

Cantonments Act, 2006

Section 302 - Removal and exclusion from cantonment of disorderly persons

section 300, or of the abetment of such an offence he or, as the case may be, the Board may cause to be served on such person an order in writing requiring such person to remove from the cantonment within such time as may be specified in the order, and prohibiting such person from re-entering it without the permission in writing of the Officer Commanding the Station or the Board. 1) A Judicial Magistrate of the First Class, having jurisdiction in a cantonment, on receiving information that any person residing in or frequenting the cantonment-- (a) is a disorderly person who has been convicted more than once of gaming or who keeps or frequents, a common gaming house, a disorderly drinking shop or a disorderly house of any other description; or (b) has been convicted more than once either within the cantonment or elsewhere, of an offence punishable under Chapter XVII of the Indian Penal Code; or (c) has been ordered under Chapter VIII of the Code of Criminal Procedure, 1973, either within the cantonment or elsewhere to execute a bond for his good behaviour, may record in writing the substance of the information received, and may issue a summon to such person requiring him to appear and show cause why he should not be required to remove from the cantonment and be prohibited from re-entering it. (2) Every summons issued under sub-section (1) shall be accompanied by a copy of the record aforesaid and the copy shall be served along with the summons on the person against whom the summon is issued. (3) The Magistrate shall, when the person so summoned appears before him, proceed to inquire into the truth of the information received and take such further evidence as he thinks fit, and if upon such inquiry it appears to him that such person is a person of any kind described in sub-section (1) and that it is necessary for the maintenance of good order in the cantonment that such person is required to be removed therefrom and be prohibited from re-entering the cantonment, the Magistrate shall inform the matter to the Officer Commanding the Station and, the Officer Commanding the Station shall cause to be served on such person an order in writing requiring him to remove from the cantonment within such time as may be specified in the order and prohibiting him from re-entering it without the permission in writing of the Officer Commanding the Station.