

## Bill Summary

### The Sikh Gurdwaras (Amendment) Bill, 2016

- The Sikh Gurdwaras (Amendment) Bill, 2016 was introduced in Rajya Sabha by the Minister of Home Affairs, Mr. Rajnath Singh, on March 15, 2016. It was passed by the House on March 16, 2016. The Bill seeks to amend the Sikh Gurdwaras Act, 1925.
- The Act regulates administration of Sikh Gurdwaras in Chandigarh, Haryana, Himachal Pradesh and Punjab. For this purpose, it established the Sikh Gurdwara Prabandhak Committee (SGPC) for overall administration and management, and set up committees for management of every Gurdwara. It also lays down the powers of the SGPC and other committees, and regulates elections to them.
- **Election to the SGPC and management committees:** The Act provides that every Sikh who is above 21 years of age and is registered as a voter, will be entitled to vote in the elections to the SGPC and management committees. However, no person who trims or shaves his beard or hair will be entitled to vote in these elections. The Act creates an exception for Sehjdhari Sikhs who trim or shave their beard or hair, and allows them to vote. The Bill removes this exception, disentitling Sehjdhari Sikhs from voting if they carry out these activities.
- Under the Act, Sehjdhari Sikhs are those persons who: (i) perform ceremonies according to Sikh rites, (ii) do not consume tobacco or *halal* meat, (iii) have not been expelled from the religion for committing a religious transgression, and (iv) can recite the *Mul Mantra* (a Sikh prayer).
- **Retrospective operation:** The Bill will be deemed to have come into force on October 8, 2003. According to the Statement of Objects and Reasons of the Bill, this is in light of a government notification dated October 8, 2003 which had sought to disentitle the Sehjdhari Sikhs from voting in the SGPC and management committee elections. However, the Punjab and Haryana High Court had struck down the notification as invalid in 2011. It had noted that the legislature must amend the law, if Sehjdhari Sikhs are to be disentitled from voting.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.