that the board has been constituted, and notice therefore shall be given by notification by the Local Government.

54. **Annual General meeting**

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

55. **Notice of meeting**

Meetings of the Board other than the first meeting shall be called by twenty day’s notice in writing served on every member of the Board in such manners as may be prescribed by bye-laws made by the Board.

56. **Power of members to call meeting.**

Any ten or more members may be 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.

57. **Office of Board**

This Board shall have an office in Amritsar for the transaction of not be exercised except by the Board at a meeting at which thirty-one or more members are present.

58. **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.

59. **Chairman at meetings of the Board.**

The President shall be the chairman at the meetings of the Board and of the executive committee: if the President is absent the Vice-President shall be chairman, and if neither the President nor Vice-President is present the members present shall eject one of themselves to be chairman for the purposes of the meeting.

60. **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.

61. **Office-bearers and Executive Committee of Board**

The Board shall at its first general meeting elect by ballot one of its members to be President and another to be Vice-President of the Board, to be known as office-bearers of the Board, and shall
also at the same meeting in like manner elect not less than five and not more than eleven of its members, as the Board may deem fit, to be members of the executive committee of the Board, and the office-bearers and members so elected shall be the executive committee of the Board.

62. **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.

63. **Member of 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 a member of the executive committee and if any member of the executive committee at any time becomes a member of a committee of management he shall forthwith cease to be a member of the executive committee.

64. **Resignation of member of executive committee**

A member of the executive committee may resign his office by giving notice to 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.
65. **Remuneration of members of executive committee**

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

66. **Servants of the Board their appointment and punishment.**

The executive committee of the Board may appoint such servants as it may deem to be necessary of 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**

67. **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 Local Government.

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 Government service, was a District Judge or a Subordinate Judge of the first class or of not less than ten years standing, or
   ii. is a barrister of not less than then years’ standing, or
   iii. is a person who has been a pleader of any High Court of ran aggregate period of not less than ten years.

4. Two of the members of the Commission shall be selected by the Local Government out of a list of qualified persons prepared and maintained as described in section 71.
68. **Appointment of members of the Commission**

1. for the purpose of the appointment of members of the Commission the Board shall be soon as may be after its constitution submit a list of the names of seven persons nominated by the Board and the Local 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 Local Government may itself complete a list a qualified persons.

2. A Person whose made is on the list described in sub-section (7) shall be entitled to have his name retained thereon for two years after his nomination has been recorded, provided that the Local Government may at any time remove his name, if it is satisfied upon a report made by the Board and any enquires it may see fit to make, that he is incapable of acting as a member of the Commission.

3. if any person whose name is on the list dies, or applies to the Board to have his name removed there from, the Board shall inform the Local Government and his name shall be removed from the list.

4. The local 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 persons 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 Local Government shall after being satisfied that such person is qualified.

6. If the Board fails to nominate a person to fill a vacancy as required by sub-section (5) the Local Government may after giving one months’ notice of its intention to the Board place the name of any qualified person on the list to fill the vacancy.

72. **Member of the Board or a committee to resign if appointed a member of the 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 as may be fixed from time to time by the Local Government and shall be deemed to be public servants within the meaning of section 24 of the Indian Penal Code.

74. **Officers and servants of the Commission.**

The Local 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.
75. Expenses to be shared by Government and Board.
1. All expenses arising from the appointment of the Commission including the remuneration of its members, officers and servants shall be defrayed by the Local Government and the Board, the Local Government 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 Local Government and the portion thereof payable by the Board shall be recovered from the Board after the close of each financial year.

2. Any sum due to the local Government 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 arrears of land revenue.

76. Jurisdiction and procedure of the 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 the Punjab, ands 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 evacuated or other wise 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 of 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.

77. **Court and office of the Commission.**

The commission shall have its court and office at such place or places as the Local 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 Local Government of some other qualified person in the same manner as that in which the person whose seat is too filled was appointed.

79. **Removal of member of the Commission.**

The local Government may remove any member of the Commission-

1. if he refuses to act or becomes in the opinion of the Local Government incapable of acting or unfit to act as a member, or
2. if he has absented himself from more than three consecutive meetings of the Commission, or
3. if it is satisfied after such enquiry as it may deem necessary that he has flagrantly abused his position as a member or
4. if he has served as a member of more than three 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 Local Government.

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

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

81. Settlement of difference of opinion in the 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 and if the two remaining members are not agreed, the question in disputes shall be kept pending, 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 Gurdwaras.

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 Local 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 provision of this Act, whether a person has or has not become a *patit* the question shall on application being made to this purpose be decided by the Commission.

**85. Constitution of committee of management of section Gurdwara.**

Subject to the provision of section 88-

1. the committee for the *Gurdwaras* known as the *Sri Akal Takht Sahib*, Amritsar, and *Sri Takht Kesgarh Sahib*, Anandpur, shall be the Board, provided that the Board shall not transact any business as such committee except in a general meeting:

2. there shall be one committee for the *Gurdwara* known as the *Darbar Sahib*, Amritsar and the *Baba Atal Sahib*, and all other notified Sikh *Gurdwaras* situated within the municipal boundaries of Amritsar other than the *Sri Akal Takht Sahib*, and it shall consist of-

   i. three members elected by the electors of the municipal areas of Amritsar registered under provisions of section 92.
ii. Four members elected by the election of the Amritsar District registered under the provisions of section 92 other than the electors so registered of the municipal areas of Amritsar.

iii. Three members elected by the Board in general meeting:

3. there shall be one committee of the notified Sikh Gurdwaras at Nankana and it shall consist of-

i. one member elected by the electors of the Notified Areas of Nankana registered under the provisions of section 92.

ii. Two members elected by the electors of the Sheikhupura District registered under the provisions of section 92 other than the electors so registered of the Notified Areas of Nankana.

iii. Two members elected by the electors of the Gujranwala District registered under the provisions of section 92.

iv. One member elected by the electors of the Lahore District registered under the provisions of section 92.

v. Two members elected by the electors of the Lyallpur District registered under the provisions of section 92.

vi. Five members elected by the Board in general meeting:

4. there shall be one committee of the notified Sikh Gurdwaras at Anandpur and the Gurdwaras connected therewith other than the Sri Takht Kesgarh Sahib, and it shall consist of-

i. two members elected by the electors of the revenue estates of Anandpur, Tarapur, Lodhipur, Basali and Chak registered under the provisions of section 92,

ii. two members elected by the electors of the Hoshiarpur District registered under the provisions of section 92, other than the electors specified in clause (i),
iii. one member elected by the electors of the Ambala District registered under the provisions of section 92,
iv. one member elected by the electors of the Jullunder District registered under the provision of section 92.
v. Three members elected by the Board in general meeting.
vi. Two members residents in the Kapurthala State, co-opted by the members described in clauses (i), (ii), (iii), (iv) and (v):

5. there shall be one committee for the notified Sikh Gurdwaras at Muktsar, and it shall consist of-

i. one member elected of the electors of the municipal areas of Muktsar registered under the provisions of section 92,

ii. two members elected by the electors of the Ferozepore District registered under the provision of section 92 other than the electors so registered of the municipal areas of Muktsar,

iii. one member elected by the electors of the Ludhiana District registered under the provisions of section 92,

iv. three members elected by the Board in general meeting.

v. Two members residents one in the Nabha State and one in the Faridkot State co-opted by the members described in clauses (i), (ii), (iii) and (iv):

6. there shall be one committee for the notified Sikh Gurdwaras within the limits of Hassan Abdal Samll Town and its shall consist of-

i. two members elected by the electors of the Rawalpindi District registered under the provision of section 92,

ii. one member elected by the electors of the Attock District, registered under the provisions of section 92,

iii. one member elected by the electors of the Jhelim District, registered under the provisions of section 92.
iv. Two members elected by the Board in general meeting.

v. Three members co-opted by the members described in clause (i), (ii), (iii) and (iv) two of whom shall be residents in the North-west Frontier Province and the third a Sehijdhari Sikh resident in the Rawalp9indi district, or in the Attock district, or in the North-West Frontier Province.

8. there shall be one committee for the notified Sikh Gurdwaras within the municipal limits of Lahore and it shall consist of—

i. three members elected by the electors of the municipal area of Lahore, registered under the provision of section 92,

ii. three members elected by the electors of the Lahore District registered under the provisions of section 92 other than the electors so registered of the municipal areas of Lahore.

iii. Two members elected by the Board in general meeting.

86. Committee of Gurdwara other than those specified in section 85.

For every notified Sikh Gurdwara other than a Gurdwara specified to section 85 a committee shall be constituted after 9 it shall 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 that Local 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 Local 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.
87. **Constitution of committee not specially provided for.**

Every committee other than a committee for which provision is made in section 85 shall consist of four elected members and one member nominated by the Board, who shall be representing the district in which the *Gurdwara* or one of the *Gurdwaras* to be managed by the committee is situated.

88. **Constitution of committees, publication of constitution of effect thereof.**

The committees described in sections 85 and 86 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 unless and until 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. When all the members of any committee described in section 85 have been elected or co-opted as the case may be, according to the provisions of that section, the Local Government shall notify the fact that the committee has been duly constituted, and the date of the publication of the notification shall be deemed to be the date of the constitution of the committee.

3. When all the members of any committee described in section 87 have been elected or nominated, as the case may be according to the provisions of that section, the Commissioner of the Division in which the *Gurdwara* or *Gurdwaras* is or are situated shall notify the fact that the committee has been duly constituted, and the date of the publication of the notification shall be deemed to be the date of the constitution of the committee.
98. **Election of members.**

1. The elected members of a committee constituted for a *Gurdwara* specified in Schedule I shall be elected by the constituency specified in the Schedule against the *Gurdwaras*:

   Provided that the Local Government may, from time to time, and after such consultation with the Board as it consider proper, by notification alter the local limits of any constituency.

2. The elected members of a committee constituted for a *Gurdwara* other than a *Gurdwara* specified in Schedule I or in section 85, shall be elected by a constituency formed subject to the approval of the Local government by the Board in general meeting, provided that for the election of such a committee before the constitution of the first Board under the provisions of this Act the Local Government shall, if necessary, from the constituency.

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

89. **Qualification for election to a committee.**

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-

i. is a resident in that constituency, and either

ii. is on the electoral roll for the time being force of persons entitled to vote for the election of a member to represent Sikh
rural or the urban constituency of the Legislative Council of
the Governor,

iii. 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.

93. **Right to vote.**

Every person registered on the electoral roll of 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 three years from the date of its
constitution or until a new committee has been constituted,
whichever is later.

95. **Effect of subsequent disability.**

If any person having been elected or nominated a member of a
committee becomes, subject to any of the disabilities stated in section
90 or 91, as the cease may be, or absents himself from three
consecutive meetings of the committee, he shall cease to be a
member by reason of such absence applies to the committee within
one month of the third consecutive meeting at which he was not
present to be restored to membership, the committee may at the 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.

96. **Vacancies in committees other than those specified in
section 85.**

On the occurrence of a vacancy in a committee other than one of the
committees specified in section 85 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 appoint any qualified person to fill the vacancy.

97. **Vacancies on committees specified in section 85.**

If a vacancy occurs in the committee of a *Gurdwara* specified in section 85 a new member shall be elected or co-opted to fill the vacancy in the manner in which his predecessor was elected or co-opted, provided that if the predecessor was elected by the Board in general meeting the executive committee may temporarily fill the vacancy until the next general meeting of the Board when the Board shall elect a member permanently to fill the vacancy.

98. **Committees to meet at least three times year.**

Every committee shall meet at least three times in each year.

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 for the election of a President.

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 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 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 vice-president are absent, the members present shall elect one of themselves to the chairman of the meeting.

102. **Decisions of question 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.

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

1. A member of a committee other than the president may resign his office by giving notice to the president and a president may resign his office by giving notice to the committee,

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.

105. **Exclusion of Board acting as committee from operation of this chapter.**

Nothing contained on this Chapter except sub-section (1) of section 85 shall apply to the committee constituted under the provisions of that sub-section.
106. **Object on which the funds of a Gurdwaras may be spent.**

1. Subject to the provision of this Act all properties and income of a notified Sikh Gurdwara shall be used, in the first place, for the maintenance or improvement of the Gurdwara for the maintenance 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 dependants, officers and servants thereof; for the fulfillment of the objects of the endowments thereof; for the maintenance of the Langar, for such religious, charitable or educational purposes as the committee may consider necessary in connection therewith or for the discharge of any obligations legally incurred.

2. When after providing for the purposes specified in subsection (1) three 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 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 may 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 any thing 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.

4. When application has been made in accordance with the provision 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 or 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 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 as the Commission might have passed instead of the order appealed against.

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. 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 the first contribution levied under the provisions of this section shall not exceed one-length of such income, and that contributions levied subsequently income s the Local government after considering the income and expenditure of the Board during the previous year, may from time to time prescribe.

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 by the credit there of the 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 (8) of section 137.

2. No sums other than those specified in sub-section (1) shall be placed to the credit of the General Board Fund.
3. The General Board Fund shall be applied sorely to the payment of expenses lawfully incurred by the Board in the exercise of its powers under the provision of this Act, and the discharge of obligation legally incurred, provided that if after paying such expenses and discharging such obligations any surplus sum remains, such surplus sum, up to the amount of three thousand rupees in any year, any be spend by the Board on any religious, charitable or educational purpose that it 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 112 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)

109. Funds transferred to Board by Shiromani Gurdwara Parbandhak committee.

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

i. any portion thereof held on behalf of a notified Sikh Gurdwara shall be paid as soon as may be, to the committee of such Gurdwara, and any portion held on behalf of any other place of worship as the Local 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 Shiromani Gurdwara Parbandhak Committee as may be legally recoverable;

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

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

Every sum made over to the Board under the provision if this Act by a committee of a notified Sikh *Gurdwara* or otherwise received by the Board for a specified religious, charitable 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 or educational purposes as the Board may consider proper or for grants in aid for the maintenance or service of notified Sikh *Gurdwara*.

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.**
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.

114. **Board to maintain accounts of all Trust funds and of General Board Fund.**
   i. 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 General Trust Funds.
   
   ii. Any person having interest in a notified Sikh Gurdwaras 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 authorized by the president on this behalf, of the whole or of any specified the time being in force in the Punjab.

115. **Audit of accounts.**
   
   1. the accounts described in section 114 shall be audited and examined once in every by such auditor as may time to time be appointed by the Local Government.

119. **Budget of Board**
   
   1. The executive committee shall lay before the Board at a general meeting to be held 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
n 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.

120. **Accounts to be maintained by committees.**

1. The 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, be furnished with a copy of the whole or any part of such account.

3. The 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 the Punjab.

121. **Audit of committee’s accounts.**

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

2. The accounts of the committees described in sub-section (2) and sub-section (4) of section 85 shall be audited by an auditor who may act as an auditor under the provisions of section 144 of the Indian Companies Act, 1913.

3. The Board shall maintain a list of not less than five auditors nominated by the Board with the previous sanction of the Local Government for the purpose of the audit of the accounts of committees other than those specified in sub-section (2), and no auditor, whose name is not on the list, shall be appointed to audit such accounts.
4. If within six months of the constitution of the Board the Board has failed to nominate auditors as required by sub-section (3) the Local 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 that once in every year or may with like sanction dispense with the audit and examination of such account.

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 of 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 voucher documents or papers to appear before him at any such audit and examination and to answer all question 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.

CHAPTER X

POWER AND DUTIES OF THE BOARD

125. Power 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 Gurdwara managed by it in accordance with the provisions of this act, and for the fulfillment of this duty and subject to the provisions of, and in addition to the powers conferred upon the Board by, this act, the general
superintendence over all committees appointed under the provisions of this Act shall vest in the Board.

126. **Restriction of powers of the Board.**
The Board shall not in any manner interfere with or have any control over or connection with any place of public worship in the Punjab otherwise than as provided in this Act.

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 or educational 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.

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 his Act to deal any matter directly connected with the Sikh, but shall not consider or discus, or pass any resolution or order upon, any other matter.

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. It 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 the 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 consider 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 as 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, any itself set aside such scheme as it considers just and proper and pass an order giving effect thereto.

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 provision of sub-section (1) of section 85.

132. **Power of Board to make bye-laws.**
1. The Board may in general meeting make bye-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 Local Government, make any bye-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 deposit of surplus funds in specified banks:
   c. prescribing the qualifications of candidates for membership of the Board and committees;
and provided further that no bye-law falling within the purview of clause (c) shall impose any disqualification upon a Sikh only because he is Schejdhari Sikh.
2. All bye-law requiring the previous sanction of the Local Government under the provisions of sub-section (i) shall when made be published in the Gazette

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 Gurdwara under its management and of enforcing the proper observance of all ceremonies and religious observances in connection with such Gurdwara of 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 hereditary 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. willfully 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 Gurdwaras, or
e. is of unsound mind or physically unfit to discharge the function of his office, or
f. is guilty of misconduct of such a character as to render him morally unfit for his office, or

g. fails persistently to perform his duties in connection with the management or performance of public worship or the management or performance of any rituals and ceremonies in accordance with the teachings of Sri Guru Granth Sahib, or

h. has ceased to be a Sikh.

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

1. whenever the dismissal of hereditary office-holder or of minister is ordered, the order shall, except when it is based on facts or conclusion established at a judicial trail, 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 fame in respect of each offence and explained to such office-holder or minister; the evidence in support of it sand any evidence which he may adduce in his defense shall be recoded in his presence and his defense shall be taken down in writing, and on such of the charges framed a finding shall be recorded.

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

3. Any hereditary office-holder who has been suspended or dismissed may within three months of the date of the order of suspension or dismissal, as the case may, be appeal either to the Board or to the Commission as he may elect: if he elects to appeal to the Board the order of the Board shall be final, and if he elects to appeal to the Commission a further appeal shall lie to the High Court from the order of the Commission provided that such appeal shall be made within ninety days of the date of the order.
4. Any minister other than a hereditary office-holder who has been suspended or dismissed may within ninety days of the date of the order of suspension or dismissal, as the case may be, appeal to the Board and the order of the Board shall be final.

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

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

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

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

9. Notwithstanding anything contained in sub-section (30 or sub-section (4) when the Board acting as a committee under the provisions of sub-section (5) of section 85 orders the suspensions 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 (5), and when the Board
acting as such committee orders the suspension or dismissal of a
Minster other than a hereditary office-holder the order of the
Board shall be final: and nothing contained in sub-sections (6),
(7) or (8) shall apply to the Board acting as such committee.

136. **Appointment of ministers and office-holders.**

If after the commencement of this Act any vacancy occurs in an
office connected with a notified Sikh Gurdwara, whether by
reason of the death, dismissal or resignation of the office-holder
or for any other reason, the committee of the Gurdwara may
appoint any person who in it opinion is qualified for the office to
fill the vacancy: provide that if the last holder of the office was a
hereditary office-holder who had not before the vacancy occurred
received compensation under the provisions of section 20, and
there is a presumptive successor of such last office-holder who
desires to be appointed and has not received compensation under
the provisions of section 20, the committee shall appoint such
presumptive successor unless, in its opinion he has not been
properly ordained or his moral character is such as to render him
unsuitable or his education has not been sufficient to render him
fit for appointment.

2 If any presumptive successor claims to be appointed to fill a
vacancy in accordance with the provisions of sub-section (1) and
the committee rejects his claim, he may, unless the committee is
the Board acting as a committee, under the provisions of sub-
section (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, and the documents, if any relating thereto;

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 officers connected with the Gurdwara to which any salary, emolument or perquisite is attached and the nature, with their estimated value; and

e. such other particulars as the Board may direct.

2. The registers shall be submitted through 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 appears to be necessary.

4. The registers as approved by the Board shall be kept by the committee of the Gurdwara to which they relate, and copies there of shall be kept by the Board.

5. The committee shall cause the entries in the registers to be scrutinized 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 alterations omissions or additions to be made in the registers as it finds to be necessary.

7. A copy of every order passes 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 authorized 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 at the Board may by bye-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 of sub-section (1) of section 85.

138. 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 bye-laws made there under, to regulate its procedure provided that without the previous sanction of the Board no regulation shall be made-

i. authorizing by name or office any person to receive, or sign acknowledgments of the receipt of any money on behalf of the committee, or

ii. prescribing the form in which accounts, returns and reports relating to the management of a Gurdwara shall be maintained or submitted.
139. **Power of committee to make regulations Re-offerings 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 divisions of such officering or any portion of them between the various office-holders of such Gurdwara.

2. If not 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.