

The Sikh Gurdwaras Act, 1925

Punjab Act No. 8 of 1925

CONTENTS

Chapter I

Preliminary

| | |
|--|----|
| 1. Short title, extent and commencement. | 10 |
| Statement objects and reasons. | 11 |
| 2. Definitions. | 40 |

Chapter II

Petitions to State Government relating to Gurdwaras

| | |
|---|----|
| 3. List of property of scheduled Gurdwara to be forwarded to the State Government. | 52 |
| (2) Declaration of scheduled gurdwara and publication of list forwarded under sub-section (1) in a consolidated list | 53 |
| (3) Notices of claims to property entered in the consolidated list to be sent to persons shown as in possession. | 53 |
| (4) Effect of publication of declaration and consolidated list under sub-section (2). | 53 |
| 4. Effect of omission to forward a list under section 3. | 61 |
| 5. Petitions of claim to property included in a consolidated list. | 61 |
| (2) Signing and verification of petitions under sub-section (1). | 62 |
| (3) Notification of property not claimed under sub-section (1) and effect of such notification. | 62 |
| 6. Claim for compensation by a hereditary office-holder of a Notified Sikh Gurdwara or his presumptive successor. | 66 |
| Signing and verification of petitions under sub-section (1). | 66 |
| 7. Petitions to have a gurdwara declared a Sikh Gurdwara. | 67 |
| (2) List of property claimed for the gurdwara and of persons in possession thereof to accompany a petition under sub-section (1). | 67 |
| (3) Publication of petition and list received under sub-sections (1) and (2). | 68 |
| (4) Notice of claims to property to be sent to persons shown in the list as in possession | 69 |
| (5) Effect of publication of petition and list under sub-section (3). | 69 |
| 8. Petition to have it declared that a place asserted to be a Sikh Gurdwara is not such a gurdwara. | 78 |

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GOI 69

103. 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 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.]

³104-A. Servants of the Committee, their appointment and punishment. - 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 emoluments of such servants, and may at any time for good cause fine, reduce, suspend or remove any servant.]

⁴105. 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 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

The Sikh Gurdwara Act, 1925, Section 106

observances connected therewith, for the payment of allowances or salaries of dependents, officers and servants thereof, for the fulfilment of the objects of religious, charitable or educational purposes as the committee may consider necessary in connection therewith or for the discharge of any obligations legally incurred.

(2) When after providing for the purposes specified in sub-section (1) there remains or appears likely to remain any surplus sum or any income not required for any such purposes, the committee may, by resolution passed by not less than two-third of its members propose to allocate a part of the whole of such surplus sum or income to a particular religious, educational or charitable purpose [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.

⁵(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 [or any purpose which promotes social welfare].

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

(5) A Committee or the Board if it is aggrieved by an order passed under sub-section (4) may, not later than ninety days after the passing of the order, appeal to the High Court and the High Court may confirm the order or pass any order.

¹ Inserted by Punjab Act No. 1 of 1974, Section 34

² Inserted by Punjab Act No. 1 of 1974, Section 34

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