

SRI GURU GRANTH SAHIB AND DASAM GRANTH IN LEGAL LITERATURE

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Wherever my Satguru goes and sits, that place is beautiful, O Lord King;
The Guru's disciples seek that place and take and apply its dust to their foreheads.¹

Though more appropriately this hymn is applicable to every Gurdwara in the present context because of presence of Sri Guru Granth Sahib therein but the Sikhs undertake the pilgrimage to the places which are sanctified by the presence of Gurus during their lifetime. Within India, seats of the Five Sikh Takhts are the primary destinations for pilgrimage. Majority of Sikh pilgrims to Patna Sahib and Hazur Sahib note it with amazement that Guru Granth Sahib and Dasam Granth (DG) are seated with equal majesty in the sanctum sanctorum. Then Hukmnamas from both the Granths is taken in the morning and evening and are displayed with equal reverence. Impliedly it is asserted by the Pujaris there that both the Granths hold co-equal position and are equal in importance, both are also claimed to be the pious uttering of the Gurus. Quite recently² there is a recommendation from Takht Patna Sahib for parkash of DG alongwith

¹Sri Guru Granth Sahib (SGGS), 540)

² On April 10, 2008 while excommunicating Prof. Darshan Singh

SGGS at three Takhts in Punjab also. To know the position and status of two Granths, one should refer to the historical retrospect.

Sri Guru Granth Sahib

After the completion of Granth Sahib in 1604, it was installed at Harmandir Sahib. As per directions of Guru Arjan Dev, it used to remain at Harmandir during day time and was taken to Guru's room at Guru-ke-Mahal in the evening after recitation of Sohila and Ardas. In the Guru's room, Granth Sahib was placed in the canopy at a higher pedestal and Guru slept on the floor by its side. The Guru also enjoined the Sikhs to consider the Granth Sahib equal to the Guru and make no distinction between the two. Thus Guru Arjan, who himself compiled the Granth Sahib, paid it so much reverence and respect that he sat and slept on the floor and kept Granth Sahib at a higher place. Earlier the Guru had personally gone to Goindwal to receive the manuscript of Guru's hymns (*Pothi*) from Bhai Mohan. The Sikhs carried the palanquin on their shoulders in which the *Pothi* was placed and Guru Arjan walked behind in reverence barefoot refusing to ride his horse saying that *pothi* was the very spirit, the very light of the four Gurus, his predecessors.³ Not only Guru Arjan paid so much respect to the Granth Sahib and the bani,

³ Kesar Singh Chhibber *Gurbilas Chhevin Patshahi* quoted in Harbans Singh, *The Guru Granth Sahib: Guru Eternal for the Sikhs*, in Justice Gurdev Singh (ed.) *Perspectives on the Sikh Tradition*, Singh Brothers, ASR, 2nd ed., 252.

(revealed Word) composed in it, it was held in great veneration by the earlier Gurus also before the completion of the Holy Volume. Guru Ram Dass said, “The bani is the Guru and Guru the bani”⁴. Guru Amar Dass said, “the word of the Guru is the Lord Formless Himself. There is none other and nothing else which can be reckoned equal to it.”⁵ Guru Gobind Singh, the tenth Master, brought an end to the line of personal Gurus on October 6, 1708. He pronounced that Guru Granth Sahib will be the Guru after him. Thus GGS became the everlasting Guru of the Sikhs. Guru’s commandment is recorded by one of his associates⁶ as follows-

In pursuance of the orders of the Eternal Lord, was the (Sikh) Panth constituted. All the Sikhs are hereby ordained to accept the Granth as their Guru. Have faith in the holy Granth as your Master and consider it the visible manifestation of the Gurus. Those who hath a pure heart would seek guidance from the holy word as manifested in the Holy Book to meet the Lord.

Similarly Rahitnama by Bhai Nandlal also testifies the fact of succession from Guru Gobind Singh to Guru Granth Sahib. Bhaiji was with the Guru

⁴ *Bani Guru Guru hai bani vich bani amrit sare.....*SGGS, 982.

⁵ *Vahu Vahu bani Nirankar hai tis jevad avr na koi,* SGGS, 515

⁶ *Rahitnama Bhai Prahlad Singh*

during his last moments and he records the last words of the Gurus as follows:

He who would wish to see the Guru,

Let him come and see the Granth.

He who would wish to speak with him,

Let him read and reflect upon what says the Granth.

He who would wish to hear his word,

He should with all his heart read the Granth

Or listen to the Granth being read.

This was the answer of the Guru to the Sikhs who had asked him just before his departure from the worldly sojourn, “Who would be their Guru after him?” The Guru further told, whenever the Sikhs needed guidance and counsel, they should assemble before the Granth in all sincerity and decide their future line of action in the light of the teachings of the Master embodied in the Granth, the noble ideas therein would live for ever and show people the path of bliss and happiness.

Macauliffe has rightly remarked⁷, “The Granth Sahib, as already stated, is to them the embodiment of their Gurus, who are regarded as only one

⁷ Preface to the Sikh Religion

person; the light of the first Guru's soul having been transmitted to each of his successors in turn”.

The Tenth Master bestowed Guruship on Granth Sahib as is evident from the account of Guru's contemporaries who were present at Nanded till his last moments. He did not made any mention of Dasam Granth. So to equate Guru Granth Sahib with Dasam Granth is almost blasphemous. Even assuming that Dasam Granth was existing at the time of Guru Gobind Singh, it cannot be the object of same respect as that of Granth Sahib which was elevated to the status of Guru by the Tenth Guru himself. This aspect of Sikh history is noted by the Supreme Court of India in one of its judgments⁸ in the following words-

“One of the most fascinating aspect of Sikhism is the process which began with human Gurus, continued during the period of duality in which there were human Gurus and a collection of sacred writings and ended with the present situation in which full authority is enjoined by the scripture. In every respect, the scripture is what the Gurus were”.

⁸ Pritam Dass v. SGPC All India Reporter 1984 Supreme Court 858, 860.

When the line of living Gurus was ended with conscious decision of Guru Gobind Singh, the last Guru, succession was invested in a collection of teachings which was given the title of Guru Granth Sahib. This is now the Guru of the Sikhs.

An important characteristic of the teachings of the Sikh Gurus is their emphasis upon the message, the Bani. It is this stress which made possible the transfer of Guruship to the scripture.

...Now this Sri Guru Granth Sahib is a living Guru of the Sikhs. Guru means the guide. Guru Granth Sahib gives light and shows the path to the suffering humanity whenever a believer in Sikhism is in trouble or is depressed he reads hymns from the Granth.

It will be relevant to refer to the lines in a letter from Baba Ram Singh, whose followers (Namdharis) claim in unending line of living Gurus and include Baba himself as one of them. He wrote, "The Guru of Gurus is Granth Sahib, the Word is Guru. Consider this as whole truth."⁹

⁹ Quoted in Gopal Singh, History of the Sikh People, World Uni. Press, New Delhi. (1979) 607.

Sikh Code of Conduct:

While passing on Guruship to SGGS, the Tenth Master had authorized the Guru Panth to act collectively and take decisions in the light of revealed Word contained in it. Acting in that capacity, the Guru Panth has adopted a Sikh Code of Conduct called Sikh Rehat Maryada (SRM) in 1945 after long deliberation to promote deeper religious cohesion and uniformity in the Sikh conduct and observances. It has the approval of Akal Takht Sahib, the supreme religious body and the Shiromani Gurdwara Parbandhak Committee (SGPC), the premier statutory and representative body of the Sikhs.

The Code (SRM) ordains installation, reading and worshipping only of Guru Granth Sahib in a Gurdwara and not of any other book. More specifically Article V(e) ordains, “No book should be installed like and at par with the Guru Granth.” Art. 1 defines a Sikh as any human being who faithfully believes, inter alia, in SGGS and the teachings of Ten Sikh Gurus. Art. IV(e) prescribes the daily routine (Nitnem) of the Sikhs which includes banis from SGGS and also a few renderings of Guru Gobind Singh. Then SRM prescribes devotional hymn singing (Kirtan) only of Guru Granth Sahib’s or Guru Gobind Singh’s hymns, (Art. VI(b)). The Sikh prayer (Ardas) as prescribed by the Code in Art. IV(3) enjoins to seek the blessings of the Almighty, Ten Gurus and the SGGS, an embodiment of the light of all the Ten Gurus. And on conclusion of

Ardas, the individual or the congregation, as the case may be, should respectfully genuflect before the revered SGGS. It needs special notice that the SRM nowhere makes a mention of Dasam Granth though it refers to the teachings and utterances of Ten Sikh Gurus.

Thus seating of Guru Granth Sahib and Dasam Granth side by side with equal reverence is not in accordance with Sikh Code of Conduct. It is clearly enjoined under the head 'Gurdwara' that no other book can be installed like and at par with Guru Granth Sahib. In fact the Sikhs are prohibited to worship any person or object other than Guru Granth Sahib. Only GGS is to be installed in the sanctum sanctorum of every Gurdwara.

Dasam Granth

When Guru Gobind Singh had to vacate Anandpur in 1705, multitudinous literature including compositions of the Guru and 52 poets patronised by him was destroyed. According to tradition, Bhai Mani Singh, the Head Granthi of Sri Darbar Sahib from 1721 to 1738, collected manuscripts, compiled the same which came to be known Dasvin Patshahi ka Granth. Immediately after martyrdom of Bhai Mani Singh in 1737, some Sikhs had questioned that some writings in Dasam Granth like Charitro Pakhyan and Hikayats are not in consonance with the teachings of Gurus and also with the spiritual and devotional compositions of Guru Gobind

Singh. They argued for the separation of these from the rest.¹⁰ This controversy continued later on also.

Besides Bhai Mani Singh, Baba Deep Singh during the mid eighteenth century and Bhai Sukha Singh, Granthi at Patna Sahib, around the closing years of that century had made collection of such writings independently. All these versions differed with each other. Towards the end of nineteenth century, Singh Sabha Amritsar constituted a Revising (Sodhak) Committee which found 32 different versions of the Granth and after examination and rectifications of the same published a report in 1897. The volume based on the report was published and was entitled, probably for the first time, as Dasam Granth towards the turn of the last century.

In a brief introduction to Dasam Granth(DG) appended to a Hukamnama of Takhat Patna Sahib issued on April 10, 2008 mentions that binding of DG was got done in Samat Bikrmi 1755 which has signature of the Tenth Guru and is available at Patna. The same document informs on the next page that it is one of the 32 versions of the DG available in 1897.

Ever since the existence of Dasam Granth, the controversy as to the authenticity of authorship of its compositions has persisted. A good number of Sikh scholars do not accept all the compositions in it from the pen of Guru Gobind Singh. Celebrated authors like Khushwant Singh,

¹⁰ Pritpal Singh Bindra and S.S. Sodhi, Sikh Studies Quarterly, Oct-Dec. 2000.

C.H. Lohelin, Mohan Singh Diwana and others challenge the contents of some writings in Dasam Granth as plainly contrary to Sikh ethos and principles, they question whether Guru Gobind Singh could write such things.¹¹ Dr. Rattan Singh Jaggi who has worked a lot on Dasam Granth also doubts the authorship of some of the compositions in it.¹² Others like Prof. Harbans Singh, Dr. Jaswant Singh Neki, Prof. Nirbhai Singh, Dr. Jodh Singh & Dr. Dharam Singh avoid entering into the controversy neither accepting nor rejecting the authorship of the various compositions by the Guru. Dr. Surinder Singh Kohli and Dr. Jodh Singh & Dharam Singh have translated the Dasam Granth in English except the Charitro Pakhyan and Hikayats for obvious reasons. Thus even the scholars who have translated or explained the Dasam Granth are not clear and categorical about its authenticity.

A recent research¹³ explores that Mr. Colebrook, a British administrator at Calcutta, procured Dasmi Patshahi Da Granth which was prepared by Nirmalas at Patna in between 1781 and 1805 A.D. The same was placed in British Library London catalogued as MSS Punjabi D5 and was

¹¹ Piara Singh Sandhu, Preface to Selections from Sri Dasam Granth Sahib Vol.I, Singh Bros., ASR (2004).

¹² Sikh Panth Vishav Kosh, Patiala, 2005.

¹³ Dr. J.S. Mann, Guru Granth Sahib as the Only Sikh Canon: Fresh Look at the Text and Hisoty of Dasam Granth, received from the author vide communication dt. 09.01.07.

popularized by Britishers to create confusion and division amongst Sikhs. The researcher does not find any concrete evidence about the existence of such a Granth prepared by Bhai Mani Singh or Baba Deep Singh in 18th Century. By the end of 19th Century, 32 Birs of Dasam Granth prepared from 1818 onwards including six printed ones were available in Punjab out of which Sodhak Committee compiled and produced its version in 1897. The Committee failed to identify any one of those as the original version. The Committee also deleted certain compositions like *Vaar Malkans*, *Vaar Bhagauti ji kee*, *Raag Asa* and *Raag Sorath Patshahi Das*, *Majh Patshahi Das*, *Asptak Kabits* etc., which were available in different versions. Whether the Committee could amend/revise the Granth if it was authored by the Tenth Guru and could any body authorize to do so and were they (Sodhak Committee members) competent enough to handle such an important assignment. The historian rightly questions, which is the original bir of DG, when and where it was compiled or authenticated by the Tenth Guru or Bhai Mani Singh?

The 10th Guru did not include in Granth Sahib any bani which is now included in Dasam Granth though the Guru had the opportunity to do so while incorporating the bani of Ninth Guru in Granth Sahib. Guru Gobind Singh had reportedly rejected the suggestion of getting both the Granths bound together in one volume by saying, “This one is Adi Guru Granth,

the root book; that one (DG) is only my diversion. Let this be kept in mind and let the two stay separate.” So a writing for recreation or pastime cannot be equated with a compilation of divine origin upon which Guruship was unequivocally conferred by the Guru Himself. A five judge bench of the Indian Supreme Court aptly observed, “Guru Gobind Singh enjoined on his followers that after him they should consider Guru Granth Sahib as their Guru. They believe in Guru Granth Sahib which is a rosary of sacred poems, exhortations etc”.¹⁴

It may be noted that at no point of time, DG has got the universal approval of the Sikhs. Controversy about its authorship has existed from the right beginning. Because of this it has never commanded the same respect as that of SGGS amongst the general Sikh masses though the Banis included in Nitnem alongwith some other writings of the 10th Guru like Khayal, Sawayye, Zafarnama etc. are attached utmost reverence by every Sikh. The main reason for not attaching importance to Dasam Granth is the doubts about its authenticity and authorship. So it need not be thrust upon those who do not accept the whole of it as the writings of Dasam Guru.

¹⁴DharamDass v. State of Punjab AIR 1975 SC 1069

Some reverents feel convinced that their Guru could not be an author of writings like Chritropakhyan which are included in Dasam Granth, they cannot be compelled to accept that the whole of Dasam Granth is from the pen of Guru Gobind Singh. The number of Sikhs who fall in this category has never been too small. Various Triya Chritars as contained in DG denigrate the women as being not trustworthy. An organization named Khalsa Nari Manch has challenged the supporters of DG as bani of Dasam Guru to explain Triya Charitars in the presence of female members of their families. But the brief introduction to DG in the April 10,2008 Hukamnama of Takhat Patna Sahib tries to justify the inclusion of Triya Charitars in the DG. The matter should have been considered as concluded after the Jathedar of Akal Takht and Singh Sahibans of Sri Darbar Sahib have clearly held that Chritropakhyan is not a Dashmesh bani, these are copies of old Hindu mythical stories.¹⁵

One may refer to pertinent observations of S. Gurtej Singh, “the present B.J.P led Government is engaged in foisting a spurious scripture depicting Hindu Puranic tales, namely the so called dasam granth on the Sikh people.”¹⁶ He quotes a member of the Parliament to reveal that “on the pretext of celebrating the third centenary of the founding of the Order

¹⁵ Sikh Studies Quarterly Journal Jan.-March 2001, 91 quoting letter no. 6672 dated August 4, 1973

¹⁶ A Sikh Appraisal of the Constitution of 1950 and a Proposal for Total Review, International Journal of Sikh Affairs, Edmonton, Canada, June 2006, vol. 16, no. 1, p. 2.

Khalsa, the R.S.S. has been given a grant of Rs.16 crores (160 millions) by the Government exclusively to popularize the DG among the Sikhs. In all one hundred crore rupees have been kept aside to confuse the Sikhs on the question of their spiritual and political identity. Determined attempts, materially supported by the Government are being made to mislead the Sikhs and to preach Hinduism to them in many subtle and not so subtle ways.”¹⁷

The SGPC had decided in 2000 to convene a sub-committee to resolve the controversy. Jathedars of Five Takhts issued a directive from Akal Takht on 14.5.2000 to restrain Sikh scholars from publicly commenting upon DG but the same authority from the same pedestal withdrew the prohibition on November 27, 2006.

Though it seems clear that Guru Gobind Singh cannot be the author of all the writings compiled under the head ‘Dasam Granth’ but the better course will be to leave it to the individual judgment to accept the Dasam Granth as the writing of the Tenth Master or not just like Ragmala. The matter should be considered as concluded after the sage advice of the Jathedar of Akal Takht on January 31, 2008. He said, “DG is an important historical literary Granth of the Sikh Panth but it cannot be

¹⁷ Panth Parkash Weekly, Delhi, Sept. 3, 2000, p. 1.

treated at par with the SGGS. Therefore the parkash of DG cannot be done parallel to SGGS.”¹⁸.

Sikh Gurdwaras Act, 1925

Enactment of Sikh Gurdwaras Act is a landmark development in the Sikh history of twentieth century. It was enacted about two decades after the publication of Dasam Granth by the Sodhak Committee. Debates of Punjab Legislative Council and subsequent interpretation of the Act by the higher judiciary involve discussions and references to various Sikh principles, institutions and the like. To find out any express or implied reference to Dasam Granth, all these records are examined. But no mention of or reference to DG is found in the discussions of the provincial legislature during the period of two months, May 7 to July 7, 1925, when the Bill was before the Punjab Legislative Council.

Objects of the Act: The main object and reason of the Act was to provide a legal procedure by which Gurdwaras may be brought effectively and permanently under Sikh control and their administration reformed so as to

¹⁸ Daily Ajit Jalandhar dated February 1, 2008

make it consistent with the religious views of that community.¹⁹ In the words of an official²⁰, the object of the Act was, inter-alia, “to conduct all rituals and ceremonies according to the Granth Sahib”. The official concerned had rightly understood that the religious views of the Sikh community mean to conduct all ritual and ceremonies according to the Granth Sahib. It is to be noted that there is no reference at all to the Dasam Granth in the objects and reasons of the Act also.

Various provisions of the Act may be examined to find out any reference to SGGS and DG

Definition of ‘Sikh’: Now we proceed to examine. Section 2(9) of the Act defined ‘Sikh’ as follows:

‘Sikh’ means a person who professes the Sikh religion; if any question arises as to whether any person is or is not a Sikh, he shall be deemed respectively to be or not to be a Sikh according as he makes or refuses to make in such manner as the local government may prescribe the following declaration:

¹⁹ Statement of Objects and Reasons, Punjab Gazette Extraordinary dated 25th April 1925. Also see Dharam Dass v. State of Punjab AIR 1975 SC 1069, 1074.

²⁰ Mr. J. Coatman, Director Public Information, in a note on the Akali agitation in India in 1925-26, p. 15, quoted in S.K. Bajwa, The Sikh Gurdwaras Act, 1925, a dissertation submitted to Punjabi University. In 1971, p. 67.

I solemnly affirm that I am Sikh; that I believe in Guru Granth Sahib; that I believe in the Ten Gurus and that I have no other religion.

Thus a person having faith/or belief only in Sikh religion and in no other religion is a Sikh. He should believe in Guru Granth Sahib and Ten Gurus only. So the definition of Sikh under the Act does not refer to or require the belief in Dasam Granth which was got published by the Sodhak Committee only two decades before the passage of the Act.

Definition of ‘Amritdhari Sikh’ and ‘Sehajdhari Sikh’ were added to the Act subsequently in 1944 and 1959 in sub-section (10) and (10A) of section 2 of the Act. These also do not make any mention of Dasam Granth. Same definition of ‘Sikh’ was adopted by the Sind High Court where the Sikh Gurdwaras Act was not applicable. The High Court²¹ approvingly quoted Diwan Awat Singh Mehtab Singh’s Catechism of Sikh Religion which answer question 19, ‘What is a Sikh’, as follows:

“Anyone who solemnly declares that he believes in ten Gurus and their teachings; that besides the Gurus and Granth Sahib does not

²¹ Dayal Singh Charan Singh v. Tulsidas Tarachand AIR 1945 Sind 177, 182.

recognize any other binding authority in religion, should be called a Sikh”.

The Sindh High Court has aptly distinguished Amritdharis and Sehajdharis in that judgment²² as follows:

“There is no essential or doctrinal difference between Amritdhari Sikhs (Akalis, Khalsas or Singhs) and Sehajdhari Sikhs. The former are distinguished by the fact that they go through a ceremony of initiation or baptism and observe with strictness the five kakkes; Sehajdharis are indifferent about these forms; but all are Sikhs in that they believe in the Ten Gurus and Granth Sahib and accept no other authority in religion”.

The emphasis is rightly put on belief in Ten Sikh Gurus and Guru Granth Sahib; no mention of Dasam Granth is available in the judgment. Dasam Granth may be taken as ‘other authority’. To argue that ‘teachings of the Gurus’ impliedly include the reference to DG cannot be accepted because of specific mention of SGGS which also incorporates the teachings of the Gurus and also because of controversial authenticity of the DG.

²² *ibid.*, at 183.

Sikh Gurdwara: The Sikh Gurdwaras Act 1925 does not define ‘Gurdwara’ or ‘Sikh Gurdwara’. But it seems to use the term ‘Gurdwara’ as inclusive of non-Sikh religious institutions as well. ‘Sikh Gurdwara’ is the term used for exclusive Sikh institutions. The Gurdwaras about which no doubt as to their Sikh character existed, were outrightly handed over to the Sikhs by their inclusion into Schedule I of the Act and their management was vested to be carried out as provided in Part III of the Act. The nature of the remaining religious places whether those were Sikh Gurdwaras or not was to be determined in accordance with the tests in S. 16(2) of the Act by the Tribunal and the Court. Sub-section (2) of S. 16 incorporates two conditions on the fulfillment of which the Tribunal can declare an institution to be a Sikh Gurdwara. The first condition is that a religious place can be a Sikh Gurdwara only if it has been and is being used for public worship by the Sikhs. The second condition relate to the reason or purpose of the establishment of the Gurdwara. We shall elaborate here only the first condition. It requires that- a) it should be a place of worship; b) the Sikhs should worship it; and c) worship should be public as distinguished from private. As the Sikhs worship only One Formless God or Shabad as contained in Guru Granth Sahib, so only that place can be a Sikh Gurdwara where Guru Granth Sahib is installed. Thus the presence of DG is not envisaged in a Gurdwara. Even recent Patna

Sahib Hukamnama mentioned above recommends installation of DG only at Sikh Takhts and not at all the Gurdwaras.

Observations of Supreme Court: The Courts in India have correctly appreciated the importance of SGGS in a Sikh Gurdwara. A three Judge bench of the Supreme Court²³ while interpreting section 16(2) mentioned the distinctive features of ‘Sikh Gurdwara’ as follows:

The central object of the worship in a Gurdwara is Sri Guru Granth Sahib, the holy book...A Sikh thus worships the holy words that are written in the Guru Granth Sahib, the words or the Shabads about the Eternal Truth or God. No idol or painting of any Guru can be worshipped.

...Gurdwara is a place where a copy of Guru Granth Sahib is installed... There may be complexity of rooms in a Gurdwara... But its pivotal point is the place of worship and the main room will be that in which Guru Granth Sahib is installed where the community gathers for diwan. The focal point in this room will be the book itself.

... The sine qua non for an institution being a Sikh Gurdwara is that there should be established Guru Granth Sahib and the worship

²³Pritam Dass v. Shiromani Gurdwara Parbandhak Committee Amritsar, AIR 1984 SC 858, 861.

of the same by the congregation, and a Nishan Sahib... The crucial test is the existence of Guru Granth Sahib and the worship thereof by the congregation and Nishan Sahib.”

While holding that Guru Granth Sahib is a juristic person. Justice A.P. Mishra speaking for himself and M. Joganadha Rao J. observed²⁴

Sikhism grew because of the vibrating divinity of Guru Nanakji and the ten succeeding Gurus, and the wealth of all their teachings is contained in ‘Guru Granth Sahib’. The last of the living Gurus was Guru Gobind Singh ji who recorded the sanctity of Guru Granth Sahib and gave it the recognition of a living Guru. Thereafter it remained not only a sacred book but is reckoned as a living Guru.

Guru Gobind Singh expressed in no uncertain terms that henceforth there would not be any living guru. The Guru Granth Sahib would be the vibrating Guru. He declared, “Henceforth it would be your Guru from which you will get all your guidance and answer.” It is with this faith that it is worshipped like a living guru. It is with this faith and conviction, when it is installed in any Gurdwara- it

²⁴ Shiromani Gurdwara Parbandhak Committee v. Som Nath Dass AIR 2000 SC 1421

becomes a sacred place of worship. Sacredness of Gurdwara is only because of placement of Guru Granth Sahib in it... The installation of Guru Granth Sahib is nucleus or nectar of any Gurdwara. If there is no Guru Granth Sahib in the Gurdwara, it cannot be termed as a Gurdwara. When one refers a building to be a Gurdwara, he refers it so only because Guru Granth Sahib is installed therein... It is very heart and spirit of Gurdwara.”

Similar views were repeated by the Supreme Court in *Shiromani Gurdwara Parbandhak Committee v. Bagga Singh*²⁵. It held that the sine qua non for an institution to be treated as Sikh Gurdwara is that there should be established Guru Granth Sahib and worship of the same by congregation, and a Nishan Sahib.

Thus neither the Act nor the courts while interpreting the same referred to Dasam Granth and/or its placement or necessity in a Gurdwara.

S. 134 of the Act: Section 134 of the Act contains grounds for the dismissal of hereditary office-holders and ministers. Clause (g) of this section provides that a hereditary office-holder or a minister can be dismissed, inter alia, if he fails persistently to perform his duties in connection with the management or performance of public worship or the

²⁵ 2003(1) RCR (Civil) 264 SC, followed in *SGPC v. Harnam Singh* 2003 (7) SCALE 565, 575

management or performance of any rituals and ceremonies in accordance with the teachings of Sri Guru Granth Sahib. It is to be noted that persistent failure to perform duties relating to management or performance of public worship or of any ritual or ceremonies which is inconsistent with the teachings of GGS makes an office-holder liable for dismissal. Thus the teachings of Guru Granth Sahib and not of Dasam Granth or of any other writing are required to be followed by the office-holders and ministers of Gurdwaras.

GGS thus stands on an entirely different footing from other sacred books. The analogy should be applicable to Dasam Granth as well though it is not specifically mentioned therein.

The Sikh Gurdwaras Act 1925 was enacted a little more than two decades after the publication of Dasam Granth by Bhai Jawahar Singh of Bazar Mai Sewan, Amritsar. It did not refer to Dasam Granth at all while Sri Guru Granth Sahib is mentioned six times in it. Though Sikh history from the times of Gurus was discussed in detail while debating the Sikh Gurdwaras Bill in Punjab Legislative Council, but the Dasam Granth did not receive the attention even once of a any legislator. Similarly, the Courts have detailed discussion about conferring Guruship on GGS by the Tenth Guru and also about its importance as heart and spirit of

Sikhism but mention of Dasam Granth is nowhere available in courts proceedings just like legislative proceedings.

Other Gurdwara Acts Just like the (Punjab) Sikh Gurdwaras Act, 1925, Delhi Sikh Gurdwaras Act 1971 and Nanded Sikh Gurdwaras Act 1973 also essentially require belief, inter alia, in Sri Guru Granth Sahib by everyone to be called a Sikh; but the reference to Dasam Granth is again missing in these enactments as well.

Some times it is argued that GGS and Dasam Granth both are sacred books of the Sikhs. It is done to equate and show them as parallel to each other. Such an argument brings to mind a similar argument in the case of SGPC v. S.N. Dass²⁶ before the Supreme Court. The respondents argued that since Guru Granth Sahib is a sacred book like Bible, Geeta and Quran and none of these holy books are juristic persons, therefore, GGS could also not be termed as such. The Supreme Court while holding GGS a juristic person said that the argument of the respondents “has no merit. Though it is true that GGS is a sacred book but it cannot be equated with these other sacred books in that sense. GGS is revered in a Gurdwara like a Guru, which projects a different perception. It is the very heart and spirit of Gurdwara. The reverence of GGS on the one hand and other

²⁶ AIR 2000 SC 1421.

sacred books on the other is based on different conceptual faith, belief and application.”²⁷ Thus SGGS and DG cannot be equated simply by arguing that both are sacred books because the former is much more than a sacred book.

There is no parallel between Guru Granth Sahib and Dasam Granth. The former is a Guru, a living and everlasting Guru of the Sikhs, as ordained by the Tenth Master while the later is a book, at the most a religious book. Installation of Guru Granth Sahib alone in every Gurdwara is required and only this should be done. Dasam Granth cannot be put as an equal or parallel or alternative to Sri Guru Granth Sahib. No individual, no book and nothing else can be equated with Guru Granth Sahib. It is a Guru eternal of the Sikhs.

It is evident from the preceding discussion that due notice of SGGS as a living Guru of the Sikhs is taken in the relevant legislative and judicial proceedings. Therefore, no individual or institution can claim parity with it.

²⁷ *ibid*, para 34.