

Bengal Rural Poor And Unemployed Relief Act, 1939

10 of 1939

[20 July 1939]

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SCHEDULE 1 :- THE SCHEDULE

Bengal Rural Poor And Unemployed Relief Act, 1939

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PREAMBLE

An Act to provide for the relief of the rural poor and unemployed.

Whereas it is expedient to provide for the relief of the rural poor and unemployed;

It is hereby enacted as follows:-

1. For Statement of Objects and Reasons, see the Calcutta Gazette, dated the 26th August, 1937, Part 1VB, pages 34-37; the report of the Select Committee was presented to the Bengal Legislative Council on the 13th February, 1939; for Proceedings of the Bengal Legislative Council, see the Bengal Legislative Council Proceedings. 1937, Volume II, page 291, *ibid* 1938. Volume II, pages 364-380, *ibid* 1939. Volume I, page 139 and pages 224-241 and *ibid*. Volume II, pages 360 and 361; and for Proceedings of the Bengal Legislative Assembly, see the Bengal Legislative Assembly Proceedings. 1939, Volume LIV, No. 5. pages 38-66.

1. Short title, extent and commencement :-

(1) This Act may be called the Bengal Rural Poor and Unemployed Relief Act, 1939.

(2) It extends to those parts of ¹[West Bengal] in which the Bengal Village Self-Government Act, 1919 (Ben. Act V of 1919.), is in force.

(3) It shall come into ²force on such date as the ³[State] Government may, by notification in the Official Gazette, appoint.

1. The words within square brackets were substituted for the word "Bengal" by para.

(2) of An. 3 of the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

2. This Act was brought into force on the 1st September, 1939, vide notification No.8776 Misc.. dated the 10th August. 1939, published in the Calcutta Gazette of the 17th August. 1939, Part I. page 2035.

3. This word was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order, 1950.

2. Definitions :-

In this Act, unless there is anything repugnant in the subject or context, the words "chaukidar", "circle officer," "district board," "district magistrate," "union," "union board" and "union rate" shall have the same meanings as in the Bengal Village Self-Government Act, 1919.

3. Poor Fund and Poor Boxes :-

(1) In every union there shall be a Poor Fund (hereinafter referred to as the Fund), to which shall be paid all sums received as voluntary contributions and all other receipts referred to in section 13.

(2) For the purpose of collecting such contributions and in addition to such other methods of collection as may be determined by the committee referred to in section 4, Poor Boxes shall in the manner determined by the committee, be placed in the office of the union board and in such other places in the union as the committee may determine.

(3) There shall be two ¹[separate] locks for each Poor Box, the key of one of which shall remain in the custody of the President of the Committee and the key of ²[the other] in the custody of such member of the committee as may be appointed by the committee for this purpose.

(4) The Poor Box shall be opened in the presence of at least three members of the committee, and the contents thereof counted and entered in Form I in the Schedule to this Act under the initial of the members present.

(5) Subscriptions and contributions otherwise collected shall also be entered in Form I in the Schedule to this Act and to each subscriber or contributor there shall be given in writing a receipt for the amount received from him.

1. This word was substituted for the words "different kinds of" by Section 2(a) of the Bengal Rural Poor and Unemployed Relief (Amendment) Act. 1941 (Ben. Act II of 1941).

2. The words within square brackets were substituted for the words "another lock" by Section 2(b). *ibid*.

4. Poor Fund Committee :-

(1) The Fund shall, in each union, be managed by a committee, which shall consist of the members of the union board *ex officio*, together with such other persons, not exceeding five in number, as may be co-opted by the members of the union board from among contributors to the Fund.

(2) The president and vice-president of the union board shall be *ex officio* president and vice-president, respectively, of the committee.

(3) At any meeting of the committee three members thereof shall form a quorum.

5. Custody and accounts of the Fund :-

(1) All contributions to the Fund shall remain in the custody of the president of the committee.

(2) The accounts of the Fund shall be maintained by the president of the committee in Form I in the Schedule to this Act and shall be audited annually by the circle officer at the times at which the accounts of the union board are audited.

6. Poor and unemployed list :-

(1) Every committee shall prepare and maintain a poor and an unemployed list (hereinafter referred to as the List) in which shall be entered-

(a) the names of all persons (other than dependents) within the union who are not assessed to union rate; and

(b) the names of all wage-earners (other than dependents) who have been unemployed for a period exceeding one month and have no means of subsistence other than their wages.

(2) Any person whose name has not been entered in the List, may apply to the committee to have his name so entered and the committee shall on such application pass such orders consistent with this section as it thinks fit.

(3) The List shall be prepared and maintained in Form II in the Schedule to this Act, and shall, after such inquiry as the committee thinks fit, be checked and revised in all its particulars by the committee once in every quarter.

(4) The List shall be open to inspection by the local public during the office hours at the office of the union.

7. Reports by chaukidars :-

During periods of distress and scarcity, and at such periods of the year as may be decided by the committee, each chaukidar shall, within the area of his jurisdiction, visit daily the houses of all persons named in the List, and if he finds that any such person or any dependent of any such person has been without food for a period of more than twenty-four hours, he shall immediately report the fact to the president of the committee or, in his absence, to the vice-president thereof or in the absence of both the president and the vice-president to such other member of the committee as may be authorized by the committee to receive such reports.

8. Payment of relief :-

(1) On receipts of a report submitted under section 7 or by any other reliable person, the president or vice-president or such other member of the committee, as the case may be, after such inquiry, if any, as he thinks fit, and with the least possible delay, shall grant relief from the Fund to each person whose name has been so reported.

(2) Such relief shall be granted at the rate of not more than two annas per diem for each person of or above the age of twelve years and half an anna per diem for each person below the age of twelve years, and shall not ordinarily be granted for a period exceeding five days at any one time:

¹[Provided that the committee may, at a meeting thereof, direct that such relief be granted-

(i) for a period exceeding five, but not exceeding ten days at any one time;

(ii) in the form of clothing or other articles.]

1. This proviso was substituted for the two original provisos by Section 3 of the Bengal Rural Poor and Unemployed Relief (Amendment) Act. 1941 (Ben. Act II of

1941).

9. Issue of loans :-

(1) If any person of or above the age of sixteen years whose name has been reported under section 7 of section 8 is able-bodied. the committee shall attempt to provide him with employment and may, in addition to any relief granted to him under section 8. advance to him from the Fund by way of loan a sum not exceeding five rupees, for the purpose of enabling him to secure employment.

(2) Every such loan shall be repayable without interest at any time within six months of the date of issue.

(3) If any such loan is not so repaid, it shall be realized in the manner provided for the realization of arrears of union rate under the provisions of the Bengal Village Self-Government Act, 1919, (Ben. Act V of 1919.) together with interest calculated at a rate per annum of six and a quarter per centum:

Provided that any such loan or portion thereof may be remitted by the committee if two-thirds of the members of the committee so recommend in writing.

(4) An account of every loan shall be maintained in Form III in the Schedule to this Act.

10. Action where the Fund proves inadequate :-

If at any time the committee is unable from the Fund to meet the needs of such poor or unemployed persons within the union as require relief, it shall report the fact to the district magistrate and shall send to the sub divisional magistrate a copy of such report; and at the same time the president of the committee shall summon a meeting of the inhabitants of the union for the purpose of securing contributions to the Fund.

11. Power to fine and dismiss chaukidars :-

Any chaukidar failing to submit, in the manner provided, the report referred to in section 7 shall be liable to be punished with fine or, in cases of gross neglect of duty, with dismissal, in the manner provided in the Bengal Village Self-Government Act, 1919. for the fining and dismissal of chaukidars.

12. Quarterly statement :-

A statement in Form IV in the Schedule to this Act shall be submitted by the committee to the circle officer at the end of each quarter.

13. Powers of State Government, district boards and union boards to contribute to the Fund :-

The ¹[State] Government, and any district board or union board to the extent of its jurisdiction, may contribute to the Fund at any time, and any such contribution shall be disbursed by the committee in accordance with any conditions that may be attached to the contribution.

1. This word was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order. 1950

14. Statistics :-

The committee shall collect and submit such statistics as may from time to time be called for by the district board or the district magistrate.

15. Rules :-

The ¹[State] Government may make rules² for the purpose of giving effect to the objects of this Act.

1. This word was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order. 1950

2. For rules made in exercise of the powers conferred by this section, see notification No. 6526 Misc., dated the 14th July, 1941, published in the Calcutta Gazette, of the 17th July, 1941. Part 1, pages 1779-1780.

SCHEDULE 1

THE SCHEDULE

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Form I

(Section 5)

		Receipts (including loans re-paid).			Expenditure (including loans issued).					
Date.	Opening balance.	Source of receipt. :	Amount.	Total.	Name and address of payee.	Signature or left thumb impression of payee.	Amount of relief.	Amount of loan.	Total.	Balance.
1	2	3	4	5	6	7	8	9	10	11

Form II

[Section 6(3)]

Part I

Persons not assessed to union rate.

Name and fathers name.	Address.	Occupation.	Dependents.				under 12 years.
			Able-bodied.		Disabled		
			Over 12 years.		Over 12 years		
			M.	F.	M.	F.	
1	2	3	4	5	6	7	8

Part II

Unemployed persons

			Dependents.				
Name and fathers name.	Address.	Occupation.	Able-bodied.		Disabled		Under 12 years.
			Over 12 years.		Over 12 years		
			F.	M.	F.	M.	
1	2	3	4	5	6	7	8

Form III
[Section 9(4)]

	Issue.			Recoveries.		
Date. 1	Name and address. 2	Amount. 3	Date. 4	Details of receipt. 5	Amount. 6	Balance. 7

Form IV
(Section 12)

		Receipts.			Expenditure		
Opening balance 1	Subscriptions. 2	Loans repaid. 3	Total. 4	Relief granted. 5	Loans issued. 6	Total. 7	Closing balance. 8