

Bengal Village Self-Government Act, 1919

5 of 1919

[28 May 1919]

CONTENTS

CHAPTER 1 :- PRELIMINARY

1. Short title, local extent and commencement
2. Repeal and amendment of certain enactments; saving of certain provisions
3. Effect on certain enactments when Act is withdrawn
4. Definitions

CHAPTER 2 :- UNION BOARDS.

5. Power of State Government to declare local areas to be unions
6. Establishment and constitution of union board
7. Qualifications of voters and members of union board
8. President of union board
9. Vice-president of union board
- 9A. Leave of absence to president or vice-president of union board
10. Disqualification of certain persons from voting at election of, or being members of, union boards
- 10A. Disqualifications from being a member of a union board
11. Term of office of members
12. Power to remove members
13. Filling of casual vacancies
14. Term of office of president or vice-president
15. Resignation of president, vice-president or member
16. Removal of president or vice-president
17. Filling of casual vacancy in office of president or vice-president
- 17A. Bar to interference by courts in election matters
- 17B. Election disputes
- 17C. Validation of acts and proceedings
18. Incorporation of union boards
19. Works constructed by a union board to vest in the board

CHAPTER 3 :- DAFADARS AND CHAUKIDARS

20. Appointment and dismissal of dafadars and chaukidars
21. Numbers and salaries of dafadars and chaukidars
22. Power to fine dafadars and chaukidars
23. Powers and duties of dafadars and chaukidars

- 24. Procedure on arrest by dafadar or chaukidar
- 25. Fines to be credited to district chaukidari reward fund

CHAPTER 4 :- POWERS AND DUTIES OF UNION BOARDS.

- 26. Duties of union boards
- 26A. Reports of epidemic diseases among men or cattle
- 26B. Power of union boards to grant rewards for information of the outbreak of any epidemic diseases among men or cattle
- 27. Power of union board as to sanitation, conservancy and drainage
- 28. Power of union board as to cleansing of unions
- 29. Power of union board to control erection of buildings, etc.
- 30. Power of union board to provide for proper water-supply
- 31. Powers of union board as to roads, bridges and water ways
- 31A. Stipends
- 32. Establishment of primary schools and dispensaries
- 32A. Establishment and management of primary schools
- 32AA. Joint committees
- 33. Transfer of certain duties from the district or local board to a union board
- 34. Prohibition of certain offensive and dangerous trades without licenses
- 35. Power of entry
- 36. Appointment of establishment for union board

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PREAMBLE

An Act to develop self-government in the rural areas of Bengal.

Whereas it is expedient to develop the system of self-government in the rural areas of Bengal;

5 & 6 Geo. V. c. 61.

And whereas the sanction of the Governor General has been obtained under section 79, sub-section (2) and sub-section (3) of the Government of India Act, 1915, to the passing of this Act.

It is hereby enacted as follows:--

1. This Act should be read with section 4 and Schedule 1 of the West Bengal Panchayat Act, 1957 (West Ben. Act I of 1957).

In terms of the provisions of sub-section (3) of section 3 read with Schedule III of the West Bengal Transferred Territories (Assimilation of Laws) Act, 1958 (West Ben. Act XIX of 1958). this Act shall not extend to, or come into force in the territories transferred from the State of Bihar to the State of West Bengal by section 3 of the Bihar and West Bengal (Transfer of Territories) Act,

1956 XL of 1956).

2. For Statement of Objects and Reasons, see the Calcutta Gazette of 1918, Pt. IV, pages 117 and 118, and For Proceedings in Council, see *ibid*, Pt. IV-A, pages 665-672 and 1188-1193, and see the Calcutta Gazette of 1919, Pt. IV-A, pages 30-34, 127-146, 315-316 and 688-912.

CHAPTER 1 PRELIMINARY

1. Short title, local extent and commencement :-

(1) This Act may be called the Bengal Village Self-Government Act, 1919.

(2) It extends to the whole of ¹[West Bengal], except the town of Calcutta and any area which has been or may hereafter be constituted a municipality, under the provisions of the Bengal Municipal Act, [1932(Ben. Act XV of 1932)]².

(3) It shall come into force in such districts or such parts of districts and on such date as the ³[State Government] may, by notification, direct, and the ³[State Government] may, by notification, withdraw this Act from any district or part of a district.

Explanation.--The words "the town of Calcutta" mean ⁴[subject to the inclusion of any local area under section 543] of the Calcutta Municipal Act, 1923⁵ (Ben. Act III of 1923), and subject to the provisions of section 147 of the Calcutta Improvement Act, 1911(Ben. Act V of 1911), the area described in schedule I to the Calcutta Municipal Act, 1923:

Provided that this Act shall not come into force in any cantonment⁶
XXX XXX XXX

1. The words "West Bengal" were substituted for the word "Bengal" by paragraph (2) of Article 3 of the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

2. The figures "1932" were substituted for the figures "1884" by section 2 and the First Schedule of the Bengal Repealing and Amending Act, 1938 (Ben. Act I of 1939).

3. The words "Provincial Government" were originally substituted for the words "Local Government" by paragraph 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by paragraph 4(1) of the Adaptation of Laws Order, 1950.

4. These words and figures were substituted for the words and

figures "subject to the exclusion or inclusion of any local area by notification under section 637" by section 2 of, and the First Schedule to, the Bengal Repealing and Amending Act, 1938 (Ben. Act I of 1939). This reference should now be construed as a reference to section 592 of the Calcutta Municipal Act, 1951 (West Ben. Act XXXIII of 1951).

5. The figures "1923" were substituted for the figures "1899" by section 2 and the First Schedule of the Bengal Repealing and Amending Act, 1938 (Ben. Act I of 1939). The Calcutta Municipal Act, 1923 (Ben. Act III of 1923), was repealed and re-enacted by the Calcutta Municipal Act, 1951 (West Ben. Act XXXIII of 1951) which was again repealed and re-enacted by the Calcutta Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) and this reference should now be construed as a reference to the latter Act.

6. The words "without the sanction of the Governor General in Council previously obtained" in the proviso to section I were omitted by para. 3 of, and Schedule IV to, the Government of India (Adaptation of Indian Laws) Order, 1937.

2. Repeal and amendment of certain enactments; saving of certain provisions :-

(1) When any local area is declared to be a union under section 5, the enactments specified in Schedule I shall, from the date of election or appointment of the first president of the union board of that union, be repealed or amended to the extent and in the manner mentioned in the fourth column thereof:

Provided that until a new assessment is made under this Act, any assessment, rate or tax which was in force in such area under the provisions of the Bengal Local Self-Government Act of 1885 (Ben. Act III of 1885), in so far as they relate to union committees, and of the Village Chaukidari Act, 1870 (Ben. Act VI of 1870), shall continue to be in force and all sums due on account of such rate or tax shall be realized under the provisions of this Act, and shall be credited to the union fund, and may be expended by the union board by which they are realized.

(2) When, in consequence of the repeal of the enactments referred to in sub-section (1), any panchayat or union committee ceases to exist, all the properties, funds and dues which are vested in such panchayat or union committee shall be vested in such union board or boards, and in accordance with such allocation, as may be determined by the District Magistrate, whose orders thereon shall be final.

3. Effect on certain enactments when Act is withdrawn :-

When the provisions of this Act are withdrawn from any district or part of a district under section 1, sub-section (3), the enactments specified in Schedule 1 shall be deemed to be revived in such district or part to the extent to which they were modified by that schedule, from the date of the publication of the notification of withdrawal:

Provided that all assessments for the imposition of rates under section 37 shall continue to be in force until a new assessment is made in accordance with the provisions of the Village Chaukidari Act, 1870, and all properties, funds and other dues vested in any union board within such district or part of a district shall be vested in such local authorities, panchayats or persons and in such manner as may be determined by the District Magistrate, whose orders thereon shall be final.

4. Definitions :-

In this Act, unless there is anything repugnant in the subject or context,--

- (1) "building" includes a hut and shed;
- (2) "circle officer" means any person who may be appointed by the ¹[State Government] to exercise the powers and perform the duties of a circle officer under this Act;
- (3) "dafadar" means a head chaukidar;
- (4) "district board" means a district board established under the Bengal Local Self-Government Act of 1885(Ben. Act of III of 1885);
- (5) "District Magistrate" includes an Additional District Magistrate;
- (6) "local board" means a local board established under the Bengal Local Self-Government Act of 1885, as amended by this Act;
- (7) "notification" means a notification published in the ²[Official Gazette];
- (8) "road" means any road, street or passage, whether a thoroughfare or not, over which the public have a right of way;
- (9) "Subdivisional Magistrate" means any Magistrate in charge of a subdivision of a district ³[and includes an Additional Subdivisional Magistrate];
- ⁴(9a) "tout" means a person who habitually frequents the precincts of a union bench or union court except--
 - (a) for the purpose of his own case, suit or proceedings before such bench or court, or

(b) as an agent of a party authorised to appear under section 97;
(10) "year" means a year beginning on the first day of April or on such other date as may hereafter be fixed for any union board by the ¹[State Government] by notification; and
(11) the expressions "non-bailable offence," "cognizable offence," "complaint," "offence," "officer in charge of a police-station" and "police-station," have the same meaning as in section 4 of the Code of Criminal Procedure, 1898(Act V of 1898), and the expressions "decree," "legal representative" and "movable property," have the same meaning as in section 2 of the Code of Civil Procedure, 1908(Act V of 1908).

1. The words "Provincial Government" were originally substituted for the words "Local Government" by paragraph 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by paragraph 4(1) of the Adaptation of Laws Order, 1950.

2. The words "Official Gazette" were substituted for the words "Calcutta Gazette" by paragraph 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937.

3. These words were added by section 2 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

4. Clause (9a) was inserted by section 13 of the Bengal Touts Act, 1942 (Ben. Act V of 1942).

CHAPTER 2 UNION BOARDS.

5. Power of State Government to declare local areas to be unions :-

When this Act has come into force in any district or part of a district, the ¹[State Government] may, after consideration of the views of the district board and the local boards, ²[if any], by notification, divide that district or part into as many local areas as may to ³[it] seem expedient, and may, by notification, declare every such local area to be a union for the purposes of this Act.

1. The words "Provincial Government" were originally substituted for the words "Local Government" by paragraph 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by paragraph 4(1) of the Adaptation of Laws Order, 1950.

2. The words "if any" were inserted by section 11 of the Bengal Local Self-Government (Amendment) Act, 1936 (Ben. Act XIV of 1936).

3. This word was substituted for the word "them" by paragraph 5(2) of the Government of India (Adaptation of Indian Laws) Order, 1937.

6. Establishment and constitution of union board :-

(1) The ¹[State Government] shall, by notification, establish a union board for every union constituted under section 5, and shall fix the number of members of each union board:

Provided that the number of members of a union board shall not be less than six or more than nine.

(2) The members shall be elected within such time and in such manner as may be prescribed by rules under section 101.

² XXX XXX XXX

³(4) If on the date fixed for the election, the electors of any union board fail to elect any member or members the vacancy or vacancies shall be filled by another election. If for any reason no member or members are elected at such second election, the vacancy or vacancies shall be filled by appointment by the District Magistrate; and any person so appointed shall be deemed to be a duly elected member:

Provided that no person who is not entitled to be elected as a member of the union board under section 7 shall be so appointed.

1. The words "Provincial Government" were originally substituted for the words "Local Government" by paragraph 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by paragraph 4(1) of the Adaptation of Laws Order, 1950.

2. Sub-section (3) including the proviso was omitted by section 2(a) of the Bengal Village Self-Government (West Bengal Amendment) Act, 1947 (West Ben. Act X of 1947).

3. This sub-section was substituted for the original sub-section, by section 2(b), *ibid*.

7. Qualifications of voters and members of union board :-

(1) Every ¹* * person of the full age of twenty-one years and having a place of residence within the union,--

(i) who, during the year immediately preceding the election, has paid a sum of not less than ²[eight annas] as cess under the Cess Act, 1880(Ben. Act IX of 1880), in respect of lands situated wholly or in part in such union, or

(ii) who, during the year immediately preceding such election, has been assessed at and paid a sum of not less than ³[six annas] for the purposes of the union rate payable under this Act, or in the case of a first election under this Act, as chaukidari-tax, or

(iii) who is a member of a joint undivided family, which, during the year immediately preceding the election, has paid a sum of not less than ⁴[eight annas] as such cess ⁵[or than six annas as such] rate or tax, or⁶

⁶(iv) who is a graduate or licentiate of any university or has passed the matriculation examination of the Calcutta University or a corresponding standard of the same or any other university ⁷[or the school final examination of the Board of Secondary Education, West Bengal, or of any other such Board or the annual examination of Class X of a school recognised by the Board of Secondary Education, West Bengal, or of any other such Board], or the high school examination of the board of intermediate and secondary education, Dacca, or the senior or junior madrasah examinations under the old or the reformed scheme, or the Sanskrit title examination of the Calcutta Sanskrit Association, or the middle English or the middle vernacular examinations ⁸[or the annual examination of Class VI of a school recognised by the Board of Secondary Education, West Bengal] or is a registered medical practitioner under the Bengal Medical Act, 1914(Ben. Act VI of 1914), or holds a certificate authorising him to practice as a pleader or as a muktear or as a revenue agent, shall be entitled to vote at an election of members of the union board:

Provided that only one member of a joint undivided family qualified under clause (iii) and nominated by the other qualified members of that family shall be entitled to vote on its behalf at any such election.

(2) Every person who is entitled to vote at an election of members of the union board and is resident within the union, shall be entitled to be a member of the union board if duly elected thereto.

⁹Explanation.--A person shall be deemed to be "resident" within a union within the meaning of sub-section (2) if he has within the limits of such union a place of residence which he visits from time to time or in which he ordinarily resides for not less than three months

a year. No person may be so resident within the limits of more than one union at the same time.

10(3) When a local board is abolished under section 36A of the Bengal Local Self-Government Act of 1885 (Ben. Act III of 1885), sub-section (1) shall, in its application to the area which was under the authority of the local board at the time of its abolition, be subject to the following modifications, namely:--

(i) in clause (i) for the words "the year immediately preceding the election" the words "such period of twelve months as may be prescribed by rules under section 101" shall be substituted;

(ii) in clauses (ii) and (iii) for the words **11**["the year immediately preceding such election" and the words "the year immediately preceding the election" respectively] the words "the period aforesaid" shall be substituted; and

(iii) after the words "election of members of the union board" the words "if his name is included in the electoral roll" shall be inserted.

1. The word "male" was omitted by section 2 of the Bengal Village Self-Government (West Bengal Amendment) Act, 1950 (West Ben. Act XXVI of 1950).

2. The words "eight annas" were substituted for the words "one rupee" by section 3(1) of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

3. The words "six annas" were substituted for the words "one rupee" by section 3(2), *ibid*.

4. The words "eight annas" were substituted for the words "one rupee" by section 3(3)(a), *ibid*.

5. These words were inserted by section 3(3)(b), *ibid*.

6. The word "or" at the end of sub-clause (iii) of section 7(1) and this sub-clause (iv) were inserted by section 3(4), *ibid*.

7. These words were inserted by section 2(1) of the Bengal Village Self-Government (Amendment) Act, 1960 (West Ben. Act XII of 1960).

8. These words were inserted by section 2(2), *ibid*.

9. This Explanation was substituted for the original Explanation by section 3(5) of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

10. Sub-section (3) of section 7 was inserted by section 12 of the Bengal Local self-Government (Amendment) Act, 1936 (Ben. Act

XIV of 1936), and is in force in areas in which section 12 of the said Act is in force.

11. These words were substituted for the words "the year immediately preceding the election" by section 2 of, and the First Schedule to, the Bengal Repealing and Amending Act, 1938 (Ben. Act I of 1939.)

8. President of union board :-

(1) Every union board shall be presided over by a president, who shall be elected by the members of the union board from among their own number.

(2) If any union board fails to elect a president within the period prescribed by rules under section 101, the district board shall appoint a member of the board to be the president.

9. Vice-president of union board :-

Every union board may elect one of its members to be the vice-president of the board.

9A. Leave of absence to president or vice-president of union board :-

¹ A union board may grant leave of absence to its president or vice-president for any period not exceeding three months in any one year and may elect one of its members to act as president or vice-president during such absence.

1. Section 9A was inserted by section 2 of the Bengal Village Self-Government (Amendment) Act, 1931 (Ben. Act V of 1931).

10. Disqualification of certain persons from voting at election of, or being members of, union boards :-

Notwithstanding anything contained in this Act, no person who is not ¹[a citizen of India] shall be qualified to vote at an election of, or to be a candidate for election as a member of, a union board, nor shall such person be [appointed]² to be a member of such board:

Provided that the ³[State Government] may, by notification, exempt from the provisions of this section any person or class of persons who are not ⁴[citizens of India].

1. The words "an Acceding State" were originally substituted for the

words "any State in India" by paragraph (1) of Article 3 of, and the Schedule to, the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, and thereafter these words within square brackets were substituted for the words "a British subject or a subject of an Acceding State" by paragraph 3 of, and the Eleventh Schedule to, the Adaptation of Laws Order, 1950.

2. The word "appointed" was substituted for the word "nominated" by section 4 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

3. The words "Provincial Government" were originally substituted for the words "Local Government" by paragraph 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by paragraph 4(1) of the Adaptation of Laws Order, 1950.

4. The words "an Acceding State" were originally substituted for the words "any State in India" by paragraph (1) of Article 3 of, and the Schedule to, the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, and thereafter these words within square brackets were substituted for the words "British subjects or subjects of an Acceding State" by paragraph 3 of, and the Eleventh Schedule to, the Adaptation of Laws Order, 1950.

10A. Disqualifications from being a member of a union board :-

¹ A person shall not be eligible for ejection or appointment as a member of a union board if such person--

(a) is an officer or servant of the union board, or

(b) has been ordered to execute a bond in pursuance of proceedings under section 110 of the Code of Criminal Procedure, 1898(Act V of 1898), or has been convicted by a criminal court of any offence which in the opinion of the ²[State Government] involves moral turpitude and which carries with it a sentence or transportation or imprisonment for a period of more than six months, unless the offence for which he was convicted has been pardoned or five years have expired from the date of the expiration of the period specified in the bond, or of the sentence, as the case may be:

Provided that, on application made by a person disqualified under clause (b), the ²[State Government] may remove the disqualification by an order made in this behalf.

1. Section 10A was inserted by section 5 of the Bengal Village Self-

Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

2. The words "Provincial Government" were originally substituted for the words "Local Government" by paragraph 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by paragraph 4(1) of the Adaptation of Laws Order, 1950.

11. Term of office of members :-

The term of office of a member of a union board shall be ¹[four years] from the date on which the District Magistrate shall declare the board to be duly constituted, but shall include any period which may elapse between the expiration of the said ¹[four years] and the date of the first meeting, at which a quorum is present, of the newly elected ²* * * members after the next general election for the union board:

³Provided that the tenure of office of the former president of the union board shall continue until a new president is elected or appointed under section 8.

1. These words were substituted for the words "three years" by section 6(1) of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

2. The words "and appointed" were omitted by section 3 of the Bengal Village Self-Government (West Bengal Amendment) Act, 1947 (West Ben. Act X of 1947).

3. This proviso was added by section 6(2) of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

12. Power to remove members :-

(1) The district board may remove any member of a union board from his office--

(a) who is convicted of any non-bailable offence; or

(b) who refuses to act, or becomes incapable of acting, or is declared to be insolvent; or

(c) who has been declared by notification to be disqualified for employment in the public service; or

(d) who, without an excuse sufficient in the opinion of the district board, absents himself from six consecutive meetings of the union board; or

(e) who has been guilty of misconduct in the discharge of his

duties, or of any disgraceful conduct, if two-thirds of the total number of the members of the union board at a meeting recommend his removal.

(2) No person who has been removed from his office under clause (a) or clause (c) of sub-section (1) shall be eligible for re-election or re-appointment ¹[for the purpose of sub-section (4) of section 6].

1. These words, figures and brackets were added by section 4 of the Bengal Village Self-Government (West Bengal Amendment) Act, 1947 (West Ben. Act X of 1947).

13. Filling of casual vacancies :-

When the place of ¹[a member] of a union board becomes vacant by his removal, resignation or death, a new member shall be elected ²* * * in the manner prescribed by rules under section 101, and shall hold office so long as the member whose place he fills would have been entitled to hold office if such vacancy had not occurred:

Provided that no act of the union board, or of its officers, shall be deemed to be invalid by reason only that the number of members of the board at the time of the performance of such act was less than the prescribed number.

1. These words were substituted for the words "an elected or appointed member" by section 5(a), *ibid*.

2. The words "or appointed" were omitted by section 5(b), *ibid*.

14. Term of office of president or vice-president :-

The term of office of a president or vice-president of a union board shall be the residue of his term of office as a member of the union board.

15. Resignation of president, vice-president or member :-

(1) A president of a union board may resign during his term of office by notifying in writing his intention to do so to the chairman of the district board and to the union board; and on such resignation being accepted by the chairman, shall be deemed to have vacated his office.

(2) A vice-president or a member of a union board may resign during his term of office by notifying in writing his intention to do so to the union board, and on such resignation being accepted by

the union board, shall be deemed to have vacated his office.

16. Removal of president or vice-president :-

(1) The district board may remove a president of a union board from his office--

(i) if he is convicted of any non-bailable offence; or

(ii) if he refuses to act, or becomes incapable of acting, or is declared insolvent; or

(iii) if he is guilty of misconduct or persistent negligence in the discharge of his duties as president of the union board or of any disgraceful conduct, and two-thirds of the total number of the members of the union board at a meeting recommend his removal.

(2) A union board may, on the recommendation of two-thirds of the total number of the members of the board at a meeting, remove its vice-president from his office--

(i) if he is convicted of any non-bailable offence; or

(ii) if he refuses to act, or becomes incapable of acting, or is declared insolvent; or

(iii) if he is guilty of misconduct or persistent negligence in the discharge of his duties as vice-president, or of any disgraceful conduct.

17. Filling of casual vacancy in office of president or vice-president :-

(1) If a president of a union board dies, resigns or is removed, the union board shall, at a meeting, within a period prescribed by rules under section 101, elect from among its members ¹[another person to be] president.

(2) If any union board fails to elect ¹[another person to be] president within the prescribed period, the district board shall appoint ²[from among members of the union board] ¹[another person to be] president.

(3) If a vice-president of a union board dies, resigns or is removed, the union board may, at a meeting, elect from among its members ¹[another person to be] vice-president.

1. These words were substituted for the words "a new" by section 7(1) of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

2. These words were inserted by section 7(2). *ibid*.

17A. Bar to interference by courts in election matters :-

¹ No election of a member of a union board shall be called in question in any court, and no court shall grant an injunction--
(i) to postpone the election of a member of a union board, or
(ii) to prohibit a person, declared to have been duly elected under this Act, from taking part in the proceedings of a union board of which he has been elected a member, or
(iii) to prohibit the members formally elected or appointed **²**[under sub-section (4) of section 6] for a union board from entering upon their duties.

1. Sections 17A, 17B and 17C were inserted by section 8, *ibid*.

2. These words, figures and brackets were inserted by section 6 of the Bengal Village Self-Government (West Bengal Amendment) Act, 1947 (West Ben. Act X of 1947).

17B. Election disputes :-

¹ If any dispute arises as to the election of a member of a union board, the matter shall be referred to the District Magistrate who shall decide the same after giving notice to the parties concerned and after taking such evidence as may be produced. The order of the District Magistrate shall, within thirty days from the date thereof, be subject to revision by the Commissioner whose decision shall be final and shall not be questioned in any court.

1. Sections 17A, 17B and 17C were inserted by section 8, *ibid*.

17C. Validation of acts and proceedings :-

¹ No act done or proceeding taken under this Act shall be questioned on the ground merely of--
(a) the existence of any vacancy in, or any defect in the constitution of, the union board, or
(b) any defect or irregularity not affecting the merits of the case.

1. Sections 17A, 17B and 17C were inserted by section 8, *ibid*.

18. Incorporation of union boards :-

Every union board shall be a body corporate by the name of "the union board of (name of union)," and shall have perpetual succession and a common seal, and shall by the said name sue and

be sued, with power to acquire or hold property, both movable and immovable, and, subject to any rules made under section 101, to transfer any such property held by the board and to contract and do all other things necessary for the purposes of this Act.

19. Works constructed by a union board to vest in the board
:-

Every road, building or other work constructed by a union board from the union fund shall be vested in the union board by which it has been constructed.

CHAPTER 3 DAFADARS AND CHAUKIDARS

20. Appointment and dismissal of dafadars and chaukidars
:-

(1) The union board shall, when a vacancy exists, nominate a person to be a dafadar or a chaukidar under this Act, and the ¹[State Government] shall, if satisfied with such nomination, appoint such nominee:

Provided that, if the union board fails within a reasonable time to nominate a person to be a dafadar or a chaukidar, or, if the ¹[State Government] is not satisfied with such nomination, the ¹[State Government] shall appoint any person, whom ²[it] thinks fit, to be a dafadar or a chaukidar.

(2) The District Magistrate, or the union board with the sanction of the District Magistrate, may dismiss any dafadar or chaukidar.

1. The words "Provincial Government" were originally substituted for the words "District Magistrate" by para. 3 and Schedule IV of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by para, 4(1) of the Adaptation or Laws Order, 1950.

2. The word "it" was substituted for the word "he" by paragraph 5(2) of the Government of India (Adaptation of Indian Laws) Order, 1937.

21. Numbers and salaries of dafadars and chaukidars :-

(1) The number of dafadars and chaukidars to be employed in a union, the salary to be paid to them and the nature and cost of their equipment shall be determined from time to time by the District Magistrate after consideration of the views of the union

board.

(2) The salaries and the cost of equipment of dafadars and chaukidars shall be paid by the union board, and the dafadars and chaukidars shall receive their salaries and equipment at such times and in such manner as may be prescribed by rules under section 101.

22. Power to fine dafadars and chaukidars :-

Any dafadar or chaukidar who is guilty of any willful misconduct in his office, or neglect of his duty, such misconduct or neglect not being of so grave a character as in the opinion of the District Magistrate or the union board, as the case may be, to require his dismissal, shall be liable to be punished by the District Magistrate with fine not exceeding the amount of one months salary or by the union board with fine not exceeding one quarter of a months salary.

23. Powers and duties of dafadars and chaukidars :-

(1) Every chaukidar shall exercise the following powers and perform the following duties:--

(i) he shall give immediate information to the officer in charge of the police-station within the limits of which the union is situated and to the president of the union board, of every unnatural, suspicious or sudden death which may occur, and of any offence specified in schedule II which may be committed within the union, and he shall keep the police and the president of the union board informed of all disputes which are likely to lead to a riot or serious affray;

(ii) he may, without an order from a Magistrate and without a warrant, arrest--

(a) any person who has been concerned in any cognizable offence or against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists of his having been so concerned;

(b) any person having in his possession, without lawful excuse, the burden of proving which excuse shall lie on such person, any implement of house-breaking;

(c) any person who has been proclaimed as an offender either under the Code of Criminal Procedure, 1898(Act V of 1898), or by order of the ¹[State Government];

(d) any person in whose possession anything is found which may

reasonably be suspected to be stolen property, or who may reasonably be suspected of having committed an offence with reference to such thing;

(e) any person who obstructs a police-officer while in the execution of his duty, or who has escaped, or attempts to escape, from lawful custody;

²(f) any person reasonably suspected of being a deserter from ³[the Indian] Army, Navy or Air Force; and

(g) any released convict committing a breach of any rule made under section 565, sub-section (3), of [he Code of Criminal Procedure, 1898(Act V of 1898);

(iii) he shall, to the best of his ability, prevent, and he may interpose for the purpose of preventing, the commission of any offence specified in schedule II;

(iv) he shall assist private persons in making such arrests as they may lawfully make, and he shall report such arrests without delay to the officer in charge of the aforesaid police-station;

(v) he shall observe, and, from time to time, report to the said officer the movements of all bad characters within the union;

(vi) he shall report to the said officer the arrival of suspicious characters in the neighbourhood;

(vii) he shall report in such manner as may be prescribed by the District Magistrate the births and deaths which have occurred within the union;

⁴(viii) he shall give immediate information to the union board of the outbreak of any epidemic disease among men or cattle;

(viii) he shall supply any local information which the district Magistrate or any police-officer may require;

(ix) he shall obey the orders of the union board in regard to keeping watch within the union and in regard to other matters connected with his duties as chaukidar;

(x) he shall give immediate information to the union board of any offence under sub-section (4) of section 30 and of any encroachment on, or obstruction to, any road or waterway within the union and of any damage to any property under the control of the union board;

(xi) he shall assist the person collecting the union rate in making such collection;

(xii) he shall serve such processes upon persons resident within the union as may be prescribed by rules under section 101; and

(xiii) he shall carry out such other duties as may be entrusted to him from time to time in accordance with the Act or any rules made

hereunder.

(2) Every dafadar shall exercise all the powers conferred on a chaukidar under sub-section (1) and shall perform such duties as may be imposed upon him by rules made under section 101.

1. The words "Provincial Government" were originally substituted for the words "District Magistrate" by para. 3 and Schedule IV of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by para, 4(1) of the Adaptation or Laws Order, 1950.

2. Sub-clause (f) was substituted for the original sub-clause by section 9(1) of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

3. The words "the Indian" were substituted for the words "His Majestys" by paragraph 3 of. and the Eleventh Schedule to, the Adaptation of Laws Order, 1950.

4. Clause (viia) was inserted by section 9(2) of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

24. Procedure on arrest by dafadar or chaukidar :-

Whenever a dafadar or chaukidar arrests any person under section 23, he shall forthwith take the person so arrested to the police-station within the limits of which the union is situated:

Provided that, if the arrest is made at night, such person shall be so taken, as soon as convenient, on the following morning.

25. Fines to be credited to district chaukidari reward fund :-

All fines realized from a dafadar or chaukidar under section 22 of this Act shall be credited to a district chaukidari reward fund, the control over which shall rest with the District Magistrate.

CHAPTER 4 POWERS AND DUTIES OF UNION BOARDS.

26. Duties of union boards :-

Every union board--

(1) (a) shall take such action as is necessary to secure the due performance by the dafadars and chaukidars of the union of the duties imposed on them under this Act, and shall exercise a general control over them;

(b) shall provide, as far as possible, for the sanitation and conservancy of the union and for the prevention of public nuisances

therein;

(c) shall make special arrangements for the sanitation and conservancy of fairs and melas held within the union;

(d) shall have control of all drains and other conservancy works within the union which are not under the control of any other authority;

(e) shall execute all works that are necessary for the preservation of public health and for improving the sanitation, conservancy or drainage of the union;

(f) shall supply any local information which the District Magistrate or the district board or local board may require; and

(g) shall perform all such other acts as may be necessary to carry out the purposes of this Act;

(2) shall perform such functions as may be transferred to it by notification under section 31 of the Cattle-trespass Act, 1871(I of 1871);

(3) if required to do so by the District Magistrate, shall provide for the registration of births and deaths within the union under the provisions of the Bengal Births and Deaths Registration Act, 1873(Ben. Act IV of 1873);

(4) shall cause such processes as may be received by the union board for service to be duly served by a dafadar or chaukidar in accordance with rules under section 101;^{1*}

²(4a) may undertake and carry out any work necessary for the prevention and scientific treatment of cattle diseases or for the improvement of the breed and health of cattle, and may employ the staff requisite for such purposes;^{3*}

⁴(4b) may undertake and carry out measures for the improvement and development of collage industries and may employ the staff requisite for such purpose;

⁴(4c) may undertake and carry out measures for the furtherance of public health within the union and may, subject to any rules made under section 101, employ the staff requisite for such purpose, and may, for such purpose, join with any other union board or boards in the same district in the manner provided in section 32AA; and

(5) may undertake and carry out any other local work of public utility likely to promote health, comfort or convenience of the public, and not otherwise provided for in this Act ⁵[and may employ the staff requisite for such purposes].

1. The word "and" was omitted by section 3(a) of the Bengal Village Self-Government (Amendment) Act. 1931(Ben. Act V of

1931).

2. Clause (4a) was inserted by section (3)(a), *ibid*.

3. The word "and" was omitted by section 10 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935.)

4. Clauses (4b) and (4c) were inserted by section 10, *ibid*.

5. These words were inserted by section 3(b) of the Bengal Village Self-Government (Amendment) Act, 1931 (Ben. Act V of 1931).

26A. Reports of epidemic diseases among men or cattle :-

¹ The union board shall immediately on receipt of information of the outbreak of any epidemic disease among men or cattle send simultaneous reports of such information to the district health officer and to the local sanitary inspector of the district board or to the local veterinary assistant surgeon, as the case may be.

1. Section 26A and 26B were inserted by section 11 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

26B. Power of union boards to grant rewards for information of the outbreak of any epidemic diseases among men or cattle :-

¹ The union board may, with the approval of the chairman of the district board and subject to any rules made under section 101, grant rewards to medical practitioners or other persons for giving prompt information to the union board of the outbreak of any epidemic disease among men or cattle.

1. Section 26A and 26B were inserted by section 11 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

27. Power of union board as to sanitation, conservancy and drainage :-

(1) If it appears necessary to improve the sanitary condition of the union or any part thereof--

(a) the union board may, or, under the orders of the district board, shall--

(i) cause huts or privies to be removed either wholly or in part;

(ii) cause private drains to be constructed, altered or removed;

(iii) cause public drains to be constructed, altered or removed;

(iv) cause--

any well, pool, ditch, tank, pit or pond, or any place containing or used for the collection of any drainage, filth or stagnant water, which appears to be injurious to health or offensive to the neighbourhood or in any other respects a nuisance, to be Filled up, cleansed or deepened or the water to be drained off or removed therefrom, or such other action to be taken therewith as may be deemed necessary;

(v) cause any land, which by reason of thick vegetation, undergrowth or jungle appears to be in a state injurious to health or offensive to the neighbourhood or to form an impediment to efficient ventilation, to be cleared of such vegetation, undergrowth or jungle;

(vi) cause burning ghats and burial grounds to be established; and

(vii) cause such other improvements to be made as are necessary to improve the sanitary condition of such union or part; and

(b) the union board may, by written notice, require, within a reasonable period to be specified therein,--

(i) the owner or occupier of any hut, or the owner of any privy to remove such hut or privy either wholly or in part; or

(ii) the owner or occupier of any building to construct private drains therefor or to alter or remove private drains thereof; or

(iii) the owner or occupier of any land or building to which any such well, pool, ditch, tank, pit, pond or place as is referred to in clause

(a) (iv) pertains, or if any such land as is referred to in clause (a) (v), to do anything which the union board is itself empowered to do under either of those clauses.

(2) If any work required by any such notice is not executed within the period specified in the notice, the union board may itself cause such work to be carried out, and may recover the cost of such work or part thereof from the owner or occupier referred to in clause (b) of subsection (1), as if it were an arrear of rate imposed under section 37.

(3) An appeal shall lie against every notice issued under clause (b) of sub-section (1), to the chairman of the district board, who, after giving the owner and occupier full opportunity of adducing evidence and of being heard, may make an order canceling, modifying or confirming the said notice. Such appeal shall be Filed within fifteen days from the date of service of the notice.

¹(4) Without prejudice to the provisions of sub-section (2), if any person fails without sufficient reason to comply with a notice issued

under clause (b) of sub-section (1) or, in the case of an appeal under sub-section (3), with an order modifying or confirming such a notice within a reasonable period to be specified in such notice or order, as the case may be, he shall be punished with a fine which may extend to twenty-five rupees and to a further fine which may extend to five rupees for each day after conviction during which he so fails.

1. Sub-section (4) was added by section 12 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

28. Power of union board as to cleansing of unions :-

(1) A union board may employ an establishment for the cleansing of the union or any part thereof.

(2) Where no such establishment is employed by a union board, the board may, by written notice, require owners or occupiers of land in the union to cleanse such land to the satisfaction of the board within a reasonable period, to be specified in the notice.

(3) If any person on whom notice has been served under subsection (2) fails to comply with the requisition contained in the notice, the union board shall, unless reasonable cause to the contrary is shown,--

(a) cause the land to be cleansed, and

(b) recover from such person such portion of the cost of such cleansing as the union board may direct, as if it were an arrear of rate imposed under section 37.

(4) An appeal shall lie against every notice issued under subsection (2) to the chairman of the local board, ¹[or, where there is no local board, to the chairman of the district board, who, after giving the owner and occupier full opportunity of adducing evidence and of being heard, may make an order canceling, modifying or confirming the said notice. Such appeal shall be filed within fifteen days from the date of service of the notice.

²(5) Without prejudice to the provisions of sub-section (3), if any person fails without sufficient reason to comply with a notice issued under sub-section (2), or, in the case of an appeal under sub-section (4), with an order modifying or confirming such a notice within a reasonable period to be specified in such notice or order as the case may be, he shall be punished with a fine which may extend to twenty-five rupees and to a further fine which may extend to five rupees for each day after conviction during which he so fails.

1. These words were inserted by section 13 of the Bengal Local Self-Government (Amendment) Act. 1936 (Ben. Act XIV of 1936). This amendment is in force in the areas in which section 13 of Ben. Act XIV of 1936 is in force.

2. This sub-section was added by section 13 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

29. Power of union board to control erection of buildings, etc. :-

(1) The union board may, subject to rules made under section 101, by written order,--

(a) direct, in accordance with a scheme approved by the local board¹[or, where there is no local board, by the district board,] for any part of the union, that no building, wall or platform shall be erected, re-erected or added to in advance of an alignment to be prescribed by the union board and demarcated on the ground; and
(b) prescribe, in accordance with the said scheme, the space which shall intervene between any new or enlarged building and the building next adjacent and between any new or enlarged building and any road in the union.

(2) Where any building, wall or platform has been placed in contravention of an order passed by the union board under sub-section (1), the union board may apply to the District Magistrate and such Magistrate may make an order--

(i) directing either that the work done, or so much of the same as has been executed in contravention of the order passed under sub-section (1), be demolished by the owner of the building, wall or platform, or that it be altered by him to the satisfaction of the union board, within such time as may be fixed by the District Magistrate; or

(ii) directing that the work done, or so much of the same as has been executed in contravention of the order passed under sub-section (1), be demolished or altered by the union board at the expense of the owner within such time as may be fixed by the District Magistrate:

Provided that the Magistrate shall not make any such order without giving the owner full opportunity of adducing evidence and of being heard.

(3) If any person to whom a direction to demolish or alter any building, wall or platform, is given under clause (i) of sub-section (2), fails to obey the same, he shall be liable to a fine which may

extend, in the case of a masonry building, wall or platform, to one hundred rupees, and, in the case of any other building, wall or platform, to twenty rupees, and to a further fine which may extend, in the case of a masonry building, wall or platform, to ten rupees and in the case of any other building, wall or platform, to two rupees for each day during which, after the period fixed by the District Magistrate, he fails to obey the direction to demolish or alter the building, wall or platform.

1. These words were inserted by section 14 of the Bengal Local Self-Government (Amendment) Act, 1936 (Ben. Act XIV of 1936). It is in force in the areas in which section 14 of Ben. Act XIV of 1936 is in force.

30. Power of union board to provide for proper water-supply :-

(1) A union board may provide the union or any part thereof, with a supply of water, proper and sufficient, for public and private purposes; and, for such purposes, may, or, under the orders of the district board, shall,--

(a) construct, repair and maintain tanks or wells, and clear out streams or water-courses;

(b) with the sanction of the ¹[State Government] and subject to such rules as may be made under section 101, construct, repair and maintain water works;

(c) purchase or acquire by lease or gift any tank, well, stream or water-course, or any right to take or convey water within or without the union;

(d) with consent of the owner thereof, utilize, cleanse or repair any tank, well, stream, or water-course within the union, or provide facilities for obtaining water therefrom;

(e) contract with any person for a supply of water; or

(f) do any other acts necessary for carrying out the purposes of this section.

(2) The union board may, by order published at such places as it may think fit, set apart for the supply to the public of water for drinking or culinary purposes any tank, well, stream or water-course in respect of which action has been taken under clause (a), (c) or (d) of subsection (1), subject to any rights which the owner referred to in clause (d) of that sub-section may retain with the consent of the board.

(3) The union board may, by order published at such places as it

may think fit, prohibit all bathing, washing of clothes and animals, or other acts calculated to pollute the water of any tank, well, stream, or water-course set apart for drinking or culinary purposes under subsection (2).

(4) Any person who disobeys an order issued under sub-section (3), shall be punished with fine which may extend to twenty-five rupees.

1. The words "Provincial Government" were originally substituted for the words "District Magistrate" by para. 3 and Schedule IV of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by para, 4(1) of the Adaptation or Laws Order, 1950.

31. Powers of union board as to roads, bridges and water ways :-

The union board shall have control of all roads, bridges and waterways within the union, not being private property and not being under the control of the ¹[State Government] or the district board or local board, and may do all things necessary for the maintenance and repair thereof, and may--

- (a) lay out and make new roads;
- (b) construct new bridges;
- (c) divert, discontinue or close any road or bridge;
- (d) widen, open, enlarge or otherwise improve any road or bridge;
- (e) deepen or otherwise improve water-ways;^{2*}
- (f) provide for the lighting of any road or public place within the union; and²

³(g) with the sanction of the commissioner, undertake small irrigation projects.

1. The words "Provincial Government" were originally substituted for the words "District Magistrate" by para. 3 and Schedule IV of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by para, 4(1) of the Adaptation or Laws Order, 1950.

2. The word "and" in clause (c) was transposed at the end of clause (f) by section 2(1) of the Bengal Village Self-Government (Amendment) Act, 1932 (Ben. Act IX of 1932).

3. Clause (g) was inserted by section 2(2), *ibid*.

31A. Stipends :-

¹ The union board may grant a stipend to any student having a place of residence within the union who is pursuing his studies in any--

- (i) middle English school,
- (ii) high English school, or
- (iii) other secondary school,

which holds agricultural classes, and who attends such classes or in any technical or agricultural school.

1. Section 31A was inserted by section 14 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

32. Establishment of primary schools and dispensaries :-

132. Establishment of primary schools and dispensaries.--²[(¹)]. The union board may, subject to any rules made under section 101, ³[make grants to primary schools], establish primary school or dispensaries, or assume charge of existing primary schools or dispensaries and shall repair, maintain and manage any primary school or dispensary under its charge.⁴ 2 . Establishment of dispensaries.--²[(¹)]. The union board may, subject to any rules made under section 101, establish ⁵* * * * dispensaries, or assume charge of existing ⁵* * * dispensaries, and shall repair, maintain and manage any ⁵* * * dispensary under its charge.

⁶(2) The union board may, subject to any rules made under section 101, make grants to--

- (a) any dispensary under public or private management, or
- (b) any library or reading room maintained for the public benefit and open to the public, and on the managing authority of which the union board is represented.

1. This sub-section (1) or section 32 is in force in this form in areas in which the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930), is not in force.

2. Section 32 was renumbered as sub-section (1) of section 32 by section 4 of the Bengal Village Self-Government (Amendment) Act, 1931 (Ben. Act V of 1931).

3. These words were inserted by section 15 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

4. This sub-section (1) of section 32 is in force in this form in areas in which the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930), is in force.

5. The words "primary school or" and "primary schools or" in section 32(1) were omitted by section 67 and the Schedule, *ibid*.

6. This sub-section (2) was substituted for the sub-section (2) which was added by the Bengal Village Self-Government (Amendment) Act, 1931 (Ben. Act V of 1931), by section 3 of the Bengal Village Self-Government (Amendment) Act, 1932 (Ben. Act IX of 1932).

32A. Establishment and management of primary schools :-

¹[²(1) J Subject to the provisions of the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930), and to the control of the district school board constituted under that Act, the union board may establish primary schools or assume charge of existing primary schools and shall repair, maintain and manage any primary school under its charge.

²(2) The union board may, subject to any rules made under section 101, and to the control of the district school board constituted under the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930), make grants to primary schools which are recognised under section 54 of the said Act.

1. Section 32A was inserted by section 67 of, and the Schedule to, the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930), and is in force in areas where the said Act is in force.

2. Section 32A was renumbered as sub-section (1) of section 32A and sub-section (2) was added by section 16 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

32AA. Joint committees :-

¹ A union board may, with the previous sanction of the district board and subject to any rules made under section 101, join with any other union board or boards in the same district in constituting out of their respective bodies a joint committee for any purpose in which they are jointly interested and in delegating to any such joint committee any power which might be exercised by either or any of the boards concerned.

1. This section 32AA was inserted by section 5 of the Bengal Village Self-Government (Amendment) Act, 1931 (Ben. Act V of 1931).

33. Transfer of certain duties from the district or local board to a union board :-

The district board or local board may, from time to time, with the consent of the union board, make over to a union board, subject to such conditions as they may deem necessary, the management of any institution or the execution of any work or duty within the area over which the union board has control; and thereupon such union board shall do all things necessary for the management of the institution or the execution of the work or duty:

Provided that the fund necessary for the management of the institution and the execution of the work or duty shall be placed by the district board or local board at the disposal of the union board.

34. Prohibition of certain offensive and dangerous trades without licenses :-

¹ (1) No place within a union shall be used without a license granted by the union board (which shall be renewable annually) for any trade or business declared by the ²[State Government] by notification to be offensive or dangerous.

(2) In every notification under sub-section (1) the ²[State Government] shall specify the maximum amount of fees which may be levied by a union board for a license in respect of any trade or business declared in such notification to be offensive or dangerous.

(3) Subject to the approval of the District Magistrate, the union board may levy in respect of any license granted by it under subsection (1) a fee not exceeding the maximum amount specified under sub-section (2), and may impose such conditions in respect of such license as may be considered necessary.

(4) Whoever, in any union, uses without a license any place for the purpose of any trade or business declared under sub-section (1) to be offensive or dangerous, or fails to comply with any condition subject to which a license is granted under that sub-section, shall be punished with a fine which may extend to twenty-five rupees, and to a further fine which may extend to five rupees for each day after conviction during which he continues so to offend.

(5) The union board, upon the conviction of any person for failing to comply with any condition of a license granted under sub-section (1), may suspend or cancel such license.

(6) An appeal shall lie to the District Magistrate against every order by a union board refusing, suspending or canceling a license, or imposing conditions in respect of a license within thirty days from the date of such order, and the decision of the District Magistrate

thereon shall be final.

1. This section 34 was substituted for the original section by section 17 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).

2. The words "Provincial Government" were originally substituted for the words "District Magistrate" by para. 3 and Schedule IV of the Government of India (Adaptation of Indian Laws) Order, 1937, and thereafter the word "State" was substituted for the word "Provincial" by para, 4(1) of the Adaptation or Laws Order, 1950.

35. Power of entry :-

The union board, or any member, officer or servant thereof, may enter into or upon any building or land, with or without assistants or workmen, in order to make any inspection or execute any work for the purposes of, or in pursuance of ¹* * * section ²[26], 27, 28, 29, 30, 31, 32, 33 or 34:

Provided as follows:--

- (a) no such entry shall be made between sunset and sunrise;
- (b) no dwelling-house shall be so entered, unless with the consent of the occupier thereof, without giving the said occupier at least twenty-four hours previous written notice signed by the president or vice-president of the intention to make such entry; and
- (c) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.

1. The words, brackets and figures "clause (1) of section 26 or" were omitted by section 18(1) of the Bengal Village Self-Government (Amendment) Act. 1935 (Ben. Act VIII of 1935).

2. The figures "26" were inserted by section 18 (2), *ibid*.

36. Appointment of establishment for union board :-

¹[Subject to the approval] of the local board, ²[or where there is no local board, of the district board,] a union board may appoint such staff of officers and servants as it may consider necessary to carry out its duties under this Act, and may fix the salaries to be paid to such staff:

³Provided that no member of a union board shall be appointed to be an officer or servant of such union board.

1. These words were substituted for the words "With the approval" by section 19 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).
2. These words were inserted by section 15 of the Bengal Local Self-Government (Amendment) Act, 1936 (Ben. Act XIV of 1936). This amendment is in force in the areas in which section 15 of Ben. Act XIV of 1936 is in force.
3. This proviso was added to section 36 by section 19 of the Bengal Village Self-Government (Amendment) Act, 1935 (Ben. Act VIII of 1935).