

Chhattisgarh Nirashriton Avam Nirdhan Vyaktiyon Ki Sahayata (Sanshodhan) Act, 2010

24 of 2010

[29 September 2010]

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An Act further to amend the Chhattisgarh Nirashriton Avam Nirdhan Vyaktiyon Ki Sahayata Adhiniyam, 1970. Beit enacted by the Chhattisgarh Legislature in the Sixty first year of the Republic of India, as follows:-- * Published in the Chhattisgarh Rajpatra (Asadharan) dated 29-9-2010 Pages 522(2-4).

1. Short Title, Extent And Commencement :-

- (1) This Adhiniyam may be called the Chhattisgarh Nirashriton Avam Nirdhan Vyaktiyon Ki Sahayata (Sanshodhan) Adhiniyam, 2010.
- (2) It extends to the whole State of Chhattisgarh.
- (3) It shall come into force from the date of its publication in the Official Gazette.

2. Definition :-

In this Act, unless the context otherwise requires:--

"Principal Act" means the Chhattisgarh Nirashriton Avam Nirdhan

3. Amendment Of Section 2 :-

(1) For sub-clause (iii) of clause (a) of Section 2 of the Principal Act, the following sub-clause shall be substituted, namely:--

"Person with disability" suffering from not less than forty percent of any disability as certified by a medical authority.

(2) After sub-clause (ii) of clause (a) of Section 2 of the Principal Act, the following sub-clause shall be inserted, namely:--

"(iii) a widow or a divorcee or a woman subjected to cruelty fulfilling such requirements including that of residence in a local area as may be prescribed;

(iv) Children affected by naxal violence."

(3) For sub-clause (a-i) (ii) of Section 2, the following sub-clause shall be substituted, namely:--

"members belonging to family of below poverty line as notified by the State Government from time to time."

(4) In explanation of clause (a-i) of Section 2 of the Principal Act, for the words "husband, wife and their minor children," the words "husband, wife, their minor children and unmarried daughter" shall be substituted.

(5) For sub-clause (iii) of clause (b) of Section 2 of the Principal Act, the following sub-clause shall be substituted, namely:--

"in the case of a Gram Panchayat, the Chhattisgarh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994)".

(6) In clause (d) of Section 2 of the Principal Act, for the words "notified area committee or gram panchayat or adivasi panchayat" the words "notified area committee or gram panchayat" shall be substituted.

(7) After clause (g) of Section 2 of the Principal Act, the following clauses (h) and (i) shall be added, namely:--

"(h) "State Destitute Fund" means the Fund constituted under section 4.

(i) "Cruelty" means--

(a) any willful conduct which is of such nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman, or

(b) harassment of woman-where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand."

4. Amendment Of Section 3 :-

(1) In section 3 of the Principal Act, for the words "make adequate provision" the words "implement scheme and to provide adequate relief shall be substituted.

(2) In clause (d) of Section 3 of the Principal Act, for the word loan" the word "assistance" shall be substituted.

(3) For sub-clause (i) and (ii) of clause (d) of Section 3, the following shall be substituted, namely:--

"(i) cremation of an indigent person or any member of his family;

(ii) special schemes for the benefit of girls belonging to families of below poverty line as notified by the State Government from time to time."

5. Amendment Of Section 4 :-

For sub-section (2-A) of Section 4 of the Principal Act, the following sub-sections shall be substituted, namely:--

"(2-A) The Collector shall apportion and deposit twenty percent of the amount of collection made by a market committee, into the State Destitute Fund, and the amount collected in such fund shall be utilised for any district in such manner as may be prescribed, and the Commissioner/Director, Panchayat and Social Welfare Chhattisgarh shall operate and maintain proper account of such fund, and the account of such fund shall be audited by the Director, Local Fund Audit, Chhattisgarh.

(2-AA) All moneys of the State Destitute Fund shall be deposited in a Cooperative Bank or any Bank specified in the first Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (No. 5 of 1970), as a corresponding new Bank or in post office saving Bank.

(2-AB) The amount remaining after apportionment under sub-section (2) and (2-A) shall be utilised for the purpose of setting up and maintaining homes for destitute and indigent persons in the area falling within the jurisdiction of the market committee concerned:

Provided that the State Government may, having regard to the need of such homes in any other areas, order the utilization of not exceeding ten percent of the remaining amount for setting up and maintaining homes for destitute and indigent persons in such other area outside the jurisdiction of the market committee concerned".

6. Amendment Of Section 7 :-

In the first proviso to sub-section (1) of Section 7 of the Principal Act, the words "or adivasi panchayat" shall be omitted.

7. Amendment Section 9 :-

In sub-section (2) of Section 9 of the Principal Act:--

(i) after clause (a), the following clause shall be inserted, namely:--

"(a-1) the manner in which the State Destitute Fund shall be utilised in any district under sub-section (2-A) of Section 4;"

(ii) for clause (c-1) of Section 9 of the Principal Act, the following clause shall be substituted, namely:--

"(c-1) terms and conditions subject to which relief may be provided under Section 3."