

# **The Sikh Gurdwaras Board Religious Fund Committee (Appointment of Members) Rules, 1959**

UNION OF INDIA

India

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### **Rule**

### **THE-SIKH-GURDWARAS-BOARD-RELIGIOUS-FUND-COMMITTEE-APPOINTMENT-OF-MEMBERS-RULES-1959**

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**1103.**

#### **1. Short title.**

- These rules may be called the Sikh Gurdwaras Board Religious fund Committee (Appointment of Members) Rules, 1959.

#### **2. Definitions.**

- In these rules, unless the context otherwise requires, (i) 'Act' means the Sikh Gurdwaras Act, 1925, as amended from time to time; (ii) 'Board' shall have the meaning assigned it in the Act; and (iii) 'Committee' means the Committee referred to in clause (i) of sub-section (2) of section 108-B, of the Act.

#### **3. Appointment of members to be by election to be conducted by Chairman in general meeting.**

- The members of the Committee shall be appointed by the Board in its general meeting by election which shall be conducted by the Chairman of the meeting functioning under section 60 of the Act.

#### **4. Nomination of candidates for committee.**

- When a member or members of the Committee are to be appointed the Chairman shall call upon the members present to nominate candidates for election and any member present may propose the name of any member of the Board, not being a member or office-bearer of the Executive Committee of the Board, or any other person as a candidate for election and if any other member present seconds such proposal and the member so nominated signifies his assent to such nomination or the member or the other person so nominated has already signified such assent in writing, the Chairman shall enter his name in a list of nominated candidates.

#### **5. Procedure in case there is no contest.**

- If the number of candidates nominated under the provisions of rule 4 is equal to or less than the number of members to be appointed, such candidates shall be deemed to have been elected and declared appointed as members of the Committee.

#### **6. Method of voting in case of contest.**

- If the number of candidates nominated under the provisions of rule 4 is more than the number of members to be appointed the Chairman shall read out the list of nominated candidates and each member present at the meeting may write on a paper the name of any one candidate whom he wishes to be appointed and shall then fold up the paper and place it in a receptacle to be provided for the purpose: Provided that if any member is unable to write, he may cause any other member to write on his behalf the name of the candidate, whom he wishes to be appointed.

#### **7. Counting of votes.**

(1) When all the members present who wish to vote have recorded their votes in the manner prescribed in Rule 6, the Chairman shall appoint two of the members (hereinafter referred to as tellers) to count the votes recorded for each candidate. (2) In counting the votes the tellers shall reject as invalid any paper on which the name of more than one candidate is written or any indication is given to the identity of the member whose vote is recorded on it other than such indication as is afforded by the writing of the name of the candidate. (3) When counting of votes is concluded, the tellers shall prepare and sign a return showing the number of votes recorded in favour of each candidate and shall deliver the return to the Chairman. (4) The Chairman shall declare to be appointed as members of the Committee these candidates up to the number of members to be appointed who are shown in the return prepared by the tellers to have obtained the largest number of votes: Provided that if it is impossible to determine which candidates have obtained the largest number of votes up to the number of members to be appointed owing to the fact that two or more candidates have obtained an equal number of votes, the Chairman shall decide by lot which of such

candidates shall be deemed to have been elected and shall declare them to have been appointed as members of the Committee.

## **8. Return of members appointed and safe custody of election papers**

- At the conclusion of any election under these rules, the Chairman shall forward to the appropriate Secretary to Government a return showing the name(s) of the person(s) appointed by the Board as member(s) of the Committee together with a sealed packet containing the list of nominated candidates prepared under the provisions of rule 3, the return prepared by the tellers under the provisions of sub-rule (3) of rule 7 and the papers on which votes were recorded under the provisions of rule 6 and such packet shall be retained by the said Secretary in his custody until the expiry of one year from the date of election when its contents shall be destroyed subject to any direction to the contrary by the State Government or by a competent court or by an Enquiry Board appointed to hold an enquiry into an election under these rules.

## **9. Names of members appointed on Committee to be notified in Gazette.**

- As soon as may be after the receipt of the return of election referred to in rule 8, the appropriate Secretary to Government shall notify the name(s) of member(s) appointed by the Board on the Committee in the official Gazette for general information.

## **10. Application of Sikh Gurdwaras Election Enquiries Rules, 1925.**

- The Sikh Gurdwaras Election Enquiries Rules, 1925, as amended from time to time, shall apply mutatis mutandis to the conduct of enquiries and the decision of disputes relating to an election held in accordance with these rules.