

What has been simmering for the last many years seems to be inching towards a head-on collision. The state government of Haryana is likely to sound the bugle of formation of the Haryana Sikh Gurdwara Parbandhak Committee on 1 November which is Punjab Day and Haryana Day, for on this day the two states were carved out in 1966.

Despite the hue and cry of the SGPC and Akali Dal leadership, from all indications it appears to be a fait accompli. The government of India too seems to have made up its mind, though it seems to be a bit worried about the Akali call of "Panth is in danger.". This is being so, there is need for Sikhs in the region of Haryana to be pro-active, argues the well-read author and World Sikh News columnist who has been engaged in studying and activating the functioning of many Gurdwara bodies -in Maharashtra, Hyderabad and even Punjab.

Sounding caution, the author says that any lull in approach can be disastrous. Nanak Singh Nishter seeks a practical and visionary approach from the Sikhs of Haryana. He says that political expediency cannot be ruled out and Sikhs will have to be careful that they are not taken for a ride, either by their own leaders or by the Congress party which may be working on the agenda of "keeping Sikhs in control." If effective steps are not taken now, it will have will have far-reaching serious repercussions.

Should the Sikhs of Haryana have a separate Parbandhak Committee? What is wrong with the functioning of the Shiromani Gurdwara Parbandhak Committee? Was not an All India Gurdwara Act a panacea for all ills confronting the working of SGPC under the Sikh Gurdwara Act, 1925? To know the answers to these and other questions that haunt the Sikh world today, read on.



HARYANA GURDWARA ACT Right time to act

Nanak Singh Nishter

Led by the ad-hoc Haryana Sikh Gurdwara Parbandhak Committee, the five year old agitation to disassociate from the parent body Shiromani Gurdwara Parbandhak Committee is likely to bear fruit as the Haryana state chief minister Bhupinder Singh Hooda has declared on 28 July that an announcement to this effect is to be made on 1 November 2009 -which marks Haryana Day -the day the state was carved out of Punjab in 1966. History will complete a full circle for the Sikhs of the state if they get the authority to control and administer Gurdwaras in their state.

The chief minister is reported to have said, "All legal aspects of the report of the committee headed by Agriculture Minister H.S. Chatha are being examined and there is no legal hitch in it. The report of the Chatha Committee was being examined in view of the aspirations of the Sikh community in Haryana". It must, however be said, that, every new move in this country happens with an eye on the elections, and the Congress Chief Minister too hopes that the 1.3 million Sikhs of the state will vote for him and his party in the forthcoming State Assembly elections, in lieu of this "favour to the Sikhs." What was a poll promise in the last elections, has taken five years and 1,28,566 affidavits by Sikhs to the government-appointed Chatha Committee for this announcement to be made by the Haryana government.

On expected lines, the 40 billion rupee annual outlay body (of which approximately 1 billion comes from Haryana), the Shiromani Gurdwara Parbandhak Committee formed under the Sikh Gurdwaras Act, 1925 and the Badal Akali Dal which runs it, has reacted sharply and even warned the Haryana government "to be ready to bear the consequences of such a move." The president of the SGPC -Avtar Singh Makkar has urged the Prime Minister for good sense, the chief minister of the state Parkash Singh Badal has met Dr. Manmohan Singh and sought immediate stoppage of all activity related to this move. The SGPC executive Committee meet has convened a special session of the general house of this parliament of the Sikhs.

The SGPC manages all the historical Sikh Gurdwaras of Punjab, Haryana and Himachal Pradesh of erstwhile Punjab state and is unlikely to let go its control over the 72 Haryana Gurdwaras (of which 7 are historical Gurdwaras under direct control of SGPC and 18 others have local Gurdwara Parbandhak Committees) without a fight. 7 out of the 170 members of SGPC are elected from Haryana. The differences between the aggrieved Haryana Sikhs and the SGPC could not be amicably sorted out in the past few years.

Should the Sikhs in Haryana succeed in having a separate legislation (which will depend upon the analysis of provisions of the Punjab Reorganisation Act, 1966, read with Sikh Gurdwara Act, 1925.), it will open the chance for the Sikhs in Himachal Pradesh (which too was part of erstwhile Punjab) to have their own autonomous body.

The situation needs to be checked in time. The ordinary Sikh of both sides is likely to face severe hard-

ship. The situation is alarming and each section of the community is sitting on the mouth of a volcano, which may erupt anytime.

It is time to take a careful, dignified, strategic and determined approach. The opportunity of the Congress-led government of Haryana should be used to the hilt by the Sikhs of the state of Haryana. All efforts must be made to ensure that the new body is formed in a peaceful and democratic manner. The mistakes and shortcomings of the Sikh Gurdwara Act, 1925 must not be allowed to be repeated.

This is a golden chance for the Sikhs in Haryana to give unto themselves a new Gurdwara Act, which will incorporate modern and effective provisions for maintenance of Gurdwaras and having forward-looking Gurdwara managements, brooking no petty political control. It is appropriate time to suggest and ensure that the Haryana government incorporates such provisions in the proposed Act which will promote Panthic interest and protect all

same at the behest of the SAD. Sirdar Kapur Singh was the ICS officer of 1934 batch, who was sacked by Prime Minister Pandit Jawaharlal Nehru on vague grounds, by amending the constitution, only because of his commitment to the cause of the Sikhs. This country has yet to acknowledge the services of Kapur Singh who was an able administrator and an intellectual par excellence. Significantly this demand was also part of the charter of demands adopted by the Akali Dal and all other Sikh bodies as part of the Dharam Yudh Morch launched in August 1982.

Now is the time for action. The invariably silent Sikh intelligentsia and the common populace must rise to the occasion. To me it is a now or never situation. Instead of becoming a stumbling block and opposing the proposed Haryana Gurdwara legislation, without a deep understanding of the situation, Sikh scholars and activists need to make bold and useful suggestions in the framing of the Haryana Gurdwaras Bill. Through seminars and workshops, there is an urgent need to suggest such clauses in the enactment that will enable the proposed body to be a democratic one.

We have the model of the "Jammu & Kashmir Sikh Gurdwaras and Religious Endowment Act 1973" and some clauses in the draft proposals of the All India Gurdwara Act, painstakingly prepared by late Justice Harbans Singh as part of his life-time work to bring forth all Gurdwaras under one controlling authority.

Most of us may not be aware of the fact that when it was nearly certain that the All India Act may be tabled in Parliament, several vested interests holding prime positions in Gurdwara managements, created self-styled trusts, foundations, soci-



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eties and adopted other such practices to perpetuate hold and control, not only for themselves but also for their family members.

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I would like to share one of my bitter experiences while working for the independence of Takht Sri Hazur Sahib Committee. To those who are new to this, let me mention that the Gurdwara Board under the Takht Abchalnagar Hazur Sahib Act, there are 17 members for managing the historical Gurdwaras of Nanded and Aurangabad. Among them there are 2 Sikh Members of Parliament, 3 members from SGPC, Amritsar, and another 1 member from Madhya Pradesh nominated by SGPC, 1 member from Chief Khalsa Diwan, Amritsar. In 1972, Gurcharan Singh Tohra was the president of the board. Vasant Rao Naik was the chief minister of Maharashtra. As president of the Central Gurdwara, Hyderabad, I was spearheading a movement for amendment of the Takht Sahib Act, so that all members who are from far-off areas and who had not been sparing sufficient time and effort towards better management of the Takht affairs should be replaced with members from local areas. Sardar Tohra was the president of SGPC and also a member

parliament and by virtue of his membership of the Nanded Gurdwara Board in the above category, he was elected President of the Board.

As there were many cases of misappropriation of funds and because the management of the Board was found wanting in many aspects, under pressure from local Sikhs and as a result of our campaign, the Chief Minister agreed to our demand for amendment in the Act and convened a meeting of the representatives of the Board. We were ready with a consensus on the issue of amendment to the Abchalnagar Gurdwara Act. Sardar Tohra opposed it tooth and nail. To sway the Chief Minister of Maharashtra onto his side, he had in his delegation the then former chief minister of Punjab -Parkash Singh Badal. The rest, as they say is history. The proposal of amendment was dropped by the government of Maharashtra and the Act was retained, continuing the scope for indirect intervention, without contributing towards proper management or resolution of long-pending issues and concerns.

We are all aware as to how SGPC president Bibi Jagir Kaur sabotaged the tabling of All India Gurdwara draft legislation, for which late Justice Harbans Singh, as Chief Commissioner Gurdwara Elections had made all arrangements with the Ministry of Home affairs. Whether it would have become an Act or not, one cannot say, but one thing is sure that Bibi Jagir Kaur went out of her way to resort to subterfuge and lies to stall the well-intentioned manoeuvre. Like always, the well-entrenched SGPC was fearful of losing its grip on Sikh political affairs and the freedom to use the SGPC finances without concern to Sikh needs. Had this move succeeded, there would have been no need for the Haryana Gurdwara Act. The present positive posture of the SGPC president Avtar Singh Makkar and the Chief Minister Parkash Singh Badal favouring the All India Gurdwara Act legislation and sharing of funds with the Haryana Sangat is nothing but a knee-jerk reaction to divert attention from the real issue of democratization of Sikh religious polity. The late prime ministers of India -Indira Gandhi and her son Rajiv Gandhi, at different periods, massively maligned the Sikhs by misinterpreting the contents of the Anandpur Sahib resolution and were successful in creating an anti-Sikh wave throughout the country. Indira Gandhi became the saviour, the "Durga Mata" of the country. Her young son was even more vicious. He took the Anandpur Sahib resolution to the remotest parts of India and dubbed Sikhs as traitors. India responded giving him a thumping-majority win with more than 80 percent seats in the 1985 parliamentary elections. In the aftermath, in a well-calculated and executed move, Sikhs were hunted and hounded by foisting false TADA cases. A schism of moderates and radicals was created amongst Sikhs all over the globe. The hype against Sikhs and the Anandpur Sahib resolution was so much that no newspaper worth its name dared to publish the other side of the coin, even paid advertisements to counter the vicious propaganda were refused.

On the other hand, when the occasion arose to fulfill one of the key aspects of the same Anandpur Sahib Resolution, that is the All India Gurdwara Act, the SGPC backed out and did not give consent. They failed to realise that if they had been able to push through the Act, they would have in one stroke debunked the propaganda unleashed against the Sikhs in the recent past. Alas, if they could think that far!

According to media reports, the SGPC has sought an amendment for

co-option of 10 members from amongst NRIs, in addition to the already existing quota of 15 members to be co-opted from within India. A cross section of Non Resident Sikhs have rejected the offer, because they are acutely aware that this proposed quota is only for adjustment of Akali Dal loyalists in distant lands, exactly as it is done in the case of members from across the country. I have yet to come across a co-opted member who has made any significant contribution to the working of the SGPC or to the administration of Gurdwaras and general welfare of the Sikhs in the areas represented by them.

The Sikh Gurdwaras Act 1925 for Punjab State, The Nanded Sikh Gurdwara Sachkhand Shri Abchal Nagar Sahib Act 1956 and The Delhi Sikh Gurdwaras (Management) Act



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1971, provide for control over the historical Gurdwaras only under their jurisdiction, whereas the Jammu & Kashmir Sikh Gurdwaras and Religious Endowment Act 1973, has rightfully taken over the control of all Gurdwaras in the state. Technically, any Gurdwara or Dera built for private purposes in the state is an illegal body and the Sikhs of J & K can contest such claims.

In a similar manner, in the proposed All India Gurdwara Act, there was no room for privatization of Gurdwara in the form of Trust, Foundation, Dera, Society and Committee or in any other form. If the move would have gone through, it would have to a very large extent controlled malpractices, mismanagement, encroachments and misappropriation on the Gurdwara properties. Additionally there was a proposal to have a fully functional independent Gurdwara Judicial Commission for resolution of disputes. This Commission was to be set up by the government at its expense leaving no room for any other court to interfere in Sikh religious affairs.

In October 1997, the Institute of Sikhs Studies, Chandigarh, organized a Seminar on Gurdwara Legislation; I also presented a paper and a book is also published by the institute on this subject. On that occasion, the Institute constituted a five member committee to prepare the draft of the All India Gurdwara Act under the chairmanship of Justice Harbans Singh Ji, retired chief Justice of Punjab and Haryana High Court. I had the privilege to be one of them. As such I had the opportunity to be actively associated for a long time in preparing draft of the Act with Justice Sahib, who was the brain behind the draft proposals, for which he had worked tirelessly for years together.

I can say with authority that every time Justice Harbans Singh came up with a firm proposal, the SGPC leadership badly bungled it under one pretext or the other.

The present scenario is crystal clear. The government is bent upon bringing a separate Gurdwara Act, to form the Haryana body and it seems almost inevitable. It is time for the Sikhs in Haryana to be alert and intelligent. They must recall that the state of Haryana has yet to declare Punjabi as the second official language. They must not forget that Haryana has had the dubious distinction of making Telugu as the second language of the state, even though there were no Telugu speaking people or pupils in the state. This executive order remained there for a long time, primarily to tease the Sikhs, who wanted Punjabi as the

second language there. There was hardly any resistance in Haryana. Now that they seem aware of their rights, they must ensure that they are not led a blind alley and every clause for the formation of the Haryana Sikh Gurdwara Parbandhak Committee must be debated threadbare and then finalized. I have no hesitation in saying that concerned Sikhs from out of Punjab will rise in support of the Sikhs in Haryana.

It is my earnest appeal to all those who matter to stop opposing the formation of the new Haryana Committee in vain and take advantage of the situation for larger benefit of the Guru Panth. If appropriate clauses are incorporated in the proposed Haryana Gurdwara Act for the formation of the Haryana Sikh Gurdwara Parbandhak Committee, Sikhs at large will appreciate and welcome it. If the results are satisfactory and positive and a general consensus is evolved, it may become a precursor for an All India Gurdwara Act. As in the Jammu and Kashmir Act and the draft proposals of the All India Gurdwara Bill, there is need to ensure incorporation of clauses for registration, maintenance and upkeep of all Gurdwaras and not just historical Gurdwaras as in the Act of 1925. We should not miss the bus again.

Nanak Singh "Nishter" is a Hyderabad based orator, writer and Urdu poet. He is a regular columnist of World Sikh News. He is an activist-academician making immense contribution to the social and cultural welfare of Sikh society. He is director of International Sikh Centre for Interfaith Relations. He is also the driving force behind Guru Nanak Dev Educational Trust, Hyderabad. He may be contacted at nanaknishter@gmail.com