

Rep. by No. 38 of 1974 Sec. 78, S. 2 + sch. I

THE DELHI SIKH GURDWARAS (AMENDMENT) ACT, 1974

No. 46 of 1974

[23rd September, 1974]

An Act to amend the Delhi Sikh Gurdwaras Act, 1971.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Delhi Sikh Gurdwaras (Amendment) Act, 1974. Short title.

82 of 1971.

2. In section 10 of the Delhi Sikh Gurdwaras Act, 1971 (hereinafter referred to as the principal Act), in sub-section (1), in clause (m),— Amend- ment of section 10.

(a) for the words "read or write", the words "read and write" shall be substituted;

(b) in the Explanation, for the words "prescribed by regulations", the words "prescribed by rules" shall be substituted.

3. In section 16 of the principal Act, in sub-section (7), for the words "membership of the Executive Board", the words "office of the President, any other office-bearer or member of the Executive Board" shall be substituted. Amend- ment of section 16.

4. After section 16 of the principal Act, the following section shall be inserted, namely:— Insertion of new section 16A.

"16A. (1) If the Committee at its first meeting is unable to elect a pro tempore Chairman or a President or any other office-bearer or member of the Executive Board under sub-section (4) of Power to convene another meeting for election of office-bearers.

section 15 or sub-section (1) or sub-section (2) of section 16, the Director Gurdwara Elections shall summon another meeting of the Committee, being not later than fifteen days from the date of the first meeting, for the election of the *pro tempore* Chairman, the President or the remaining office-bearers or members of the Executive Board, as the case may be.

(2) The provisions of sections 15 and 16 shall, so far as may be, apply to the conduct of election under sub-section (1)."

Amend-
ment of
section 32.

5. (1) In section 32 of the principal Act, clause (a) and clause (b) shall be, and shall be deemed always to have been, omitted.

(2) The electoral roll prepared and finally published for the conduct of election to the first Committee in pursuance of section 7 of the principal Act read with the Delhi Sikh Gurdwara Management Committee (Registration of Electors) Rules, 1973 made under section 39 of the principal Act shall not be called in question merely on the ground of omission of clause (a) or clause (b) of section 32 of the principal Act and the said electoral roll shall be as valid and effective as if it had been prepared and finally published in pursuance of the provisions of the principal Act as amended by this Act.

Amend-
ment of
section 39.

6. In section 39 of the principal Act,—

(a) in sub-section (2), after clause (a), the following clause shall be inserted, namely:—

“(aa) the manner and the criterion for deciding whether a candidate for election as a member of the Committee is able to read and write *Gurmukhi*.”;

(b) in sub-section (4), for the words “two successive sessions, and if before the expiry of the session in which they are so laid or the session immediately following”, the words “two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid,” shall be substituted.

Amend-
ment of
section 40.

7. In section 40 of the principal Act, in sub-section (2), clause (a) shall be omitted.