

Wanted: A Uniform Law for Gudwara Management

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Dr. Jagmohan Singh has (in the March 2008 issue) constructively examined the All Indian Gurdwara Bill, drafted by late Justice Harbans Singh. I have read and studied the provisions of the Bill closely. Justice Harbans Singh had really worked hard, with a spirit of total dedication, to prepare the draft bill for the better management of the holy Sikh shrines which would be acceptable to all Sikhs residing in India and abroad. He had invited the views/suggestions on the draft Bill (1999) and also consulted eminent organizations.

Since 1925 when the State Gurdwara Act was enacted, much water has flown down the Sutlej River. A study of Singh Sabha Lehar and Guru Sudhar Lehar/Akali Lahar would reveal that SGPC came into existence in 1920 to restore the management of Sikh shrines/Gurdwaras according to Gurmat Maryada. Under Section 40 of Sikh Gurdwaras Act, 1925, a Board was constituted for Management of Gurdwaras. Under Sec. 42, the Board was given liberty to give any name to Board during its first meeting and the name given was Shiromani Gurdwara Prabandhak Committee. Akali Dal came into existence for carrying out the agenda of the SGPC much later. But now the position has completely changed and Akali Dal is calling the shots and has completely politicized the religious institutions. The Board elections are fought on party line in political form. No wonder political parties resist any change.

When Gurdwara Act 1925 was enacted, the population of Sikhs was concentrated in the pre-partition Punjab and small numbers of Sikhs lived in other states. The number of diaspora Sikhs was also very small. But since partition, Sikh demographic map has undergone a sea change, with a sizeable number of Sikh population residing in other states, like Rajasthan, Uttar Pradesh and Madhya Pradesh. After partition, with the spread of education pressure on land and consequent unemployment and other reasons, a large number of Sikh professionals and scholars have moved to USA, Canada, England and other western countries. These Sikhs have strong spiritual and emotional moorings tied to sacred Sikh shrines geographically located in Punjab. Whenever they visit India they make substantial contribution to Guru ki Golak. Experience shows it is quite substantial and not less than made by those residents in Punjab. But all the funds available with SGPC are spent in Punjab and no share is given to other states for prachar work, nor for starting any schemes and projects for the benefit of the community, say, in Haryana.

Chapter III of the Bill provides for the constitution of Central Board, State Boards and Regional Board and their functioning. As per Section 18 of this Chapter, 'Central Board shall consist of (a) 71 members are specified in the First Schedule to be nominated by the State Boards and the Regional Boards out of their members.' (b) the Head Granthi of Sri Darbar Sahib, Amritsar, Punjab. (c) The Jathedars of each of the following Takhts, namely - (i) Sri Akal Takht Sahib, Amritsar, Punjab (ii) Sri Takht Keshgarh Sahib, Anandpur Sahib, Punjab. (iii) Sri Takhat Harimandir ji Patna Sahib, Patna, Bihar. (iv) Sri Takht Hazur Sahib, Nanded, Maharashtra. (v) Sri Takht Damdama Sahib, Talwandi Sabo, Punjab. (d) 12 members to be co-opted by the members specified in clause (a) from amongst the intelligentsia of the Sikhs.

Section 19 deals with the Central, state and regional boards -

“(19) (1): The Central government, in consultation with the Central Board may, as soon as may be within a period of one year from the commencement of this Act, by notification, constitute the state boards and the regional board specified in the Second Schedule with effect from such date or dates as may be specified in the notification to exercise the powers conferred and perform the duties imposed on such Board under this Act.”

71 members of the Central Board are to be nominated by State Boards and Regional Boards out of their members. The number of members to be nominated by each state and regional board is given (in the first schedule) on the basis of Sikhs population in each state based on the Census of 1991. Out of this, 46 members are to be nominated by ‘Punjab Board’, which includes state of Punjab, Himachal Pradesh, Union Territory of Chandigarh; the remaining 25 by other state and regional boards. It means, though, Punjab State Board will have a majority in the Central Board, but there will be a substantial number from other states for equity and balance.

Whereas, under present Sikh Gurdwara Act, 1925 (Chapter VI Sec 43, 48) 140 members are elected from Punjab gurdwara constituencies and 15 members across India, of whom not more than five should be resident of Punjab and 10 co-opted from other states. Members are to be co-opted by the elected members. Co-opted members thus must be obviously acceptable to elected members of Punjab. In other words, members of other states would have no voice. At present most of the states do not know who is their representative in the SGPC.

From the above it is clear that present set up of SGPC is happy with *status quo* whereas in the proposed legislation their hold on the management is diluted, though they will still enjoy majority in the Central Board. Considering the substantial number of members (25) from other states, they will have to be more fair and transparent in managing the Gurdwaras.

Under Section 45 and 48 of the proposed Gurdwaras Bill, Central Board will mainly manage gurdwaras:

- (i) Sri Darbar Sahib, Amritsar, Punjab and other ‘notified’ Sikh gurdwaras within the municipal limits of the city of Amritsar.
- (ii) Sri Akal Takht Sahib, Amritsar.
- (iii) Sri Takht Keshgarh Sahib and other notified Gurdwaras at Anandpur Sahib, Dist. Ropar, Punjab.
- (iv) Sri Takht Damdama Sahib and other notified gurdwaras at Talwandi Sabo, Dist. Ropar, Punjab.
- (v) Sri Takht Hazur Sahib and other gurdwaras at Nanded which immediately before the commencement of this Act, were under the management of this Act, were covered under the Nanded Sikh Gurdwara Sachkhand Sri Hazur Sahib Abchal Nagar Sahib Act, 1956 (Hyderabad Act XXXVII of 1956).
- (vi) Sri Takht Harmandir ji Patna Sahib, and other Sikh gurdwaras which immediately before the commencement of this Act, were under the management of the said Prabandhak Committee.

The state boards would - under the Bill - manage historical gurdwaras within their respective jurisdictions. Under Section 58 powers have been given to Central Board to take over functions of any State Board where it comes to the conclusion that State Board is neglecting to perform its duties. It is thus evident that, under the proposed dispensation (New Gurdwara Bill) SGPC’s powers and functions to manage Sikh shrines would be diluted. Hence they would never agree to any change, which explains the reason why a

former SGPC President virtually ignored Justice Harbans Singh Ji.

Reform in SGPC management, is the prime need of hour. The sooner the influence of politics - with its attendant evils - are eliminated from the elections of SGPC and management of holy shrines, the better it is for the Panth.

S. Jagmohan Singh has done yeoman service to the Sikh community by giving a clarion call for the urgent need to undertake reforms in SGPC. The matter needs to be pursued in a constructive and pious frame of mind.

