

Lepers Act, 1898

Section 8 - Procedure with Regard to Pauper Lepers

(1) If it appears to any PresidencyMagistrate or Magistrate of the first class or to any other Magistrateauthorised in this behalf by the state Government, upon the certificate in FormB set forth in the schedule, that any person is a leper, and if it furtherappears to the Magistrate that the person is a pauper leper, he may, afterrecording the evidence on the above-mentioned points, and his orderthereon, send the pauper leper in charge of a police-officer, togetherwith an order in Form C set forth in this schedule, to a leper asylum, wheresuch leper shall be detained until discharge by order of the Board or theDistrict Magistrate :

Providedthat, if the person denies the allegation of leprosy, the Magistrate shall calland examine the Inspector of Lepers, and shall take such further evidence as maybe necessary to support or to rebut the allegation that the person is a leper,and may for this purpose adjourn the enquiry form time to time, remanding theperson for observation or for other reason to such place as may be convenient,or admitting him to bail ;

Providedalso that if any friend or relative of any person found to be a pauper lepersshall undertake in writing to the satisfaction of the Magistrate that suchpauper leper shall be properly taken care of and shall be prevented frompublicly begging in any area specified under section 3, the Magistrate, insteadof sending the leper to any asylum, may make the leper over to the car of suchfriend or relative, requiring him, if he thinks fit, to enter into a bond withone or more sureties, to which the provisions of section 514 of the code ofcriminal Procedure (10 of 1882.) {See now the Code of Criminal Procedure,1898 (5 of 1898).} shall be applicable.

(2)If the Magistrate finds that such person is not a leper, or that, if a leper, heis not a pauper leper, he shall forthwith discharge him.
