



## **HARYANA STATE LAW COMMISSION**

**Ist Floor, DHL Square, Plot No. 9, HSIIDC IT Park, Sector 22,  
Panchkula (HR)-134109, Telephone No.0172-4004268**

### **TWENTY NINTH REPORT**

**Recommendation to amend various Sections of  
Haryana Sikh Gurdwaras (Management) Act, 2014.**

**Government of Haryana**

# **HARYANA STATE LAW COMMISSION**

**Justice H.S. Bhalla,  
Chairperson**

**Mr. Inderjeet Mehta,  
Member**

**Dr. Sarika Gupta,  
Member**

**Ms. Sangita Vardhan,  
Part-time Member**

**Mr. Bhupinder Singh,  
Registrar**

**Government of Haryana**

**HARYANA STATE LAW COMMISSION**

**TWENTY NINTH REPORT**

**11<sup>th</sup> August, 2025**

**Recommendation to amend various  
Sections of Haryana Sikh Gurdwaras  
(Management) Act, 2014.**

Earlier, the Haryana State Law Commission, vide its 24<sup>th</sup> Report dated 8<sup>th</sup> April, 2025, recommended to amend various Sections of the Haryana Sikh Gurdwaras (Management) Act, 2014 (Haryana Act No.22 of 2014) (hereinafter referred to as the Act, 2014).

Additional Chief Secretary to Government of Haryana, Home Department, analysed those recommendations and further submitted that the Government has observed some important points not included in the recommendations and it was requested to send revised recommendations to Government after

including some attached points such as amendments in the provisions of Section 46 and Section 55 of the Act, 2014.

Resultantly, the Haryana State Law Commission again re-analysed the provisions of the Act, 2014, particularly Section 46 and Section 55 of the Act, 2014 as recommended by the Haryana Sikh Gurdwara Judicial Commission through Additional Chief Secretary (Home).

Originally, the Sikh Gurdwara Act, 1925 was enacted for management and supervision of Sikh Gurdwaras and Gurdwara properties in the erstwhile State of Punjab (which included the present Punjab, Haryana, Himachal Pradesh and Union Territory of Chandigarh). Thereafter, on genuine demand of Sikh population of Haryana to provide for the better autonomous management and effective supervision of Sikh Gurdwaras and Gurdwara properties in the State of Haryana and matters related thereto, the Haryana Sikh Gurdwaras (Management) Act, 2014 was enacted which received the assent of the Governor of Haryana on the

14<sup>th</sup> July, 2014 and was published in the Haryana Government Gazette (Extraordinary) on 14<sup>th</sup> July, 2014.

Haryana State Law Commission received letter bearing No.01/06/2025-3GEC dated 18.03.2025 from the Additional Chief Secretary to Government of Haryana, Home Department, for amendments in the provisions of the Haryana Sikh Gurdwaras (Management) Act, 2014 (hereinafter referred to as the Act, 2014).

The Haryana State Law Commission has minutely gone through the existing provisions of the Act, 2014 and the amendments proposed by the Chairman, Haryana Sikh Gurdwara Judicial Commission, in his letter dated 16.01.2025 (received from the Additional Chief Secretary to Government of Haryana, Home Department, vide letter under reference) and have analyzed as follows: -

The Haryana Sikh Gurdwara Judicial Commission (hereinafter referred to as the Judicial Commission) has proposed that there should be provision for temporary

injunction/interim relief which sometimes required in certain cases in order to check further loss and wastage of Gurdwara property or misuse of funds, as the case may be. Therefore, Section 46-A should be added in this regard in the Act, 2014 which empowers the Judicial Commission to grant temporary injunction in required cases.

The Judicial Commission further proposed that for immediate service of the parties, summoning of witnesses and record, the Judicial Commission shall regulate its own procedure and shall not be bound by the strict provisions of the Code of Civil Procedure, 1908 and the Bharatiya Sakshya Adhiniyam, 2023. In this regard, he proposed amendment for addition of Section 46-B in the Act, 2014.

The Judicial Commission further proposed that there should be exclusive purview of the Judicial Commission and that the jurisdiction of any court to entertain or try the matter which falls within the jurisdiction of Judicial Commission, should be barred. In

this regard, he proposed for addition of Section 46-C in the Act, 2014.

The Judicial Commission further proposed that protection of prosecution of Chairman, Member, Officers or officials of the Judicial Commission should be provided with respect to the act done in good faith by the Judicial Commission in the discharging of its functions. In this regard, Section 46-D may be added in the Act, 2014.

The terms and conditions of the Chairman and Members of the Judicial Commission shall be determined by the State Government independently and not in consultation with the Haryana Sikh Gurdwara Management Committees particularly when the Haryana Government is to bear all the expenditure including the salaries and maintenance of the office of the Judicial Commission. Therefore, Section 46 sub-section (1) should be amended accordingly.

The Judicial Commission further proposed that Section 44 of the Act, 2014 is required to be amended

because the Haryana Sikh Gurdwara Judicial Commission by its name is well equipped to take care of the provisions regarding the definition of a Sikh and qualifications of a Member, as enshrined in clauses (a) and (b) of Section 44 of the Act, 2014. Therefore, there is no need to put extra burden on the Civil Courts. So, he proposed that Section 44 of the Act, 2014 should be amended and instead of “Special Court”, the word “Judicial Commission” should be inserted.

The Judicial Commission further submitted that the Haryana Sikh Gurdwara Judicial Commission should be defined in the Definition Clause under Section 2 of the Act, 2014.

The Judicial Commission further proposed that a provision is required to be added in the Act, 2014 to authorize the Judicial Commission to appoint an expert to hold enquiry/investigation into the disputes relating to the Gurdwara property, movable/immovable including the Gurdwara funds.

The Judicial Commission further proposed that like Members of the Committee and the Commissioner, Gurdwara Elections and every other officer and employees of the Committee, the Chairman, Member, Officer and employee of the Judicial Commission should also be held to be “public servant” within the meaning of Section 2 sub-section (28) of the Bharatiya Nyaya Sanhita (BNS), 2023.

As no mechanism has been provided for the execution of the orders passed by the Judicial Commission in the Act, 2014, the Judicial Commission proposed that Section 46-G is required to be added to provide the mechanism for the execution of the orders passed by the Judicial Commission.

The Judicial Commission further proposed that Section 46(2) gives power to the Judicial Commission to decide the disputes relating to Gurdwara property, Gurdwara Funds and other incidental disputes inter se between Gurdwara Committee, Executive Board or various Gurdwaras and private individuals Institutions or any other juristic persons, but it does not give powers

to the Judicial Commission to recommend or take action against the defaulting person i.e. Office Bearers, Member of the Committee, Executive Board, etc. It also does not depict as to who shall initiate or give application to the Judicial Commission to bring any mis-act or misuse of powers, funds or property of the Gurdwara by the aforesaid persons.

The Haryana State Law Commission is of the considered view that there shall a provision under Section 46(2) as to who shall bring to the notice of the Judicial Commission regarding any misuse of property, funds and other incidental disputes inter se between Gurdwara Committee, Executive Board or private individuals, etc. and that the Judicial Commission shall have powers to recommend or take action against the person responsible for the commission of the misdeeds as stated above. Consequently, the Haryana State Law Commission recommends for amendment of Section 46(2) of the Act, 2014.

The Judicial Commission further proposed that to provide transparency and that to implement the

proverb that “the justice should not only be done but it should appear to have been done”, the Judicial Commission shall be given powers to take suo moto cognizance of the disputes inter se between Gurdwara Committee, Executive Board, various Gurdwaras and private individuals, or any other institution/juristic person, in the larger interest of the Sikh community. In this regard, the Judicial Commission proposed that subsection (3) should be added in Section 46 of the Act, 2014 as under: -

46(3) “The Commission, where it deems fit, may take suo moto cognizance of the dispute relating to Gurdwara property, Gurdwara funds and other incidental disputes inter se between the Gurdwara Committee, Executive Board or various Gurdwaras and private individuals or any other institution/juristic person.”

The Judicial Commission further proposed amendments in Section 55 of the Act, 2014, to make it more elaborate and exhaustive. There shall be the provision regarding addition or deletion of any

Gurdwara from the list of Gurdwaras mentioned in Schedules I, II and III; what shall be the provision regarding addition or deletion of any Gurdwara from the list of aforesaid Schedules; what shall be the rights of the office-holder; how they could be removed from the office after the commencement of this Act; presumption regarding the property of Gurdwaras, income received from those properties; how their accounts shall be maintained and what shall be the rights of the office-holder in the notified Sikh Gurdwaras mentioned in Schedules I, II and III.

The Haryana State Law Commission thoroughly gone through the provisions of Section 55 of the Act, 2014 and have come to the conclusion that in order to make the provisions of Section 55 of the Act, 2014 more elaborate and self-explanatory, the provisions as recommended by the Judicial Commission are justified to be added in Section 55 of the Act, 2014. Moreover, there shall be a provision for appeal against the order or decree passed by the Haryana Sikh Gurdwara Judicial Commission. Consequently, the Haryana State Law

Commission recommends the amendments in Section 55 of the Act, 2014.

As a result of our above consideration/discussion, the Haryana State Law Commission has come to the conclusion that the proposed amendments are necessary for the smooth and proper functioning of the Haryana Sikh Gurdwara Judicial Commission so that the Haryana Sikh Gurdwara Judicial Commission may be empowered to expeditiously dispose of the cases under its jurisdiction and to provide justice to the general Sikh population of Haryana with regard to Gurdwara properties, funds and other matters relating thereto.

Consequently, the Haryana State Law Commission recommends that the amendments as proposed below may be incorporated in the Haryana Sikh Gurdwaras (Management) Act, 2014: -

Section No.	Existing Section	Proposed amendment in Section
2.	<p style="text-align: center;"><b>CHAPTER-1</b> <b>PRELIMINARY</b></p> <p>The definition of Gurdwara Judicial</p>	<p>The Haryana Sikh Gurdwara Judicial</p>

	Commission does not exist.	Commission should also be defined in Section 2 by adding a fresh clause as under: (i) “Judicial Commission” means Haryana Sikh Gurdwara Judicial Commission constituted under Section 46 of the Act.
44	A special court notified by the State Government in consultation with the High Court of Punjab and Haryana shall have jurisdiction in respect of the following matters, namely- (a) any petition involving a question of dispute wherein any person is a Sikh or is not a Sikh for the purpose of registration as a voter or	The ‘Judicial Commission’ shall have jurisdiction in respect of the following matters, namely- (a) any petition involving a question of dispute wherein any person is a Sikh or is not a Sikh for the purpose of registration as a voter or contesting election as a member or co-option as member of the Committee;  (b) a petition involving a question whether for the purpose of election as member of the

	<p>contesting election as a member or co-opted member of the Committee;</p> <p>(b) a petition involving a question whether for the purpose of election as member of the Committee a person is qualified or disqualified.</p> <p>(c) Petitions arising out of any type of disputes between the Committee and its employees including former employees.</p>	<p>Committee a person is qualified or disqualified;</p> <p>(c) Petitions arising out of any type of disputes between the Committee and its employees including former employees.</p> <p>(d) Dispute regarding selection, appointment, etc. of the employees of the Committee raised by any person.</p>
45	<p>(1) Any person aggrieved by an order passed by the special court as notified by the State Government, in consultation</p>	<p>(1) Any person aggrieved by an order passed by the Judicial Commission under Section 44 of the Act, may within ninety days of the order, prefer an appeal</p>

	<p>with the High Court of Punjab and Haryana may within ninety days of the order, prefer an appeal to the High Court of Punjab and Haryana at Chandigarh and the orders of the High Court on such appeal shall be final.</p> <p>(2) The provisions of sections 5 and 12 of the Limitation Act, 1963 (36 of 1963), so far as may be, shall apply to appeals under this section.</p>	<p>to the High Court of Punjab and Haryana at Chandigarh and the orders of the High Court on such appeal shall be final.</p> <p>(2) The provisions of sections 5 and 12 of the Limitation Act, 1963 (36 of 1963), so far as may be, shall apply to appeals under this section.</p>
<p>46 sub section (1) Proviso (1)</p>	<p>(1) xxxx</p> <p>(i) xxxx</p> <p>(ii) xxxx</p>	

	<p>(iii) xxxx</p> <p>(iv) xxxx</p> <p>Provided that terms and conditions of appointment of the Chairman and members of the Commission shall be determined by the State Government in consultation with the Gurdwara Management Committee in the prescribed manner. The terms and conditions of appointment, salary, allowance, etc. will be fixed by the Government in consultation with the Gurdwara Management Committee and the expenditure of the said purpose or any incidental charges including</p>	<p>Provided that terms and conditions of appointment of the Chairman and members of the Commission shall be determined by the State Government. The terms and conditions of appointment, salaries, allowances, etc. will be fixed by the Government and the expenditure of the said purpose or any incidental charges including recruitment of helping staff and maintenance of the office shall be defrayed from the</p>
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	recruitment of helping staff and maintenance of the office shall be defrayed from the Haryana Government Treasury.	Haryana Government Treasury.
Section 46(2)	The Commission shall adjudicate upon the disputes relating to Gurudwara Property, movable or immovable including the Gurudwara Fund and other incidental disputes inter se between the Gurudwara Committee, Executive Board or inter se between various Gurudwara and private individuals or any other institutions or any other juristic persons.	(2)(i) 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 Committee, the Executive Board, or the Committee of Local Gurdwara, or

		<p>against any member or past member of the Committee, of the Executive Board or of the Committee of Local Gurdwara or against any office-holder or past office-holder of the Gurdwara or against any employee past or present of the Committee or Gurdwara in respect of any alleged malfeasance, misfeasance, misuse of Gurdwara property and funds, breach of trust, neglect of duty, abuse of powers conferred by this Act or any alleged expenditure on a purpose not authorized by this Act</p>
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	<p>and the Commission, if it finds any such malfeasance, misfeasance, misuse of Gurdwara property and funds, 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 recommend for suspension and/or</p>
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		<p>removal of any office-holder or Member of the Committee, Executive Board, or Committee of Local Gurdwara, responsible for the same as provided under Section 17(2)(c) of the Act. The recommendations of the Judicial Commission for removal shall be considered to be a sufficient compliance of proviso to Section 17(2)(c) of the Act.</p> <p>(ii) The Commission shall adjudicate upon and decide on the disputes relating to the Gurdwara Property movable or immovable including the</p>
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		<p>Gurdwara funds and other incidental disputes inter se between the Gurdwara Committee, Executive Board, Committee of Local Gurdwara or inter se between various Gurdwara and private individuals or any other institutions or any other juristic persons:</p> <p>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 subsection accrues and, in the</p>
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		<p>case of an application against a member of the Committee, the Executive Board or the Committee of Local Gurdwara, if it is made after such period or after six years of the date of his ceasing to be member, whichever is later.</p> <p>(iii) The Committee, Executive Board or Committee of Local Gurudwara may make a similar application to the Commission which may, in like manner, dispose of it.</p> <p>(iv) The Committee, Executive Board or Committee of Local</p>
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		<p>Gurudwara or any person aggrieved by an order passed by the Commission under provisions of sub-section (2)(i) or sub-section (2)(ii) may, within ninety days of the orders, appeal to the High Court which shall be heard by the Division Bench of the High Court.</p> <p>(v) No application shall be made under the provisions of section 46(2)(i)&amp;(ii) against the Committee, Executive Board, or a committee of Local Gurdwara until the expiry of two months, after notice in writing has been delivered to the</p>
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		<p>Committee or to the Board or a Committee of Local Gurdwara, 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.</p>
46 (3)	Does not exist	<p>The Commission, where it deems fit, may take suo moto cognizance of the dispute relating to Gurdwara property, Gurdwara funds and other incidental disputes inter se between the Gurdwara</p>

		Committee, Executive Board or various Gurdwaras and private individuals or any other institution/juristic person.
46-A	Does not exist	<p>Section 46-A: <b>Cases in which temporary injunction may be granted-</b> Where in any dispute it is proved by affidavit or otherwise-</p> <p>(a) that any property in dispute is in danger of being wasted, damaged or alienated by any party to the dispute,</p> <p>(b) that the respondent threatens to cause injury to the petitioner/complainant in relation to any matter in dispute,</p>

		<p>(c) that it is urgently required to freeze the accounts or otherwise stop the expenditure from the Gurdwara funds, in order to check on its misuse, the Judicial Commission may, by order grant the temporary injunction to restrain such act or expenditure or make such other order for the purpose of staying and preventing the wasting, damaging, alienation, sale, removal or disposition of the property or misuse of the funds or otherwise causing any injury to the petitioner/ complainant as the Judicial Commission thinks fit till the final disposal of dispute or till further orders.</p>
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46-B	Section 46-B does not exist.	<p><b>POWERS OF THE JUDICIAL COMMISSION-</b></p> <p>(1) Subject to the provisions of this Act, the Judicial Commission shall have power to regulate its own procedure.</p> <p>(2) The Judicial Commission shall have, for the purpose of discharging its functions under this Act, the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely: -</p> <p>(a) Summoning and enforcing the attendance of any person and examining him on oath;</p> <p>(b) Requiring the discovery and production of documents;</p>
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		<p>(c) Receiving evidence on affidavits;</p> <p>(d) Issuing commissions for the examinations of witnesses or documents;</p> <p>(e) to issue Commission for any legal investigation for the purpose of elucidating any matter in dispute concerning the Gurdwara property including its funds.</p> <p>(f) Reviewing its decisions;</p> <p>(g) Dismissing an application for default or directing it ex parte, and</p> <p>(h) Any other matter which may be prescribed.</p> <p>(3) All proceedings before the Judicial Commission shall be deemed to be judicial proceedings within the meaning of</p>
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		<p>sections 193 (now Section 229 of BNS, 2023), 219 (now 257 of BNS, 2023) and 228 (now 267 of BNS, 2023) for the purposes of section 196 (now 233 of BNS, 2023) of the Indian Penal Code (45 of 1860), and the Judicial Commission shall be deemed to be Civil Court for the purposes of section 195 (now 215 of BNSS, 2023) and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974). (now Chapter XXVIII, BNSS, 2023). (46 of 2023)</p>
46-C	Section 46-C does not exist.	<p><b>Section 46-C- Bar of Jurisdiction.</b></p> <p>No Civil Court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the Judicial Commission is empowered by or under this Act to determine and no injunction shall be</p>

		granted by any Court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.
46-D	Section 46-D does not exist.	<p>Section 46-D</p> <p>(1) No suit, prosecution or other legal proceedings shall lie against the Chairman, members, officers and employees of the Judicial Commission for any act which is done in good faith or intended to be done under this Act or any Rule or Regulations made thereunder.</p> <p>(2) No suit or other legal proceedings shall lie against the Chairman, members, officers and employees of the Judicial Commission for damages in respect of any loss or omission for furtherance discharge of their official duties in good faith.</p>

46-E	Section 46-E does not exist.	<p><b>Vacancies, etc., not to invalidate proceeding of Judicial Commission: -</b></p> <p>No act or proceeding of the Judicial Commission shall be invalid merely by reason of-</p> <p>(a) Any vacancy in, or any defect in the constitution of, the Judicial Commission; or</p> <p>(b) Any defect in the appointment of a person acting as a Member of the Judicial Commission; or</p> <p>(c) any irregularity in the procedure of the Judicial Commission not affecting the merits of the case.</p>
46-F	Section 46-F does not exist.	The Chairman, member, officer and employee of the Judicial Commission should also be deemed to be a public servant within

		the meaning of Section 2(28) of BNS, 2023 (corresponding to Section 21 of the Indian Penal Code, 1860).
46-G	Section 46-G does not exist.	<p><b>Orders passed by Judicial Commission to be executable as a decree. -</b></p> <p>(1) Every order made by the Judicial Commission under Section 46(2) of this Act shall be executable by the Judicial Commission as a decree of Civil Court, and for this purpose, the Judicial Commission shall have all the powers of a Civil Court.</p> <p>(2) Notwithstanding anything contained in sub section (1), the Judicial Commission may transmit any order made by it to a Civil Court having local jurisdiction and such Civil Court shall execute the order as if it were a decree made by the Court.</p>

<p>Section 55</p>	<p>The Haryana Sikh Gurdwara Management Committee or Executive Board shall send a list of the Gurdwaras and properties under these Gurdwaras for declaration of the same either as an historical Gurdwara or a notified or local Gurdwara in the prescribed manner. The Gurdwaras and the property under the Management of such historical Gurdwaras shall form part of Schedule-I appended to this Act. Whereas the Gurdwaras and the properties where the annual income of the notified Gurdwara is more than Rs.20 lacs shall be kept in</p>	<p><b>Section 55: Declaration and Management of Sikh Gurdwaras and Properties</b></p> <p>The Haryana Sikh Gurdwara Management Committee or Executive Board shall send a list of Gurdwaras and properties under these Gurdwaras for declaration of the same either as an historical Gurdwara or a notified or local Gurdwara in the prescribed manner.</p> <p>(a) The classification shall be made under the following three categories:</p> <p>(i) Schedule I shall include Historical Gurdwaras and their associated immovable and movable properties.</p> <p>(ii) Schedule II shall include Notified Gurdwaras having an</p>
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	<p>Schedule-II appended to this Act and local Gurdwara under Schedule-III of this Act:</p> <p>Provided that any Gurdwara or immovable or movable property under the management of historical, notified or a local Gurdwara may be declared either as an historical Gurdwara, a notified or local Gurdwara, as the case may be, by a notification to be issued by the State Government or any amendment, addition or deletion may be made by the State Government to bring a Gurdwara in the list of Schedules I to III i.e. historical</p>	<p>annual income exceeding ₹20 lakhs.</p> <p>(iii) Schedule III shall include Local Gurdwaras. The State Government may, by way of a notification, declare any Gurdwara or its property as a Historical, Notified, or Local Gurdwara, or may amend, add to, or delete from the entries in Schedules I to III. Such changes may be made based on a resolution passed by the management of a Local or Notified Gurdwara, in accordance with the provisions of the Act and the rules framed thereunder.</p> <p>(b) Petition for Declaration as Sikh Gurdwara, Fifty or more Sikh worshippers of a Gurdwara, each over 21 years of age and resident of that Tehsil where the</p>
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	<p>Gurdwara in List I, any notified Gurdwara within the list of Schedule-II and a local Gurdwara in Schedule-III in the prescribed manner by way of passing a resolution by the Management of a local Gurdwara or a notified Gurdwara for the purposes of this Act and rules or regulations made under this Act, as the case may be.</p>	<p>Gurdwara is located, may submit a petition to the State Government through the appropriate Secretary within the prescribed period to declare the Gurdwara a Sikh Gurdwara. The petition must include:</p> <ul style="list-style-type: none"> <li>(i) The Gurdwara's name, district, tehsil, and revenue estate.</li> <li>(ii) A verified list of all rights, titles, or interests in immovable properties and monetary endowments in Haryana claimed to belong to the Gurdwara, including details of persons in possession and their legal status (e.g., guardian for minors or insane persons). The State Government may waive the residency requirement for petitioners by notification.</li> </ul>
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	<p>(c) Publication of Petition and List Upon receiving a duly signed petition, the State Government shall publish the petition and accompanying list by notification and in the prescribed manner at the district, tehsil, and revenue estate headquarters where the Gurdwara and its properties are located. Notices shall be sent by registered post to persons listed as in possession of claimed rights, titles, or interests, except those who joined in forwarding the petition. Publication of the notification is conclusive proof of compliance with petition and publication requirements. The petition may be withdrawn by notice to the appropriate Secretary before publication, rendering it void.</p>
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		<p>(d) Objection to Declaration as Sikh Gurdwara within 90 days of the notification under sub-section(d), *any hereditary office-holder or 20 or more worshippers (over 21 years, resident of that Tehsil where the Gurdwara is located) may file petition to the State Government, through the appropriate Secretary, claiming the Gurdwara is not a Sikh Gurdwara. Such petitioners may also seek restoration of a hereditary office-holder removed after the commencement of this Act if the Gurdwara is not declared Sikh Gurdwara. The State Government may waive the residency requirement for petitioners.</p> <p><b>(e) Effect of No Objection:</b> If no objection is filed within 90 days, the State Government shall declare</p>
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		<p>the Gurdwara a Sikh Gurdwara by notification, and the management provisions of this Act shall apply from the publication date. This declaration is conclusive proof of the Gurdwara's status as a Sikh Gurdwara.</p> <p>(f) Claims to Property within 90 days of the notification under subsection (d), any person may file petition to the State Government, through the appropriate Secretary, claiming a right, title, or interest in listed properties. Petitions must be signed and verified per the Code of Civil Procedure, 1908. After the 90-day period, the State Government shall publish a notification listing unclaimed rights, titles, or interests, which is conclusive proof that no claims were made.</p> <p>(g) Compensation Claims:</p>
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		<p>(i) <b>Hereditary Office-Holders:</b> Within 90 days of the notification, a past or present hereditary office-holder (or their presumptive successor) removed after the commencement of this Act may file petition for compensation due to pecuniary loss if the Gurdwara is declared Sikh Gurdwara.</p> <p>(ii) <b>Resigned or Removed Office-Holders:</b> Within 90 days of resignation or removal (within 12 months of notification), a hereditary office-holder may claim compensation for pecuniary loss due to management changes.</p> <p>(iii) <b>Nomination Rights:</b> Within 90 days of notification, a person claiming the</p>
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		<p>right to nominate an office-holder before the commencement of this Act may seek compensation for loss due to management changes. Petitions must be signed and verified as per the Code of Civil Procedure, 1908.</p> <p>(h) The Haryana Sikh Gurdwara Judicial Commission constituted under Section 46(1) shall have powers vested in a court under the Code of Civil Procedure, 1908, with unlimited jurisdiction in Haryana for matters under this Act. Decrees or orders passed by Judicial Commission shall be executed by the district court where the Gurdwara is located.</p> <p>(i) Procedure of Haryana Sikh Gurdwara Judicial Commission At least two members must be present for proceedings, but the</p>
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		<p>president (or a nominee) may issue notices and summons. The Judicial Commission shall take decisions by majority; if only two members are present and disagree, the president's opinion shall prevail. If the president is absent and members disagree, the matter will be deferred until the president attends. If the State Government forwards petitions to the Haryana Sikh Gurdwara Judicial Commission, and forwarding is conclusive proof of timely receipt and compliance. The Haryana Sikh Gurdwara Judicial Commission may consolidate disputes, add parties, order written statements, and award costs as per the Code of Civil Procedure, 1908.</p> <p>(j) Determination of Sikh Gurdwara Status the Haryana Sikh Gurdwara Judicial Commission shall</p>
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		<p>first decide if a Gurdwara should be declared a Sikh Gurdwara before addressing other disputes. A Gurdwara is declared Sikh Gurdwara if it:</p> <p>(i) Was established by or in memory of the Ten Sikh Gurus or commemorates their incidents and was used for public worship by Sikhs before and at the time of the petition.</p> <p>(ii) Was used for public worship predominantly by Sikhs due to Guru-related traditions, Sikh worship purposes, Sikh martyrs, saints, historical persons, or Sikh religious incidents, before and at the time of the petition. If not declared Sikh Gurdwara, the Haryana Sikh Gurdwara Judicial Commission loses jurisdiction except for claims for restoring hereditary office-</p>
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		<p>holders removed after the commencement of this Act. Upon a finding that a Gurdwara is Sikh Gurdwara (and no appeal is filed within 90 days or an appeal is dismissed), the Haryana Sikh Gurdwara Judicial Commission or High Court informs the State Government, which publishes a notification declaring the Gurdwara as Sikh Gurdwara, applying the management provisions from the publication date.</p> <p><b>(k) Presumption for Gurdwara Property:</b></p> <p>If an office-holder or any interested person denies a right, title, or interest recorded in a record of rights or annual record before the commencement of this Act belonging to a</p>
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		<p>Notified Sikh Gurdwara, there shall be a presumption that it belongs to the Gurdwara if:</p> <p>(i) It was recorded in the Gurdwara's or office-holder's name in a record-of-rights before the commencement of this Act.</p> <p>(ii) Land revenue or proprietary rights were assigned for the Gurdwara's maintenance.</p> <p>(iii) Income was used for Gurdwara maintenance.</p> <p>(iv) The right was acquired with Gurdwara funds.</p> <p>(v) Accounts of the income were submitted to worshippers or a managing body.</p>
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		<p>(vi) The right devolved to successors on multiple occasions.</p> <p>(vii) The right was a trust or purchased with trust funds. This presumption applies to claims by persons deriving title after the commencement of this Act from an office-holder.</p> <p>(1) Agreements with Office-Holders within 90 days of a Sikh Gurdwara notification, any person claiming rights under an agreement made after the commencement of this Act between an office-holder and Sikh worshippers or their representatives may file petition to the Haryana Sikh Gurdwara Judicial Commission. If valid, the Haryana Sikh Gurdwara Judicial Commission may enforce the agreement, including creating a charge on the Gurdwara's</p>
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		<p>property or income, despite provisions of the Indian Registration Act, 1908, or Indian Stamps Act, 1899.</p> <p>(m) Compensation Considerations In awarding compensation, the Haryana Sikh Gurdwara Judicial Commission may consider:</p> <ul style="list-style-type: none"><li>(i) The claimant's past conduct.</li><li>(ii) Improvements made by the claimant to Gurdwara property.</li><li>(iii) Gurdwara income historically appropriated by the office-holder with worshippers' consent (for lifetime compensation only, not for successors).</li><li>(iv) Past conduct in prior suits or proceedings before</li></ul>
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		<p>the commencement of this Act.</p> <p>(v) Convictions involving moral turpitude or orders under Section 129 of the Bharatiya Nagarik Suraksha Sanhita, 2023.</p> <p>(vi) Loss of non-trust income due to loss of office.</p> <p>(vii) Rights or privileges (e.g., residence, subsistence, allowances) previously enjoyed. Compensation is paid annually from the Gurdwara's income, terminable on the claimant's death, unless otherwise agreed.</p> <p>(n) Payment and Recovery of Compensation Shall be</p>
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	<p>deposited in the tehsil treasury and paid as prescribed. If not deposited, it is recoverable from the Gurdwara's income or by temporary alienation of its agricultural land, as determined by the Collector. Upon the claimant's death, heirs receive only unpaid amounts plus a proportionate share of the annual allowance for the period between the last payment and death.</p> <p><b>(o) Possession of Property:</b></p> <p>On decision declaring a right, title, or interest in immovable property belongs to a Notified Sikh Gurdwara, the Committee or a person may sue before the Haryana Sikh Gurdwara Judicial Commission for possession. The Haryana Sikh Gurdwara Judicial</p>
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		<p>Commission shall grant possession if the claim aligns with the declared right, title, or interest.</p> <p>(p) Entry in Revenue Records Upon a decision or inclusion in a published list, the Collector, after enquiry, shall record the Gurdwara as the owner of the right, title, or interest in the record-of Rights as per the Punjab Land Revenue Act, 1887.</p> <p>(q) Exclusion of Court Jurisdiction No court shall entertain suits or proceedings involving:</p> <ul style="list-style-type: none"><li>(i) Restoration to office or management systems in a Notified Sikh Gurdwara, except as per the management provisions of this Act.</li><li>(ii) Claims for office or management in a Gurdwara notified under this Act, unless</li></ul>
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		<p>decided by the Haryana Sikh Gurdwara Judicial Commission as not a Sikh Gurdwara.</p> <p>(r) Transfer to Haryana Sikh Gurdwara Judicial Commission: If a pending or new suit in a civil or revenue court involves a claim related to a Notified Sikh Gurdwara, the court shall frame an issue, forward the record to the Haryana Sikh Gurdwara Judicial Commission.</p> <p>(s) Office-Holder Rights Post-Notification:</p> <p>The right of an office-holder in a Notified Sikh Gurdwara to continue in office is decided per the management provisions of this Act.</p> <p>(t) Appeal:</p> <p>Any party aggrieved by the final order or</p>
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		decree of the Haryana Sikh Gurdwara Judicial Commission may be appeal to the High Court within 90 days. Appeal shall be heard by a Division Bench.
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