

Cantonments Act, 2006

Section 49 - Joint action with other local authority

1) A Board may-- (a) join with any other local authority-- (i) in appointing a joint committee for any purpose in which they are jointly interested and in appointing a chairman of such committee; (ii) in delegation to such committee power to frame terms binding on the Board and such other local authority as to the construction and future maintenance of any joint work or to exercise any power which might be exercised by the Board or by such other local authority; and (iii) in making regulations for regulating the proceedings of any such committee relating to the purposes for which it has been appointed; or (b) with the previous sanction of the General Officer Commanding-in-Chief, the Command, and the State Government concerned, enter into an agreement with any other local authority regarding the levy of any tax or toll whereby the said tax or toll respectively leviable by the Board and by such other local authority may be levied together instead of separately within the limits of the area hereafter in this section referred to as the aggregate area subject to the control of the Board and such other local authority. (2) If any difference of opinion arises between any Board and other local authority acting together under this section, the decision thereon of the Central Government or of an officer appointed by the Central Government in this behalf shall be final. (3) When any agreement such as is referred to in clause (b) of sub-section (1) has been entered into, then-- (a) where the agreement relates to octroi or terminal tax or toll, the party to the agreement (the Board, or as the case may be, such other local authority) which is specified in this behalf in the agreement,-- (i) shall have the same powers to establish octroi limits and octroi stations and places for the collection of octroi, terminal tax and toll within the aggregate area as it has within the area ordinarily subject to its control; (ii) shall have the same powers of collecting such octroi, terminal tax or toll in the aggregate area and the provisions of any enactment in force relating to the levy of such octroi, terminal tax or toll by it shall apply in the same manner as if the aggregate area were comprised within the area ordinarily subject to its control; (b) the total of the collection of such octroi, tax or toll made in the aggregate area and the costs thereby incurred shall be divided between the cantonment fund and the fund subject to the control of such other local authority, in such proportion, as may have been determined by the agreement.