

The Sikh Gurdwaras Board (Election of Office-Bearers & Executive Committee) Rules, 1925

UNION OF INDIA

India

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Rule

THE-SIKH-GURDWARAS-BOARD-ELECTION-OF-OFFICE-BEARERS-E of 1925

- Published on 9 December 1925
- Commenced on 9 December 1925
- [This is the version of this document from 9 December 1925.]
- [Note: The original publication document is not available and this content could not be verified.]

The Sikh Gurdwaras Board (Election of Office-Bearers & Executive Committee) Rules, 1925 Published vide Punjab Government, Home Department, General Gurdwaras Notification No. 27342, dated the 9th December, 1925.

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1. Short title.

- These rules may be called the Sikh Gurdwaras Board (Election of Office-bearers and Executive Committee) Rules, 1925.

2. Definition.

- In these rules "the Act" means the Sikh Gurdwaras Act, 1925.

3. Election of President, Vice-President and members of Executive Committee to take place in order specified.

- When office-bearers and members of the Executive Committee are to be elected at the first general meeting to the Board or at a subsequent annual general meeting under the provisions of section 62 or section 63 of the Act, the election of the President of the Board shall first take place and then the election of the [Senior Vice-President, Junior Vice-President and General Secretary] [See

notification No. 501 Gurdwaras dated 17th April, 1954.] of the Board and finally the election of the members of the Executive Committee of the Board.

4. Nomination of office bearer.

- When a member of the Board is to be elected as [President, Senior Vice-President, Junior Vice-president or General Secretary] [See notification No. 501 Gurdwaras dated 17th April, 1954.] of the Board, the Chairman of the meeting at which the election is to take place shall call upon the members present at the meeting to nominate candidates for the vacant office and any member present may propose the name of any member of the Board as candidate for the vacant office, and if any other member present seconds such proposal and the member so nominated signifies his assent to such nomination or has already signified such assent in writing, the Chairman shall enter the name of the members so nominated in a list of nominated candidate.

5. If only one candidate is nominated he is to be declared elected.

- If only one member is nominated as a candidate under the provisions of rule 4 he shall be deemed and shall be declared to have been elected as [President, Senior Vice-President, Junior Vice-President or General Secretary] [See notification No. 501 Gurdwaras dated 17th April, 1954.], as the case may be

6. Method of voting.

- If more than one member is duly nominated as a candidate under the provisions of rule 4 the Chairman of the meeting shall read out the list of duly nominated candidates and each member present at the meeting may write on a paper the name of the candidate whom he wishes to be elected 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 elected.

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 of the meeting 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 candidate.(3)When counting of the 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 of the meeting.(4)The Chairman of the meeting shall declare to be elected the candidate in whose favour the largest number of votes is shown in the return to have been recorded.(5)If two or more candidates are shown to have received an equal number of votes but a larger number of votes than any other candidate, a fresh election

shall be held in which only such candidates shall be deemed to be candidates.

8. Nomination of candidates for the Executive Committee.

- When members of the Executive Committee are to be elected the Chairman of the meeting shall call upon the members present to nominate candidates for election and any member of the Board may propose the name of any member of the Board 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 has already signified such assent in writing, the Chairman shall enter the name of the member so nominated in a list of nominated [candidates] [Substituted for the word "Members" by Punjab Government (Home Department General), notification No. 27872. dated the 15th December, 1925.].

9. If number of candidates is equal to the number of vacancies such candidates to be declared elected.

- If the number of candidates nominated under the provisions of rule 8 is equal to the number of members to be elected such candidates shall be declared to have been elected members of the executive Committee.

10. If number of candidates is in excess of number of vacancies a poll to be taken

(1) If the number of candidates nominated is in excess of the number of members to be elected, the Chairman shall read out the list of duly nominated candidates and a poll shall be taken in the manner provided in rule 6 and sub-rules (1), (2) and (3) of rule 7. [Explanation. - Each member present at the meeting shall be entitled to vote in favour of one candidate only and the teller shall reject as invalid any paper in which the name of more than one candidate is written.] [This explanation was inserted by Punjab Government (Home Department General,) notification No. 3435, dated the 1st October, 1926.] (2) Those candidates up to the number of members to be elected who after the counting of votes has been concluded are shown in the return prepared by the tellers to have obtained the largest number of votes shall be declared to have been elected, 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 elected 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.

11. Return of results of election and election papers to be forwarded to Government. -

At the conclusion of any election under these rules the Chairman of the meeting at which the election takes place shall forward to the [appropriate Secretary to Government] [Substituted for the words 'Secretary to Government, Punjab Transferred Department' by Punjab Government

Notification No. 231, dated the 26th April, 1937.] a return showing the names of the person elected as [President, Senior Vice-President, Junior Vice-President or General Secretary] [Substituted for the words 'President or Vice-President' by Punjab Government Notification No. 501-Gurdwaras, dated the 17th April, 1954.] or member of executive Committee, as the case may be, together with a sealed packet containing the list of duly nominated candidates prepared under the provisions of rule 4 to rule 8, 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 or rule 9 and such packet shall be retained by the appropriate Secretary to Government, in his custody until the expiry of one year from the date of the elections when its contents shall be destroyed subject to any direction to contrary made by the Punjab Government or by a competent court or by [an enquiry Board] [Substituted for the word "Commissioners" by Punjab Government (Home Department-General) Notification No. 27872, dated the 15th December, 1925.] appointed to hold an enquiry into an election under these rules.[12 (1) No motion of no-confidence referred to in section 63 of the Act shall be moved except during a general meeting called solely for such purpose.(2)When a general meeting is to be called for the purpose of no-confidence motion, the Deputy Commissioner [Amritsar] [Rule 12 added by Punjab Government Notification No. 7622-Gurdwaras, dated the 28th October, 1953.] or in his absence the Additional District Magistrate [Amritsar] [Added by Punjab Government Notification No. 501-Gurdwaras, dated the 17th April, 1954.] shall be informed of the said meeting and requested to be present therein.(3)A motion of no-confidence shall not be moved unless the notice of such motion is signed by at least twenty members.(4)The Chairman of the said meeting shall cause the votes on the no-confidence motion to be recorded by ballot and the ballot papers shall be deposited in a receptacle provided for the purpose.(5)After the votes have been so recorded, the Chairman shall record a return of the same and shall have it countersigned by the Deputy Commissioner, or the Additional District Magistrate, as the case may be, and announce the result. A copy of the said return signed both by the Chairman and the Deputy Commissioner, or the Additional District Magistrate, as the case may be, shall be despatched by the Chairman to the [Commissioner, Gurdwara Elections] [Substituted for the words 'Elections Commissioner' by Punjab Government Notification No. 492-Gurdwaras, dated the 20th August, 1957.] of the State in a registered cover immediately.(6)If the motion of no-confidence is carried by a majority of votes, the Executive Committee shall immediately cease to hold office.(7)The members present shall then elect a Chairman from amongst themselves for the purpose of electing a new President and the Chairman so elected shall immediately call upon the members present to record their votes by ballot for the purpose of electing a new President in accordance with these rules.(8)When the new President has been so elected, he shall take the chair and conduct further proceedings of the meeting in accordance with the Act.]