

## **Cantonments Act, 2006**

### **Section 239 - Order of stoppage of building or works in certain cases and disposal of things removed**

1) Where the erection of any building or execution of any work has been commenced or is being carried on without or contrary to the sanction, but has not been completed, referred to in Sec. 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-sec. (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-sec. (2) shall be disposed of by him in a manner specified in sub-secs. (6) and (7). (4) After the requisition under sub-sec. (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-sec. (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-sec. (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 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-sec. (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.