

Cantonments Act, 2006

Section 61 - Validity of proceedings, etc

1) No act or proceeding of a Board or of any committee of a Board shall be invalid by reason only of the existence of a vacancy in the Board or committee. (2) No disqualification or defect in the election, nomination or appointment of a person acting as the President or a member of a Board or of any such committee shall vitiate any act or proceeding of the Board or committee if the majority of the persons present at the time of the act being done or the proceeding being taken were duly qualified members thereof. (3) Any document or minutes which purport to be the record of the proceedings of a Board or any committee of a Board shall, if made and signed substantially in the manner prescribed for the making and signing of the record of such proceedings, be presumed to be a correct record of the proceedings of a duly convened meeting, held by a duly constituted Board or committee, as the case may be, whereof all the members were duly qualified. (1) For every cantonment there shall be a Cantonment Board. (2) Every Board shall be deemed to be a municipality under clause (e) of article 243P of the Constitution for the purposes of-- (a) receiving grants and allocations; or (b) implementing the Central Government schemes of social welfare, public health, hygiene, safety, water supply, sanitation, urban renewal and education. Every Board shall, by the name of the place by reference to which the cantonment is known, be a body corporate having perpetual succession and a common seal with power to acquire and hold property both movable and immovable and to contract and shall by the said name, sue and be sued. (1) Cantonments shall be divided into four categories, namely:-- (i) Category I Cantonments, in which the population exceeds fifty thousand; (ii) Category II Cantonments, in which the population exceeds ten thousand, but does not exceed fifty thousand; (iii) Category III Cantonments, in which the population exceeds two thousand five hundred, but does not exceed ten thousand; and (iv) Category IV Cantonments, in which the population does not exceed two thousand five hundred. (2) For the purposes of sub-section (1), the population shall be calculated in accordance with the latest official census, or, if the Central Government, by general or special order, so directs, in accordance with a special census taken for the purpose. (3) In Category I Cantonments, the Board shall consist of the following members, namely:-- (a) the Officer Commanding the station as ex officio or, if the Central Government so directs in respect of any cantonment, such other military officer as may be nominated in his place by the General Officer Commanding-in-Chief, the Command; (b) the District Magistrate or an Executive Magistrate not below the rank of Additional District Magistrate nominated by him; (c) the Chief Executive Officer; (d) the Health Officer ex officio; (e) the Executive Engineer ex officio; (f) three military officers nominated by name by the Officer Commanding the station by order in writing; (g) eight members elected under this Act. (4) In Category II Cantonments, the Board shall consist of the following members, namely:-- (a) the Officer Commanding the station as ex officio or, if the Central Government so directs in respect of any cantonment, such other military officer as may be nominated in his place by the General Officer Commanding-in-Chief, the Command; (b) the District Magistrate or an Executive Magistrate not below the rank of Additional District Magistrate nominated by him; (c) the Chief Executive Officer; (d) the Health Officer ex officio; (e) the Executive Engineer ex officio; (f) two military officers nominated by name by the Officer Commanding the station by order in writing; (g) seven members elected under this Act. (5) In Category III Cantonments, the Board shall consist of the following members, namely:-- (a) the Officer Commanding the station as ex officio or, if the Central Government so directs in respect of any cantonment, such other military officer, as may be nominated in his place by the General Officer Commanding-in-Chief, the Command; (b) the District Magistrate or an Executive Magistrate nominated by him; (c) the Chief Executive Officer; (d) the Health Officer ex officio; (e) the Executive Engineer ex officio; (f) one military officer nominated by name by the Officer Commanding the station by order in writing; (g) six members elected under this Act. (6) In Category IV Cantonments, the Board shall consist of the following members, namely:-- (a) the Officer Commanding the station ex officio or, if the Central Government so directs in respect of any cantonment, such other military officer as may be nominated in his place by the General

Officer Commanding-in-Chief, the Command; (b) the Chief Executive Officer; (c) two members elected under this Act. (7) The Officer Commanding the station may, if he thinks fit, with the sanction of the General Officer Commanding-in-Chief, the Command, nominate in place of any military officer whom he is empowered to nominate under clause (f) of sub-section (3), clause (f) of subsection (4) or clause (f) of subsection (5), any person, whether in the service of the Government or not, who is ordinarily resident in the cantonment or in the vicinity thereof. (8) Every election or nomination of a member of a Board and every vacancy in the elected membership thereof shall be notified by the Central Government in the Official Gazette; (9) The Member of Parliament and Member of Legislative Assembly representing constituencies which comprises wholly or partly the cantonment area, shall be special invitees for the meetings of the Board but without a right to vote. (1) Notwithstanding anything contained in

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