

## Cantonments Act, 2006

### Section 264 - Improper use of land

1) If, in the opinion of the Chief Executive Officer, the working of a quarry in the cantonment, or the removal of stone, earth or other material from the soil in any place in the cantonment, is dangerous to persons residing in or frequenting the neighbourhood or such quarry or place, or creates, or is likely to create, a nuisance, the Chief Executive Officer may, by notice in writing, prohibit the owner, lessee or occupier of such quarry or place or the person responsible for such working or removal, from continuing or permitting the working of such quarry or the moving of such material, or require him to take such steps in the matter as he may direct for the purpose of preventing danger or abating the nuisance arising or likely to arise therefrom. (2) If, in any case referred to in sub-section (1), the Chief Executive Officer is of opinion that such a course is necessary in order to prevent imminent danger, he may, by order in writing, require a proper hoarding or fence to be put up for the protection of passers-by. (7) On the commencement of this Act, the Chief Executive Officer shall with the approval of the Board, cause to be prepared a spatial plan for land use to be followed in the cantonment which shall include-- (a) earmarking of zones for residential, institutional, commercial and other activities; and (b) improvement schemes for areas considered sub-standard on account of narrowness of streets, poor lighting, poor ventilation or irregular line of buildings in a street. (2) The Board shall give publicity to the land use plan prepared under sub-section (7), by publishing a gist of the plan in a local newspaper. No person shall erect or re-erect a building on any land in a cantonment-- (a) in an area, other than the civil area, except with the previous sanction of the Board; (b) in a civil area, except with the previous sanction of the Chief Executive Officer, nor otherwise than in accordance with the provisions of this Chapter and of the rules and bye-laws made under this Act relating to the erection and re-erection of buildings. Provided that if an erected or re-erected building is meant for public purposes, then it shall be made accessible to and barrier free for the persons with disabilities. (1) Whoever intends to erect or re-erect any building in a cantonment shall apply for sanction by giving notice in writing of his intention-- (a) where such erection or re-erection is in an area, other than the civil area, to the Board; (b) where such erection or re-erection is in a civil area, to the Chief Executive Officer. (2) For the purposes of this Act, a person shall be deemed to erect or re-erect a building who-- (a) makes any material alteration or enlargement of any building; or (b) converts into a place for human habitation any building not originally constructed for human habitation; or (c) converts into more than one place for human habitation a building originally constructed as one such place, or (d) converts two or more places of human habitation into & greater number of such places; or (e) converts into a stable, cattle shed or cow-house any building originally constructed for human habitation; or (f) converts into a dispensary, stall, shops, warehouse, godown, factory or garage any building originally constructed for human habitation; or (g) makes any alteration which there is reason to believe is likely to affect prejudicially the stability or safety of any building or the condition of any building in respect of drainage, sanitation or hygiene; or (h) makes any alteration to any building which increases or diminishes the height of, or area covered by, or the cubic capacity of, the building, or which reduces the cubic capacity of any room in the building below the minimum prescribed by any bye-law made under this Act. (1) A person giving the notice required by