

Cantonments Act, 2006

Section 56 - Power to override decision of Board

1) If the President dissents from any decision of the Board which he considers prejudicial to the health, welfare, discipline or security of the Forces in the cantonment, he may, for reasons to be recorded in the minutes, by order in writing, direct the suspension of action thereon for any period not exceeding one month and, if he does so, shall forthwith refer the matter to the General Officer Commanding-in- chief, the Command. (2) If the District Magistrate considers any decision of a Board to be prejudicial to the public health, safety or convenience, he may, after giving notice in writing of his intention to the Board, refer the matter to the Central Government, and pending the disposal of the reference to the Central Government no action shall be taken on the decision. (3) If any Magistrate who is a member of a Board, being present at a meeting, dissents from any decision which he considers prejudicial to the public health, safety or convenience, he may, for reasons to be recorded in the minutes and after giving notice in writing of his intention to the President, report the matter to the District Magistrate; and the president shall, on receipt of such notice, direct the suspension of action on the decision for a period sufficient to allow of a communication being made to the District Magistrate and of his taking proceedings as provided in sub-sec. (2). (4) If the Chief Executive Officer-considers any decision of the Board taken at a meeting, to be in contravention of the provisions of this Act, rules, regulations or bye-laws made thereunder and the general guidelines issued by the Central Government from time to time in this regard, he may, for reasons to be recorded in writing and after informing the President in this behalf, forthwith refer the matter to the Principal Director who shall if considered appropriate direct the suspension of action on the said decision for a period not exceeding one month. (5) The Principal Director shall, for reasons to be recorded in writing on the reference made under sub-sec. (4), refer the matter to the General Officer Commanding-in-chief, the Command along with recommendation on whether or not the said decision of the Board should be revoked and inform the matter to Director General Defence Estates.