

Cantonments Act, 2006

Section 240 - Power to sanction general scheme for prevention of overcrowding etc. The General Officer Commanding-in-Chief the

section 238 or in contravention of any condition subject to which such sanction has been accorded or in contravention of any provision of this Act or bye-laws made thereunder, the Chief Executive Officer may in addition to any other action that may be taken under this Act, by order require the person at whose instance the building or the work has been commenced or is being carried on to stop the same forthwith. (2) If an order made by the Chief Executive Officer under sub-section (1) directing any person to stop the erection of any building or execution of any work is not complied with, the Chief Executive Officer may require any police officer to remove such person and all his assistants and workmen from the premises or to seize any construction material, tool, machinery, scaffolding or other things used in the erection of any building or execution of any work within such time as may be specified in the requisition and such police officer shall comply with the requisition accordingly. (3) Any of the things caused or to be seized by the Chief Executive Officer under sub-section (2) shall be disposed of by him in a manner specified in sub-sections (6) and (7). (4) After the requisition under sub-section (2) has been complied with the Chief Executive Officer may, if he thinks fit, depute by a written order a police officer or an officer or an employee of the Board to watch the premises in order to ensure that the erection of the building or the execution of work is not continued. (5) Where a police officer or an officer or an employee of the Board has been deputed under sub-section (4) to watch the premises, the cost of such deputation shall be paid by the person at whose instance such erection or execution is being continued or to whom notice under sub-section (1) was given and shall be recoverable from such person as an arrear of tax under this Act. (6) Any of the things caused to be removed by the Chief Executive Officer under this section shall unless the owner thereof turns up to take back such things and pays to the Chief Executive Officer charges for removal and storage of such things be disposed of by the Chief Executive Officer by a public auction or in such other manner as he thinks fit: Provided that such things shall only be disposed of by the Chief Executive Officer on the expiry of fifteen days in case of non perishable things and twenty-four hours in case of perishable things from the date and time of seizure. (7) The charges for removal and storage and sale of things sold under sub-section (6) shall be paid out of the proceeds of the sale thereof and the balance, if any, shall be paid to the owner of the things sold on a claim being made therefor within a period of one year from the date of sale and if no such claim is made within the said period, shall be credited to the cantonment fund. Section 240 - Power to sanction general scheme for prevention of overcrowding etc. The General Officer Commanding-in-Chief the Command in Consultation with the Principal Director may sanction a general scheme of erection or re-erection of buildings within such limits as may be specified in the sanction for the prevention of overcrowding or for purpose of sanitation, or in the interest of persons residing within those limits or for any other purpose, and may, in pursuance of such scheme, impose restrictions on the erection or re-erection of buildings within those limits: Provided that no such scheme shall be sanctioned by the General Officer Commanding in Chief, the Command unless an opportunity has been given by a public notice to be published locally by the Chief Executive Officer requiring persons affected or likely to be affected by the proposed scheme, to file their objections or suggestions in the manner specified in the notice, within a period of thirty days of the publication of such notice, and the Chief Executive Officer shall after considering such objections and suggestions, if any, forward the same along with his recommendations to the Principal Director.