

Cantonments Act, 2006

Section 303 - Removal and exclusion from cantonment of seditious person

1) If any person in a cantonment causes or attempts to cause or does any act which he knows is likely to cause disloyalty; disaffection or breach of discipline amongst any portion of the forces or is a person who, the Officer Commanding the Station has reason to believe, is likely to do any such act, the Officer Commanding the Station may make an order in writing setting forth the reasons for making of the same and requiring such person 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: Provided that no order shall be made under this section against any person unless he has had a reasonable opportunity of being informed of the grounds on which it is proposed to make the order and of showing cause why the order should not be made. (2) Every order made under sub-sec. (1) shall be sent to the Superintendent of Police of the District, who shall cause a copy thereof to be served on the person concerned. (3) Upon the making of any order under sub-sec. (1), the Officer Commanding the Station shall forthwith send a copy of the same to the Central Government. (4) The Central Government may of its own motion and shall on application made to it in this behalf within one month of the date of the order by the person against whom the order has been made, call upon the District Magistrate to make after such inquiry as the Central Government may prescribe a report regarding the justice of the order and the necessity therefor: Provided that at every such inquiry the person against whom the order has been made shall be given an opportunity of being heard in his own defence. (5) The Central Government may, at any time after the receipt of the copy of an order sent under sub-sec. (3) or where a report has been called for under sub-sec. (4), on receipt of that report, if it is of opinion that the order should be varied or rescinded, make such orders thereon as it thinks fit. (6) Any person who has been excluded from a cantonment by an order made under this section may, at any time after the expiry of one months from the date thereof, apply to the General Officer Commanding-in-Chief, the Command for the rescission of the same and, on such application being made, the said Officer may, after making such inquiry, if any, as he thinks necessary, either reject the application or rescind the order.