

THE



Bombay Government Gazette.

Published by Authority.

THURSDAY, 31st OCTOBER 1889.

Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART VI.

BILLS OF THE GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee on the Bill to amend Act XXXVI of 1858 was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 24th October 1889:—

We, the undersigned, Members of the Select Committee to which the Bill to amend Act

- From Chief Commissioner, Ajmere-Merwara, No. 949—690, dated 31st August 1889 [Paper No. 1].
- Telegram from Chief Commissioner, Assam, dated 17th September 1889 [Paper No. 2].
- From Officiating Secretary to Chief Commissioner, Central Provinces, No. 5484—290, dated 13th September 1889 [Paper No. 3].
- From Secretary to Chief Commissioner, Coorg, No. 1398—126, dated 11th September 1889, and enclosures [Papers No. 4].
- From Officiating Secretary to Chief Commissioner, Burma, No. 499—151L.L., dated 16th September 1889, and enclosures [Papers No. 5].
- From Secretary to Government, Punjab, No. 570S., dated 28th September 1889, and enclosure [Papers No. 6].
- From Secretary to Government, North-Western Provinces and Oudh, No. 2326—VI-430B., dated 26th September 1889 [Paper No. 7].
- From Chief Secretary to Government, Bengal, No. 3171P., dated 23rd September 1889, and enclosures [Papers No. 8].
- From Chief Secretary to Government, Madras, No. 1638, dated 24th September 1889, and enclosures [Papers No. 9].
- From Officiating Secretary to Government, Punjab, No. 624S., dated 8th October 1889, and enclosure [Papers No. 10].
- From Secretary for Berar to Resident, Hyderabad, No. 382G., dated 5th October 1889 [Paper No. 11].
- From Chief Secretary to Government, Bombay, No. 4215, dated 9th October 1889, and enclosure [Papers No. 12].

XXXVI of 1858 was referred have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

2. We have introduced certain words in the new section 17A, which the Bill proposes to insert in Act XXXVI of 1858, in order to make it clear

that the Governor General in Council will be able under the section to appoint extra-provincial asylums for the reception of particular classes of lunatics when the provincial asylums have not suitable accommodation for those classes.

3. In accordance with a suggestion of the Government of Bengal, the new section 17C proposed by the Bill has been so amended as to confer power on the Local Government to remove lunatics from one asylum to another within a province, and, as the grant of this power to the Local Government seems to make section 11 of the Act, under which an Inspector of Jails may remove lunatics from one public asylum to another within his circle no longer necessary, we have repealed that section.

4. The publication ordered by the Council has been made as follows:—

<i>In English.</i>				<i>Date.</i>
<i>Gazette.</i>				
Gazette of India ...	...	...	...	17th August 1889.
Fort Saint George Gazette ...	...	...	...	10th September 1889.
Bombay Government Gazette ...	...	...	...	22nd August 1889.
Calcutta Gazette ...	...	...	...	28th August 1889.
North-Western Provinces and Oudh Government Gazette ...	...	...	...	24th August 1889.
Punjab Government Gazette ...	...	...	...	22nd August 1889.
Central Provinces Gazette ...	...	...	...	31st August 1889.
Burma Gazette ...	...	...	...	7th September 1889.
Assam Gazette ...	...	...	...	7th September 1889.
Coorg District Gazette ...	...	...	...	2nd September 1889.

In the Vernaculars.

<i>Province.</i>		<i>Language.</i>		<i>Date.</i>
Bombay ...	...	Maráthi ...	...	5th September 1889.
	...	Gujaráthi ...	...	5th September 1889.
	...	Kánarese ...	...	5th September 1889.
Bengal ...	...	Bengali ...	...	3rd September 1889.
	...	Uriya ...	...	5th September 1889.
	...	Hindi ...	...	10th September 1889.
Central Provinces ...	...	Maráthi ...	...	18th September 1889.
Assam ...	...	Bengali ...	...	28th September 1889.
Coorg ...	...	Kánarese ...	...	1st October 1889.

5. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

(Signed) PHIL. P. HUTCHINS.
 " ANDREW R. SCOBLE.
 " BA'BA' KHEM SINGH BEDI.

The 21st October 1889.

No. II.

A Bill to amend Act XXXVI of 1858.

WHEREAS it is expedient to extend the authority of the Governor General in Council with respect to the appointment of asylums for the reception and detention of lunatics and with respect to the transfer of any lunatic from any one to any other lunatic asylum in British India; It is hereby enacted as follows:—

1. For section 17A of Act XXXVI of 1858 (an Act relating to Lunatic Asylums), as amended by Act XVIII of 1886 (an Act to amend Act XXXVI of 1858), the following shall be substituted, namely:—

Provision for provinces having insufficient or no asylums. "17A. In either of the following cases, namely:—

- (a) when an Executive Government has not established within its limits a public asylum for the reception and detention of lunatics,
- (b) when it appears to the Governor General in Council that a public asylum established within such limits is not conveniently situated with respect to any part of the territories administered by such

Government or does not afford sufficient or, in the case of any class of lunatics, suitable accommodation,

the Governor General in Council may from time to time appoint an asylum in any part of British India beyond the limits of such Government to be an asylum to which any Magistrate or Judge exercising jurisdiction within those limits may send lunatics or any class of lunatics as to an asylum established under this Act for the division in which his jurisdiction is situate.

Addition of new section after section 17B, Act XXXVI, 1858.

2. After section 17B of the said Act XXXVI of 1858 the following section shall be added,

namely:—

"17C. Any lunatic may be removed from any lunatic asylum established or licensed under this Act, by order of an Executive Government, to any other such asylum within the limits of such Government, and, by order of the Governor General in Council, to any other such asylum in any part of British India."

Repeal of section II of Act XXXVI of 1858.

3. Section II of the said Act XXXVI of 1858 is hereby repealed.

J. M. MACPHERSON,
 Offg. Secretary to the Government of India.