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After elusive justice for 25 years, a minor judicial relief

Sach Kanwal Singh
CHANDIGARH

At a most poignant juncture of history when the Sikh quom is observing 25th year of the most dastardly attack on Sri Darbar Sahib, Sri Akal Takht and many other centres of Sikhism, and has watched the Indian machinations to save those guilty of leading killer mobs in 1984 that tracked, hunted, killed, maimed, looted and burnt alive hundreds of Sikhs, a superior court has now given a judgement that ostensibly will go far in furthering the struggle for Sikh identity.

But there is much more to the issue than meets the eye, as is always the case when it comes to Indian machinations.

In a major victory of sorts for the Sikh community, a three judge bench of the the Punjab and Haryana High Court ruled last Saturday that retaining unshorn hair is one of the most important and fundamental tenets of the Sikh religion, and the SGPC was fully justified in denying admission to a Sikh girl who plucked her eyebrows.

In its 154 page voluminous judgment, Justices J.S.Khehar, Jasbir Singh and Ajay Kumar Mittal upheld the Shiromani Gurdwara Parbandhak Committee precondition for maintaining 'Sikh Swarup' by students seeking admission under the Sikh minority community quota in institutions run by the religious body.

Students whom the Guru Ram Das Institute of Medical Sciences and Research, Amritsar, had denied admission in MBBS on account of their trimming the beard and plucking eyebrows had



High Court says unshorn hair integral to Sikh, but much larger threat looms now

tried to hide behind a facade that unshorn hair were not integral to being a Sikh.

The case saw SGPC being asked to define the term Sehajdhari, a task it messed up at one stage when the WSN was forced to expose a malicious affidavit as also the role of some prominent people, including that of Pavit Mattewal, CM Parkash Singh Badal's legal advisor and son of Advocate General H S Mattewal.

The Bench fully justified the requirement of retaining hair unshorn as a precondition for eligibility under the Sikh minority community quota.

"If the said religious community wishes to enforce the aforesaid norm as a precondition for

BEWARE OF THE NEXT ATTACK

WSN Network

IN keeping with the typical knee jerk reactions, the SGPC is celebrating the High Court verdict at a time when a much larger attack on the Sikhs, is being planned against the community.

The judgement on unshorn hair would mean little relief if the Government of India succeeds in passing a law whose draft has already been cleared by the Council of Ministers. The 103rd Constitution Amendment Bill that seeks to define a "Minority" on the basis of state-level demographic data will effectively snatch away the status of a minority from the Sikhs. This will end the SGPC's right to reserve any seats for the Sikhs in the institutions it runs in Punjab.

In May last year, the amendment draft was cleared by a Cabinet **Continued on page 21**

admission, there is nothing wrong about it." Speaking for the Bench, Justice Khehar said in this case, the sole consideration before the Bench was whether or not keeping hair unshorn was an important fundamental tenet of the Sikh religion.

"...Thus viewed, on the basis of the undisputed factual position, that all the petitioners indulg in trimming their hair or plucking hair of their eyebrows, they can legitimately be denied of a bene-



WSN Network
SACRAMENTO

In a major morale booster for the Sikh community in its struggle to quell attacks on its unique identity, the entire California State Assembly on Tuesday passed law enabling training of all law enforcement personnel about Sikhs and kirpans.

The bill now goes on for a vote by the California State Senate, and then to the Governor Schwarzenegger's Desk to hopefully be signed into law.

Tuesday's Assembly vote was cleared with most impressive 59-0 vote as no one opposed the progressive legislation. Extensive lobbying efforts led by the Sikh Coalition and local sangat members resulted in bipartisan support of this legislation.

Should it become law, it will be the first statutory piece specifically pertaining to the kirpan in the United States. The American Sikh community have hailed California State Assembly, and Assembly member Warren Furutani for their hard work and pioneering spirit in passing this bill. The proposed law (AB 504) would create and include training about the kirpan in the state curriculum for law enforcement officer training. The bill states explicitly, "It is the Legislature's goal to promote education and awareness of the carrying of the kirpan by Sikhs in California."

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