

**Response regarding objections concerning  
Jaagat Jot SGGS (Amendment) Act, 2026 (in annotated form)**

| Sr. No. | Objection                                                                                 | Reply                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 1.      | Regarding change of words Bir and Birs existing in Punjab Act No. 21 of 2008.             | <p>It is humbly submitted that neither the Act nor the Rules framed thereunder put any bar on use of reverential terminology including use of words Sri Bir Sahib, Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji, Sachkhand Asthaan, Sukhasan etc.</p> <p>It is admitted that any change in/upholding the fundamental principles of Sikh Rehat Maryada can be made only through Gurmatta by a select primary Panthic group or a representative gathering of the Panth.</p> <p>Both 'Sri Bir Sahib' and 'Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji' are reverential terms and requisite amendment in the Act shall be made through the Legislative Assembly.</p> <p>The Act or the Rules framed thereunder does not bar use of any religious or reverential terminology approved by the Guru Panth, Shiromani Gurdwara Parbandhak Committee (SGPC) and Sri Akal Takht Sahib.</p> |
| 2.      | Section 2(1)(aa) of Punjab Act No. 21 of 2008 – regarding definition of word 'Custodian'. | <p>It is humbly submitted that word 'Custodian' is defined under section 2(1)(aa) of the Act, which means any individual, institution, or Gurdwara Committee to whom a Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji has been formally supplied and/or who is responsible for the protection of the Paawan Saroop(s) of Jaagat Jot Sri Guru Granth Sahib and observance of prescribed Sikh Rehat Maryada.</p> <p>Amendment in the Act shall be made upon approval of Sri Akal Takht Sahib through the Legislative Assembly.</p> <p>The objective behind definition of 'Custodian' in Section 2(1)(aa) is to ensure strict legal action against any act of sacrilege of Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji or miscreants including any individual or</p>                                                                                                                  |

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|  |  | <p>institution including any Dera or Sampradaya or any missionary organization, whose mens-rea reflect mischievous mindset of Massa Ranghar.</p> <p>In the rules, 'Custodian' is a Sewak or Sewadar of the Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji. The safeguards provided in the rules are not only required for security/protection of sanctity of Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji but also provide requisite security to the Sewadars, Paathi Singhs and Granthi Singhs.</p> <p>These rules shall not apply to any act committed unwittingly or without any deliberate or malicious intention to commit sacrilege by any Sewadar, Paathi Singh or Granthi Singh.</p> <p>Special provision has been made in the rules to ensure that any act committed unwittingly or without any deliberate or malicious intention to commit sacrilege or without mens rea shall not come within the ambit of sacrilege provided under section 2(1)(bb) of the Act.</p> <p>The offence relating to the contravention of provisions of the Act and Rules framed thereunder provided in Section 5(1) of the Act is strictly and specifically restricted to violations and contraventions involving unauthorized printing, publishing, storage, reverential placement, distribution and supply of Saroops of Jaagat Jot Sri Guru Granth Sahib.</p> <p>Otherwise, provision for strict punishment for sacrilege has been provided in section 5(2) to 5(5) of the Act.</p> <p>Rule 9 envisages explicit procedural safeguards to protect innocent custodians, individuals (Sewaks or Sewadars) from malicious, false, or motivated allegations of sacrilege orchestrated by unscrupulous elements. Where an allegation of sacrilege is leveled against a custodian or an individual engaged in reverential service, the following procedure shall be mandatorily followed:</p> <p>(1) If during the course of an investigation, the evidence reveals the prima facie culpability</p> |
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|  |  | <p>of any custodian, Sewak, or Sewadar, the Investigating Officer shall:</p> <p>(a) Forward a detailed Case Diary enumerating the available evidence to the jurisdictional Judicial Magistrate periodically, which shall be perused and signed by the said Magistrate; and</p> <p>(b) Concurrently transmit the Case Diary to the Superintendent of Police (Investigation), or Additional Deputy Commissioner of Police (Investigation), who shall, within a period of thirty days, examine the same with independent application of mind.</p> <p>Provided that if the supervisory examination cannot be completed within the stipulated period of thirty days, the time available may be extended by an additional fifteen days, bringing the total cumulative period to forty-five days, subject to the following conditions:</p> <p>(a) The Superintendent of Police (Investigation) or Additional Deputy Commissioner of Police (Investigation) shall record the progress made in the investigation; and</p> <p>(b) The specific reasons necessitating such an extension shall be recorded in writing by the said officer.</p> <p>(2) In view of the statutory nature of authority of Shiromani Gurdwara Parbandhak Committee (SGPC), which is responsible for management of Gurdwaras, the Superintendent of Police (Investigation) or Additional Deputy Commissioner of Police (Investigation) shall send intimation to the Shiromani Gurdwara Parbandhak Committee (SGPC) regarding liability and accountability of the Custodian(s), Sewak(s), or Sewadar(s) established during the course of investigation conducted under sections 175, 176 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and Rule 25.2 in Chapter 25 of the Punjab Police Rules, 1934, for which upon completion of investigation independently and impartially, the Investigating Officer shall file police report</p> |
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|  |  | <p>under section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the competent court.</p> <p>(3) Upon completion of the collection of evidence, the Investigating Officer shall compile the entire record and place it before the Superintendent of Police (Investigation) or Additional Deputy Commissioner of Police (Investigation) along with a duly filled statutory checklist as prescribed in FORM - II attached to these rules.</p> <p>(4) The Superintendent of Police (Investigation) or Additional Deputy Commissioner of Police (Investigation) shall independently assess the entire material placed on record and conclusively determine whether sufficient evidence is available and lawful grounds exist before authorizing any coercive action or arrest against the concerned custodian, Sewak, or Sewadar.</p> <p>Rule 10 Various safeguards have been provided against misuse of any provision of the Act.</p> <p>(2) The offence relating to the contravention of provisions of the Act and Rules framed thereunder provided in Section 5(1) of the Act is strictly and specifically restricted to violations and contraventions involving unauthorized printing, publishing, storage, distribution and supply of Saroops of Jaagat Jot Sri Guru Granth Sahib.</p> <p>(3) Further, the following acts shall not be construed as an offence under Section 2(1)(bb) of the Act: -</p> <p>(i) Any act committed unwittingly or without any deliberate or malicious intention to commit sacrilege or without any mens rea (mental state of a 'guilty mind') or in good faith for religious, educational, literary, spiritual, scholarly or research purposes including reading, teaching, study, discourse, reproduction, interpretation or dissemination of Gurbani in any form through print, digital, electronic or online media and photography and videography during Nagar Kirtan, the Anand Karaj or any other religious ceremony or</p> |
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|  |  | <p>reverential placement of Saroop of Jaagat Jot Sri Guru Granth Sahib in domestic homes.</p> <p>(ii) A custodian or Sewak or Sewadar shall not be rendered criminally liable for any act or omission, if such act or omission was committed in good faith in the course of reverential service and care (Sewa Sambhal) of the Saroop of Jaagat Jot Sri Guru Granth Sahib.</p> <p>A custodian (Sewak or Sewadar) who voluntarily reports any unintentional or accidental incident to the concerned management authority or the Shiromani Gurdwara Parbandhak Committee (SGPC) and undertakes reasonable corrective measures shall be presumed to have acted in good faith for the purposes of this section;</p> <p>A custodian (Sewak or Sewadar) shall also be deemed to have acted in good faith where he exercised reasonable care, due diligence, and adherence to established religious protocols and community standards in reverential service and care (Sewa Sambhal) of the Jaagat Jot Sri Guru Granth Sahib.</p> <p>Explanation: It is envisaged that no harassment is caused to any individual, including custodians or sewaks or sewadars, teachers, scholars, or persons engaged in bona fide religious, educational, or social welfare activities; or to target individuals or institutions engaged in the lawful teaching, dissemination or propagation of the divine and universal message of Gurbani for the benefit of humanity.</p> <p>Note: (1) Nothing contained in the Act or these rules shall be construed to interfere with the reverence and devotion of any custodian, Sewak, or Sewadar who is practicing reverential service and care (Sewa Sambhal) of Jaagat Jot Sri Guru Granth Sahib, nor shall it intrude upon the sacred, personal relationship of a devotee's faith or dictate the tenets of the Sikh Rehat Maryada. The sole statutory objective is to enable and empower the Investigating Officer to establish the culpability of those unscrupulous elements who commit abhorrent acts of sacrilege with wilful or malicious mens</p> |
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|    |                                           | <p>rea, and to thoroughly investigate, and penalize such unscrupulous elements.</p> <p>(2) Nothing contained in the Act or these rules shall restrict or control or prohibit:</p> <p>(a) printing, publication, distribution or dissemination of Gurbani in any form other than the Saroops of Sri Guru Granth Sahib;</p> <p>(b) publication or reproduction of Gurbani in newspapers, articles, books, journals, educational, literary, theological, or research works;</p> <p>(c) academic, literary, scholarly, theological, or educational engagement with Gurbani;</p> <p>(d) reproduction or citation of Gurbani except in Sikh religious, scholarly, educational, or research literature for the purpose of exposition, interpretation, research, teaching, or promotion of the value-based living standards enshrined in Jaagat Jot Sri Guru Granth Sahib; or</p> <p>(e) printing, publication, or respectful reproduction of images or representations of Saroop of Jaagat Jot Sri Guru Granth Sahib in literary, educational, religious, scholarly, or research works.</p> |
| 3. | Regarding "Unique Identification Number". | <p>It is humbly submitted that objective for inclusion of "Unique Identification Number" in the Act is to contain mischievous elements who may indulge in sacrilege of Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji or individuals having mindset of Massa Ranghar.</p> <p>The provision for 'Unique Identification Number' provided in Rule 2(1)(k) means a specific identification number, encrypted through modern techniques as deemed appropriate by the Shiromani Gurdwara Parbandhak Committee (SGPC), which shall be assigned to each Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib with prospective effect.</p> <p>It also clarifies that provision of 'Unique Identification Number' assigned to each Paawan Saroop of Jaagat Jot Sri Guru Granth</p>                                                                                                                                                                                                                                                                                                          |

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|    |                             | Sahib Ji falls within the jurisdiction of Shiromani Gurdwara Parbandhak Committee (SGPC).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 4. | Regarding Central Register. | <p>It is humbly submitted that word 'Records' is defined under section 2(1)(ba) of the 2026 Act. Section 3A provides for 'Central Register' regarding printing, publishing, reverential placement, distribution and supply of Sri Bir Sahib or Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji.</p> <p>Section 3A(2) provides that the register or record shall be maintained in physical and electronic form which shall be available on the website of the Shiromani Gurdwara Parbandhak Committee.</p> <p>(b) "Available on the Website" means the availability of secure centralized digital and/or electronic record system maintained for regulatory and administrative purposes by the Shiromani Gurdwara Parbandhak Committee (SGPC), for the uploading and maintenance of data, in encrypted form, keeping records of the entire process of the printing, publication, reverential placement at Sachkhand Asthaan, distribution and supply of Saroops of Jaagat Jot Sri Guru Granth Sahib;</p> <p>Provided that such centralized digital and electronic record system shall not be construed as information available in the public domain; and any dissemination of information shall be made as per due process.</p> <p>Provided further that the Shiromani Gurdwara Parbandhak Committee (SGPC) shall take appropriate measures as deemed necessary to protect the privacy of an individual custodian.</p> <p>The Act and Rules provide that printing, publishing, reverential placement, distribution and supply of Sri Bir Sahib or Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji or maintain records in encrypted form falls with the jurisdiction of Shiromani Gurdwara Parbandhak Committee (SGPC).</p> <p>It is not a public document and in case the investigating agency require any record shall make a request to the Shiromani Gurdwara</p> |

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|    |                                                                                                                                                                                                                                       | <p>Parbandhak Committee (SGPC) so that strict legal action is taken against accused with mindset of Massa Ranghar.</p> <p>In this regard, it is relevant to mention that Shiromani Gurdwara Parbandhak Committee (SGPC) has requisite provision for Central Register and maintenance of physical and electronic record and there is nothing objectionable in this regard.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 5. | Regarding the jurisdiction of the Jagat Jot Sri Guru Granth Sahib Satkar Act, 2008.                                                                                                                                                   | <p>It is humbly submitted that the Jaagat Jot Sri Guru Granth Sahib Satkar Act, 2008 is confined to jurisdiction within the State of Punjab.</p> <p>In this regard, matter shall be taken up by the State Government with the Central Government to enact law applicable to the whole of India and in this regard, discussions are underway with the Central Government as it is mandatory to take up the matter at the central government level.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 6. | The information regarding individuals or institutions who had obtained Paawan Saroop of Sri Guru Granth Sahib Ji on the website will pave the way for anti-Sikh forces and mischievous elements to carry out their nefarious designs. | <p>It is humbly submitted that objective of the Act and the Rules is to contain the unfortunate incidents of sacrilege and strict punishment to the individual accused of sacrilege.</p> <p>Therefore, it has been specifically provided in the rules that all information regarding printing, publication, distribution and supply of Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji available on the website is not a public document and if the investigating agency wants to obtain any record in this regard, it can obtain it by requesting the Shiromani Gurdwara Parbandhak Committee, so that strict legal action can be taken against the culprits with the mindset of Massa Ranghar.</p> <p>Rule 2(b) provides that the centralized digital and electronic record system shall not be construed as information available in the public domain.</p> <p>When the definition of 'Available on the Website' in Rule 2(b) is read in conjunction with the provisions regarding the Central Register under Section 3A, it becomes clear that the authority to maintain the Central Register has</p> |



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|    |                                                                                                             | been vested in the Shiromani Gurdwara Parbandhak Committee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 7. | Section 3B(1) of Punjab Act No. 21 of 2008 – Regarding the duties and responsibilities of the Custodian.    | <p>It is humbly submitted that the purpose of incorporating Section 3B(1) into the Act is to ensure that if an unfortunate incident or accident occurs resulting in the desecration or damage of the Paawan Saroop of Sri Guru Granth Sahib without deliberate intention or mens rea (guilty mind), the custodian (Sewak or Sewadar) shall forthwith report the incident. This enables the performance of Agan Bhet Sewa in accordance with Sikh Rehat Maryada in the larger interest of the Panth.</p> <p>In this context, it is pertinent to mention that recently an accidental fire broke out due to an electrical short circuit at Gurdwara Sri Dukhniwaran Sahib in Village Bhuttiwala. In the said incident, 09 Paawan Saroops of Sri Guru Granth Sahib, 02 Paawan Pothis, approximately 25 Paawan Gutka Sahibs, Paawan Chaur Sahib, and Paawan Rumala Sahib of the Saroop were consumed by fire. The information regarding this incident was provided by the village Sarpanch, enabling the fire-damaged Saroop Sahibs to be taken in a timely manner to Gurdwara Sri Goindwal Sahib for Agan Bhet Sewa in strict adherence to the Sikh Rehat Maryada.</p> <p>The objective of the Act and the Rules is clear: to ensure timely and stringent legal action against, and to effectively curb, unscrupulous elements possessing the mindset of Massa Ranghar who commit acts of sacrilege against the Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib.</p> |
| 8. | Regarding the "except the offence of sacrilege" contained in Section 5(1) of the Punjab Act No. 21 of 2008. | <p>It is humbly submitted that Section 5(1) of the Act has been enacted to prescribe strict punishment for offenders who engage in the unauthorized printing, etc., of the Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji without the approval of the Shiromani Gurdwara Parbandhak Committee (SGPC). The meaning of the phrase "except the offence of sacrilege" recorded in Section 5(1) of the Act is clear: any person who engages in unauthorized</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|  |  | <p>printing, etc., of the Paawan Saroop of Jaagat Jot Sri Guru Granth Sahib Ji without the approval of the Shiromani Gurdwara Parbandhak Committee (SGPC) may be punished with imprisonment up to 5 years and a fine of up to Rs. 10 Lakh.</p> <p>The Act and Rules are enforced solely to take strict legal action against unscrupulous elements who commit sacrilege against Sri Guru Granth Sahib and possess the mindset of Massa Ranghar. Therefore, provisions under Sections 5(2) to 5(5) of the Act have been laid down to impose stringent penalties against offenders committing sacrilege.</p> <p>Under this Act and these Rules, no Sewadar, Pathi Singh, or Granthi Singh shall be subjected to criminal liability for any incident of sacrilege that occurs inadvertently, negligently, or without any malicious or derogatory intent.</p> <p>Specific provisions have been incorporated in the Rules establishing that any incident occurring unwittingly, negligently, or without any deliberate or malicious intention, and in which mens rea (guilty mind) is absent, shall not fall within the ambit of Section 2(1)(bb) – ‘Sacrilege’ of the Act.</p> <p>Rule 9 envisages explicit procedural safeguards to protect innocent custodians, individuals (Sewaks or Sewadars) from malicious, false, or motivated allegations of sacrilege orchestrated by unscrupulous elements. Where an allegation of sacrilege is leveled against a custodian or an individual engaged in reverential service, the following procedure shall be mandatorily followed:</p> <p>(1) If during the course of an investigation, the evidence reveals the prima facie culpability of any custodian, Sewak, or Sewadar, the Investigating Officer shall:</p> <p>(a) Forward a detailed Case Diary enumerating the available evidence to the jurisdictional Judicial Magistrate periodically, which shall be perused and signed by the said Magistrate; and</p> |
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|  |  | <p>(b) Concurrently transmit the Case Diary to the Superintendent of Police (Investigation), or Additional Deputy Commissioner of Police (Investigation), who shall, within a period of thirty days, examine the same with independent application of mind.</p> <p>Provided that if the supervisory examination cannot be completed within the stipulated period of thirty days, the time available may be extended by an additional fifteen days, bringing the total cumulative period to forty-five days, subject to the following conditions:</p> <p>(a) The Superintendent of Police (Investigation) or Additional Deputy Commissioner of Police (Investigation) shall record the progress made in the investigation; and</p> <p>(b) The specific reasons necessitating such an extension shall be recorded in writing by the said officer.</p> <p>(2) In view of the statutory nature of authority of Shiromani Gurdwara Parbandhak Committee (SGPC), which is responsible for management of Gurdwaras, the Superintendent of Police (Investigation) or Additional Deputy Commissioner of Police (Investigation) shall send intimation to the Shiromani Gurdwara Parbandhak Committee (SGPC) regarding liability and accountability of the Custodian(s), Sewak(s), or Sewadar(s) established during the course of investigation conducted under sections 175, 176 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and Rule 25.2 in Chapter 25 of the Punjab Police Rules, 1934, for which upon completion of investigation independently and impartially, the Investigating Officer shall file police report under section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the competent court.</p> <p>(3) Upon completion of the collection of evidence, the Investigating Officer shall compile the entire record and place it before the Superintendent of Police (Investigation) or Additional Deputy Commissioner of Police (Investigation) along with a duly filled statutory</p> |
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|  |  | <p>checklist as prescribed in FORM - II attached to these rules.</p> <p>(4) The Superintendent of Police (Investigation) or Additional Deputy Commissioner of Police (Investigation) shall independently assess the entire material placed on record and conclusively determine whether sufficient evidence is available and lawful grounds exist before authorizing any coercive action or arrest against the concerned custodian, Sewak, or Sewadar.</p> <p>10. Safeguard(s) against misuse. – (1) Various safeguards have been provided against misuse of any provision of the Act.</p> <p>(2) The offence relating to the contravention of provisions of the Act and Rules framed thereunder provided in Section 5(1) of the Act is strictly and specifically restricted to violations and contraventions involving unauthorized printing, publishing, storage, distribution and supply of Saroops of Jaagat Jot Sri Guru Granth Sahib.</p> <p>(3) Further, the following acts shall not be construed as an offence under Section 2(1)(bb) of the Act: -</p> <p>(i) Any act committed unwittingly or without any deliberate or malicious intention to commit sacrilege or without any mens rea (mental state of a 'guilty mind') or in good faith for religious, educational, literary, spiritual, scholarly or research purposes including reading, teaching, study, discourse, reproduction, interpretation or dissemination of Gurbani in any form through print, digital, electronic or online media and photography and videography during Nagar Kirtan, the Anand Karaj or any other religious ceremony or reverential placement of Saroop of Jaagat Jot Sri Guru Granth Sahib in domestic homes.</p> <p>(ii) A custodian or Sewak or Sewadar shall not be rendered criminally liable for any act or omission, if such act or omission was committed in good faith in the course of reverential service and care (Sewa Sambhal) of the Saroop of Jaagat Jot Sri Guru Granth Sahib.</p> |
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|  |  | <p>A custodian (Sewak or Sewadar) who voluntarily reports any unintentional or accidental incident to the concerned management authority or the Shiromani Gurdwara Parbandhak Committee (SGPC) and undertakes reasonable corrective measures shall be presumed to have acted in good faith for the purposes of this section;</p> <p>A custodian (Sewak or Sewadar) shall also be deemed to have acted in good faith where he exercised reasonable care, due diligence, and adherence to established religious protocols and community standards in reverential service and care (Sewa Sambhal) of the Jaagat Jot Sri Guru Granth Sahib.</p> <p>Explanation: It is envisaged that no harassment is caused to any individual, including custodians or sewaks or sewadars, teachers, scholars, or persons engaged in bona fide religious, educational, or social welfare activities; or to target individuals or institutions engaged in the lawful teaching, dissemination or propagation of the divine and universal message of Gurbani for the benefit of humanity.</p> <p>Note: (1) Nothing contained in the Act or these rules shall be construed to interfere with the reverence and devotion of any custodian, Sewak, or Sewadar who is practicing reverential service and care (Sewa Sambhal) of Jaagat Jot Sri Guru Granth Sahib, nor shall it intrude upon the sacred, personal relationship of a devotee's faith or dictate the tenets of the Sikh Rehat Maryada. The sole statutory objective is to enable and empower the Investigating Officer to establish the culpability of those unscrupulous elements who commit abhorrent acts of sacrilege with wilful or malicious mens rea, and to thoroughly investigate, and penalize such unscrupulous elements.</p> <p>(2) Nothing contained in the Act or these rules shall restrict or control or prohibit:</p> <p>(a) printing, publication, distribution or dissemination of Gurbani in any form other than the Saroops of Sri Guru Granth Sahib;</p> |
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|    |                                                                       | <p>(b) publication or reproduction of Gurbani in newspapers, articles, books, journals, educational, literary, theological, or research works;</p> <p>(c) academic, literary, scholarly, theological, or educational engagement with Gurbani;</p> <p>(d) reproduction or citation of Gurbani except in Sikh religious, scholarly, educational, or research literature for the purpose of exposition, interpretation, research, teaching, or promotion of the value-based living standards enshrined in Jaagat Jot Sri Guru Granth Sahib; or</p> <p>(e) printing, publication, or respectful reproduction of images or representations of Saroop of Jaagat Jot Sri Guru Granth Sahib in literary, educational, religious, scholarly, or research works.</p>                                                                                                                                                                                                                                                                                                   |
| 9. | Regarding the insertion of Section 6A into Punjab Act No. 21 of 2008. | <p>It is humbly submitted that under the well-established legal procedure, the State Government possesses no discretionary power in framing rules.</p> <p>It is explicit under Rule 16 that if any question arises as to the interpretation of these rules, the State Government shall consult the Shiromani Gurdwara Parbandhak Committee (SGPC) or Sri Akal Takhat Sahib and shall decide the same in accordance with the <i>Sikh Rehat Maryada</i>.</p> <p>Along with this, it is imperative to mention that a special provision has been explicitly incorporated in the Rules providing that no public authority has any right, role, or authority to interfere in the observance of <i>Sikh Rehat Maryada</i>, which shall remain under the sole spiritual and temporal aegis of Sri Akal Takht Sahib and the Shiromani Gurdwara Parbandhak Committee (SGPC).</p> <p>The role of the public authority is strictly limited to maintaining public order, ensuring justice, and taking prompt legal action against any acts or incidents of sacrilege.</p> |

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| <p>10.</p> | <p>If a follower or an individual associated with a Dera or group commits an act of sacrilege, then based on the statements of the complainant congregation, the head of the concerned Dera or group should also be named in the FIR, and the investigation should reach the root of the crime to expose any conspiracy orchestrated by the Dera or group.</p> <p>(Important Point 1)</p> | <p>It is humbly submitted that the very purpose of defining "Custodian" under Section 2(1)(aa) of the Act is that if a <i>Dera</i>/group/sect commits sacrilege of the Paawan <i>Saroop</i> of Sri Guru Granth Sahib Ji through a conspiracy or by inciting followers or disciples, it shall be deemed to be a Custodian under this section. It has also been explicitly clarified in the Rules that "Institution" defines a legal category of 'Custodian' under Section 2(1)(aa) of the Act:</p> <p>(g) "Institution" defines a legal category of 'Custodian' under section 2(1)(aa) of the Act. It includes any organized establishment, any <i>Dera</i> or <i>Sampradaya</i> or a missionary organization, or a trust, society, committee, Board, management, educational or theological institution, seminary, charitable or public institution, whether incorporated or not, which has been formally supplied with or lawfully entrusted or lawfully possesses the Saroop of Jaagat Jot Sri Guru Granth Sahib, whether through procedure for distribution and supply or through donation, succession, transfer, inheritance, court order or any other lawful means and is responsible for the protection or physical safety of the Saroop of Jaagat Jot Sri Guru Granth Sahib and manages, administers, maintains, performs or ensure observance of reverential Sewa Sambhal as per Sikh Rehat Maryada, under its authority, supervision or management, whether directly or through any office bearer, manager or employee.</p> <p><i>Explanation:</i> Mere possession or use of printed publication, extracts, translations, commentaries, digital reproductions or audio-visual reproductions of Gurbani, without having possession of an authenticated Saroop of Jaagat Jot Sri Guru Granth Sahib shall not be deemed to be an institution for the purposes of this Act.</p> <p>The Act and Rules are enforced solely to take strict legal action against unscrupulous elements who commit sacrilege against the Paawan <i>Saroop</i> of Sri Guru Granth Sahib and possess the mindset of Massa Ranghar.</p> |
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|     |                                                                                          | <p>To ensure that unsuspecting individuals like children, juveniles, and persons with disability(ies) are not exploited by unscrupulous elements under a diabolic design and deep-rooted conspiracy to commit sacrilege either themselves or through manipulation of aforesaid unsuspecting individuals, it is necessary for the Investigating Officer to uncover the <i>mens rea</i> (mental state of a 'guilty mind') and <i>actus reus</i>, and the deep-rooted conspiracy behind repugnant, abhorrent, malicious, and sacrilegious acts so as to put a leash on such unscrupulous elements, as the sacrilegious act of these unscrupulous elements is anathema to peace in the border state of Punjab, as it has a direct bearing on nuances and dynamics of internal security.</p>                                                                                                                                                                                                                                                                                                                                                                                         |
| 11. | <p>Regarding the establishment of special fast-track courts.<br/>(Important Point 2)</p> | <p>It is humbly submitted that appropriate steps in this regard shall be taken by the State Government in a timely manner.</p> <p>Rule 11 lays down provisions regarding sanction for prosecution: —</p> <p>(1) No court shall take cognizance of any offence or offences committed under the Act, without prior sanction for prosecution of the State Government in the Department of Home Affairs.</p> <p>(2) Upon completion of investigation, the Investigating Officer shall apply for sanction from the State Government within seventy-two hours and prior to grant of sanction for prosecution, the State Government, if it deems necessary, shall refer the case for an independent assessment of evidence collected or material gathered in the course of investigation to a two-member Committee comprising: -</p> <p style="padding-left: 40px;">(i) Legal Remembrancer, Punjab;</p> <p style="padding-left: 40px;">(ii) Director, Prosecution and Litigation, Punjab;</p> <p>(3) The aforesaid two-member Committee shall carry out an independent assessment of evidence collected or material gathered in the course of investigation, preferably within the</p> |



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|     |                                                                                                                                                        | <p>period of fourteen (14) days. Further, the State Government in the Department of Home Affairs shall take decision to grant of sanction or otherwise within a further period of seven (07) days;</p> <p>Provided that the time period for the above process of assessment of evidence by the aforesaid two-member Committee and decision to grant sanction by the State Government should preferably not exceed twenty-one (21) days.</p> <p>Rule 12 lays down provisions regarding expeditious trial: —</p> <p>(1) Every trial under these rules shall be conducted on a day-to-day basis, and all reasonable measures shall be taken to conclude the trial within a period of six months preferably from the date of framing of charges.</p> <p>(2) The Investigating Officer and the prosecuting agency shall ensure the attendance of prosecution witnesses at the first available opportunity and cause the production of evidence without delay to avoid unnecessary adjournments or procedural impediments.</p> <p>(3) No inquiry, trial, or other proceeding under these rules shall be rendered invalid or void merely by reason of a failure to conclude the investigation or trial within the specified period or on a day-to-day basis.</p> |
| 12. | <p>There are no provisions or arrangements for the security or self-defense of the groups performing voluntary service.</p> <p>(Important Point 3)</p> | <p>It is humbly submitted that specific and explicit procedural safeguards have been provided for <i>Sewadar</i> parties through <b>Rule 9</b> and <b>Rule 10</b> in Chapter III of the Rules. These rules provide explicit procedural safeguards to protect innocent persons, <i>Sewaks</i>, or <i>Sewadars</i> from false or fabricated allegations of sacrilege orchestrated by unscrupulous elements out of political motives or vengeance.</p> <p>Nothing contained in the Act or these rules shall be construed to interfere with the reverence and devotion of any <i>Sewak</i> or <i>Sewadar</i> who is practicing reverential service and care (<i>Sewa Sambha</i>) of Jaagat Jot Sri Guru Granth Sahib Ji, nor shall it intrude upon the sacred, personal</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|     |                                                                                                                                     | <p>relationship of a devotee's faith or dictate the tenets of the <i>Sikh Rehat Maryada</i>. The sole statutory objective is to enable and empower the Investigating Officer to establish the culpability of those unscrupulous elements who execute abhorrent acts of sacrilege with wilful or malicious intent (<i>guilty mind / mens rea</i>), and to conduct timely investigations and inflict strict punishment upon such unscrupulous elements.</p> <p>Furthermore, specific provision has also been made in the Rules that while enumerating the details of evidence and material collected during investigation, the provisions contained in Sections 34 to 44 of the Bharatiya Nyaya Sanhita, 2023 shall be critical and vital for the Investigating Officer to establish culpability and determine the nature and gravity of the offence committed by a person to prevent imminent danger or harm to the <i>Saroop</i> of Jaagat Jot Sri Guru Granth Sahib.</p> |
| 13. | <p>Regarding the inclusion of reverential terms in place of the words 'Store', 'Storage', and 'Supply'.<br/>(Important Point 4)</p> | <p>It is humbly submitted that every appropriate and reverential word has been used under this Act and these Rules for the reverential service and care (<i>Sewa Sambhal</i>) of Jaagat Jot Sri Guru Granth Sahib.</p> <p>The word 'Store' was used in the Jaagat Jot Sri Guru Granth Sahib Satkar Act passed in the year 2008. Now, in its place, appropriate and reverential words have been used, such as 'Sachkhand Asthaan', 'Sukh Aasan', etc., for 'Store/Storage'.</p> <p>It is pertinent to mention here that in the Rules, the Investigating Officer has been instructed that respectful and reverential terminology shall be used in all documents and official records, such as Case Diaries, seizure memos, reports, and final reports (charge-sheet/challan), etc.</p>                                                                                                                                                                                      |
| 14. | <p>A sacred Bir, Sainchi, Pothi, or Gutka Sahib should not be taken to any police station or court.<br/>(Important Point 5)</p>     | <p>It is humbly submitted that it has been explicitly clarified through <b>Rule 3(8)</b> that the <i>Saroop</i> of Jaagat Jot Sri Guru Granth Sahib or parts thereof shall not be sought or produced physically before any court of law or in the Police Station or any other office.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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| 15. | <p>Sri Akal Takht Sahib can determine any rules and codes of conduct regarding Sri Guru Granth Sahib, the Guru Khalsa Panth, and the Guru's Sangat.</p> <p>(Important Point 6)</p> | <p>It is humbly submitted that the Government has no intention of interfering in the <i>Sikh Rehat Maryada</i> and traditions. Matters relating to <i>Sikh Rehat Maryada</i> fall exclusively within the jurisdiction of the Shiromani Gurdwara Parbandhak Committee (SGPC) and the Jathedar of Sri Akal Takht Sahib.</p> <p>The Government has no objective to interfere in <i>Sikh Rehat Maryada</i> and traditions. Issues pertaining to <i>Sikh Rehat Maryada</i> come strictly within the domain of the Shiromani Gurdwara Parbandhak Committee and Sri Akal Takht Sahib Ji. The objective of the present Act and Rules is not, in any manner, to intrude into the jurisdiction of <i>Sikh Rehat Maryada</i>, Sri Akal Takht Sahib, or the Shiromani Gurdwara Parbandhak Committee.</p> <p>There is no provision under the Act or Rules to give the shape of a legal violation to any non-observance or breach of <i>Sikh Rehat Maryada</i>. Special care has been taken to ensure that the governance and administration shall not interfere in any manner in the sphere of religious faith and shall maintain a principled distance from matters concerning an individual's personal faith and belief.</p> <p>Provision has been made in <b>Rule 13</b> that there shall be no interference of the State Government in the observance of <i>Sikh Rehat Maryada</i>. These rules envisage that: —</p> <p>(1) No public authority has any right, role, or authority to interfere in the observance of <i>Sikh Rehat Maryada</i>, which remain under the sole spiritual and temporal aegis of Sri Akal Takht Sahib and the Shiromani Gurdwara Parbandhak Committee (SGPC).</p> <p>(2) The role of the public authority is strictly limited to maintaining public order, ensuring justice, and taking prompt legal action against any acts or incidents of sacrilege.</p> |
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