

ACT No. VI OF 1922.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 1st March, 1922.)

An Act further to amend the Indian Lunacy Act, 1912.

WHEREAS it is expedient further to amend the Indian Lunacy Act, 1912; It is hereby IV of 1912, enacted as follows:—

1. This Act may be called the Indian Lunacy Short title. (Amendment) Act, 1922.

IV of 1912. 2. In section 3 of the Indian Lunacy Act, 1912, Amendment of section 3, Act IV of 1912. (hereinafter referred to as the said Act),—

(a) in clause (1), after the word "asylum" where it occurs for the second time, the words "or mental hospital" shall be inserted; and

(b) to clause (2) the following shall be added, namely:—

"together with any other charges specified in this behalf by the Governor General in Council, in exercise of any power conferred upon him by this Act."

3. To section 84 of the said Act, the following Amendment of section 84, Act IV of 1912. words shall be added, namely:—

"if it is satisfied that provision has been or will be made for the curative treatment therein of persons suffering from mental diseases."

4. After section 84 of the said Act, the following Insertion of new section 84A in Act IV of 1912. section shall be inserted, namely:—

"84A. If in any licensed asylum no provision for curative treatment has been made, or the Local Government considers that the provision made is insufficient, Power to cancel licence if provision for curative

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treatment
is insuffi-
cient.

cient, the Local Government may require the person in charge of the asylum to take such measures for making or supplementing such provision as it may deem necessary, and, if such person does not comply with the requisition within a reasonable time, the Local Government may revoke the licence."

Insertion of
new sections
89A. and
89B. in Act
IV of 1912.

5. After section 89 of the said Act, the following sections shall be inserted, namely :—

Fixation of
cost of main-
tenance.

"89A. The Governor General in Council may, by general or special order, prescribe the amount payable on account of the cost of maintenance of lunatics detained in any asylum for the cost of whose maintenance any Local Government is liable, and the proportions in which such amount shall be payable respectively by the Local Governments so liable. Any such amount may include charges on account of the upkeep of the asylum and of the capital cost of the establishment of the asylum.

Incidence of
costs of
maintenance
payable by
Government.

89B. (1) When under the provisions of this Act the cost of the maintenance of a lunatic is payable by the Government, then such cost shall be payable—

(a) in the case of a lunatic not domiciled in British India, by the Local Government of the province in which the reception order or the order under section 25, as the case may be, was made; and

(b) in the case of a lunatic domiciled in British India, by the Local Government of the province in which the lunatic has last resided for a period of five years before the reception order or the order under section 25, as the case may be, was made; or, if the lunatic has not been resident in any one province for such period, by the Local Government of the province in which such order was made.

(2) If any question arises as to the incidence of the cost of maintenance of any lunatic under subsection (1), the question shall be referred to the Governor General in Council, and his decision thereon shall be final."