



The Bengal Rural Poor and Unemployed Relief Act, 1939

Act 10 of 1939

Keyword(s):

Chaukidar, Circle Officer, District Board, District Magistrate, Union Board, Union Rate

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Bengal Act X of 1939

[THE BENGAL RURAL POOR AND UNEMPLOYED RELIEF ACT, 1939.]¹

AMENDED

Ben. Act II of 1941.

ADAPTED

The Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.
The Adaptation of Laws Order, 1950.

[20th July, 1939.]

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

Short title, extent and commencement.

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

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

2. 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.

Definitions.

¹For Statement of Objects and Reasons, see the *Calcutta Gazette*, dated the 26th August, 1937, Part IVB, 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.

²The words within square brackets were substituted for the word "Bengal" by para. (2) of Art. 3 of the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

³This 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.

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

Ben. Act V of 1919.

(Sections 3-5.)

Poor Fund
and Poor
Boxes.

3. (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 [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 [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.

Poor Fund
Committee.

4. (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.

Custody and
accounts of
the Fund.

5. (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.

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

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

of 1939.]

(Sections 6-8.)

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

Poor and unemployed list.

- (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. 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.

Reports by *chaukidars*.

8. (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.

Payment of relief.

(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:

[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.]

¹This proviso was substituted for the two original provisos by s. 3 of the Bengal Rural Poor and Unemployed Relief (Amendment) Act, 1939.

(Sections 9-13.)

Issue of
loans.

9. (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, together with interest calculated at a rate *per annum* of six and a quarter *per centum*:

Ben. Act V
of 1919.

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.

Action
when the
Fund proves
inadequate.

10. 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 subdivisional 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.

Power to fine
and dismiss
chaukidars.

11. 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*.

Quarterly
statement.

12. 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.

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

13. The [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.

of 1939.]

(Sections 14, 15, and the Schedule.)

14. 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. Statistics.

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

THE SCHEDULE.

FORM I.
(Section 5.)

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

FORM II.
[Section 6(3).]

PART I.
Persons not assessed to union rate.

1 Name and father's name.	2 Address.	3 Occu- pation.	Dependents.				8 Under 12 years.
			Able-bodied.		Disabled		
			Over 12 years.		Over 12 years		
			M. 4	F. 5	M. 6	F. 7	

¹See foot-note 4 on page 487. *ante*.

²For 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 I, pages 1779-1780.

