

Cantonments Act, 1924

Chapter I - Preliminary

(1) This Act may be called the Cantonments Act, 1924.

(2) It extends to the whole of India [1](#) [***] [2](#) [***]

(3) The Central Government may, by notification in the Official Gazette, direct that this Act, or any provisions thereof which it may specify, shall come into force on such date [3](#) [***] as it may appoint in this behalf.

1. The words "except Part B States" omitted by Act 53 of 1950, section 4.

2. The words "including British Baluchistan" rep. By the A.O. 1948.

3. 1st May, 1924; see Gazette of India, 1924, Pt. I, pg. 217.

Section 2 - Definitions

In this Act, unless there is anything repugnant in the subject or context,--

(i) "Assistant Health Officer" means the medical officer appointed by the [1](#) [Officer Commanding-in-Chief, the Command,] to be the Assistant Health Officer for a cantonment;

(ii) "Board" means a Cantonment Board constituted under this Act;

[2](#) [(iia) "boundary wall" means a wall which abuts on a street and which does not exceed [3](#) [two and a half metres in height];

[4](#) [***]

[5](#) [(iv) "building" means a house, outhouse, stable, latrine, shed, hut or other roofed structure whether of masonry, brick, wood, mud, metal or other material, and part thereof, and includes a well and a wall [6](#) [(other than a boundary wall)] but does not include a tent or other portable and temporary shelter;

[7](#) [***]

(vi) "casual election" means an election held to fill a casual vacancy;

(vii) "casual vacancy" means a vacancy occurring otherwise than by efflux of time in the office of an elected member of a Board [and includes a vacancy in such office, arising under sub-section (1A) of section 17];

[8](#) [(viiia) "civil area" means an area declared to be a civil area by the Central Government under section 43A;

(viiib) "civil area committee" means a committee appointed under section 43A;]

(viii) "Command" means one of the Commands into which India is for military purposes for the time being divided, and includes any area which the Central Government may, by notification in the Official Gazette, declare to be a Command for all or any of the purposes of this Act;

9 [* * *]

(x) "dairy" includes any farm, cattle-shed, milk-store, milk-shop or other place from which milk is supplied or in which milk is kept for purposes of sale or is manufactured for sale into butter, ghee, cheese or curds, and, in relation to a dairyman who does not occupy any premises for the sale of milk, includes any place in which he keeps the vessels used by him for the storage or sale of milk;

(xi) "dairyman" includes the keeper of a cow, buffalo, goat, ass or other animal, the milk of which is offered or is intended to be offered for sale for human consumption, and any purveyor of milk and any occupier of a dairy;

8 [(xia) "Defence Estates Officer" means the officer appointed by the Central Government to perform the duties of the Defence Estates Officer for the purpose of this Act and the rules made thereunder;

(xib) "Director" means the officer appointed by the Central Government to perform the duties of the Director, Defence Lands and Cantonments, the Command, for the purposes of this Act and the rules made thereunder and includes the Joint Director;]

10 [11 [(xic)] "entitled consumer" means a person in a cantonment who is paid from the Defence Services Estimates and is authorised by general or special order of the Central Government to receive a supply of water for domestic purposes from the Military Engineer Services of the Public Works Department on such terms and conditions as may be specified in the order;]

(xii) "Executive Engineer" means 12 [the Officer of the Military Engineer Services of that grade], having charge of the military works in a cantonment 10 [or where more than one such officer has charge of the military works in a cantonment such one of those officers as the Officer Commanding the station may designate in this behalf], and includes the officer of whatever grade in immediate executive engineering charge of a cantonment;

(xiii) "Executive Officer" means the person appointed under this Act to be the Executive Officer of a cantonment;

13 [(xiiia) "factory" means a factory as defined in clause(m) of section 2 of the Factories Act, 1948 (63 of 1948);

(xiiib) "Forces" means the Army, Navy and Air Force or any part of any one or more of them;]

(xiv) "Health Officer" means the senior executive medical officer in military employ on duty in a cantonment;

14 [(xv) "hospital" includes family welfare centre, child welfare centre, maternity centre and health centre;]

(xvi) "hut" means any building, no material portion of which above the plinth level is constructed of masonry or of squared timber framing or of iron framing;

(xvii) "infections or contagious disease" means cholera, leprosy, enteric fever, smallpox, tuberculosis, diphtheria, plague, influenza, venereal disease, and any other epidemic, endemic or infectious disease which the 15 [Central Government] may, by notification in the Official Gazette, declare to be, an infectious or contagious disease for the purposes of this Act;

(xviii) "inhabitant", in relation to a cantonment, or to cal area, means any person ordinarily residing or carrying on business or owning or occupying immovable property therein, and in case of a dispute means any person declared by the District Magistrate to be an inhabitant;

(xix) "intoxicating drug" means opium, ganja, bhang, charas and any preparation or admixture thereof, and includes any other intoxicating substance, or liquid which the 15 [Central Government] 16 [* * *] may, by notification in the Official Gazette, declare to be an intoxicating drug for purposes of this Act;

13 [(xixa) "lower grade employee" means daftry, peon, bhisti, mali, lamplighter, chowkidar, mazdoor or safaiwala or any other employee declared by the Central Government to be a lower

grade employee for the purposes of the Act;]

17 [(xx) "market" includes any place where persons assemble for the sale of, or for the purpose of exposing for sale, meat, fish, fruits, vegetables, animals intended for human food or any other articles of human food whatsoever, with or without the consent of the owner of such place notwithstanding that there may be no common regulation for the concourse of buyers and sellers and whether or not any control is exercised over the business of, or the persons frequenting, the market by the owner of the place or by any other person, but shall not include a single shop or group of shops not being more than six in number and shops within unit lines;]

18 [***]

19 [(xxi) "military officer" means a person who, being an officer within the meaning of the Army Act, 1950 (46 of 1950), the Navy Act, (62 of 1957) or the Air Force Act, 1950 (45 of 1950), is commissioned, gazetted or in pay as an officer doing army, naval or air force duty with the army, navy or air force, or is an officer doing such duty in any arm, branch or part of any of those forces;

(xxii) "nuisance" includes any act, omission, place, animal or thing which causes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smell or hearing or disturbance to rest or sleep, or which is or may be dangerous to life or injurious to health or property;]

(xxiii) "occupier" includes an owner in occupation of, or otherwise using his own land or building;

20 [(xxiv) "Officer Commanding the Area" means the Officer Commanding any one of the areas into which India is for military purposes for the time being divided, or any sub-area which does not form part of any such area, or any area which the Central Government may, by notification in the Official Gazette, declare to be an area for all or any of the purposes of this Act;]

21 [(xxiva) "Officer Commanding the station" means the military officer for the time being in command of the forces in a cantonment, or, if that officer is the Officer Commanding the Area] or Officer Commanding-in-Chief, the Command, the military officer who would be in command of those forces in the absence of the Officer Commanding the 22 [Area] and Officer Commanding-in-chief, the Command;

(xxv) "ordinary election" means an election held to fill a vacancy in the office of an elected member of a Board arising by efflux of time;

(xxvi) "owner" includes any person who is receiving or is entitled to receive the rent of any building or land whether on his own account or on behalf of himself and others or an agent or trustee, or who would so receive the rent or be entitled to receive it if the building or land were let to a tenant;

(xxvii) "party wall" means a wall forming part of a building and used or constructed to be used for the support or separation of adjoining buildings belonging to different owners, or constructed or adapted to be occupied by different persons;

(xxviii) "private market" means a market which is not maintained by a 23 [Board] and which is licensed by a 23 [Board] under the provisions of this Act;

(xxix) "private slaughter-house" means a slaughter-house which is not maintained by a 23 [Board] and which is licensed by a 23 [Board] under the provisions of this Act;

(xxx) "public market" means a market maintained by a 23 [Board];

(xxxii) "public place" means any place which is open to the use and enjoyment of the public, whether it is actually used or

enjoyed by the public or not;

(xxxiii) "public slaughter-house" means a slaughter-house maintained by a 23 [Board];

[24](#) [(xxxiiia) a person is deemed to reside in a cantonment if he maintains herein a house or a portion of a house which is at all times available for occupation by himself or his family even though he may himself reside elsewhere, provided that he has not abandoned all intention of again occupying such house either by himself or his family;]

(xxxiii) "shed" means a slight or temporary structure for shade or shelter;

(xxxiv) "slaughter-house" means any place ordinarily used for the slaughter of animals for the purpose of selling the flesh thereof for human consumption;

[25](#) [(xxxv) "soldier" means any person who is a soldier or sailor or an airman subject to the Army Act, 1950(46 of 1950), the Navy Act, 1957 (62of 1957) or the Air Force Act, 1950 (45 of 1950), as the case may be, and who is not a military officer;

(xxxvi) "spirituous liquor" means any fermented liquor, any wine, or any alcoholic liquid obtained by distillation or the sap of any kind of palm tree, and includes any other liquid containing alcohol which the [26](#) [Central Government] [27](#) [** *]may, by notification in the Official Gazette, declare to be a spirituous liquor for the purposes of this Act;

(xxxvii) "street" includes any way, road, lane, square, court, alley [28](#) [or passage] in a cantonment, whether a thoroughfare or not and whether built upon or not, over which the public have a right-of-way and also the road-way or foot-way over any bridge or cause way;

[29](#) [(xxxviiia) "sub-area" means one of the sub-areas into which India is for military purposes for the time being divided, and includes, for all or any of the purposes of this Act, any territory which the Central Government may, by notification in the Official Gazette declare to be a sub-area for such purposes;]

(xxxviii) "vehicle" means a wheeled conveyance of any description which is capable of being used on a street, and includes a motor-car, motor lorry, motor omnibus, cart, to co motive, tram-car, hand-cart, truck, motor-cycle, bicycle, tricycle and rickshaw; [30](#) [** *]

(xxxix) "water-works" includes all lakes, tanks, streams, cisterns, springs, pumps, wells, reservoirs, aqueducts, water-tanks, sluices mains, pipes, culverts, hydrants, stand-pipes, and conduits, and all machinery, lands, buildings, bridges and things, used for, or intended for the purpose of supplying water to a cantonment; [31](#) [and

(xl) "year" means the year commencing on the first day of April.]

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1. Substituted by Act 35 of 1926, section 2, for "Officer Commanding the District,".
 2. Inserted by Act 2 of 1954, section 2.
 3. Substituted by Act 15 of 1983, section 2, for "eight feet in height" w.e.f. 1-10-1983.
 4. Clause (iii) omitted by Act 15 of 1983, section 2 w.e.f. 1-10-1983.
 5. Substituted by Act 24 of 1936, section 2, for the original clause.
 6. Substituted by Act 2 of 1954, section 2, for "other than a boundary wall not exceeding eight feet in height and not abutting on a street)".
 7. Clause (v) rep. by Act 24 of 1936, section 2.
 8. Inserted by Act 15 of 1983, section 2 w.e.f. 1-10-1983.
 9. Clause (ix) rep. by Act 12 of 1935, section 2 and Schedule I.
 10. Inserted by Act 24 of 1936, section 2.
 11. Clause (xia) renumbered as clause (xic) by Act 15 of 1983, section 2 w.e.f. 1-10-1983.
 12. Substituted by Act 15 of 1983, section 2, for certain words w.e.f. 1-10-1983.

13. Inserted by Act 15 of 1983, section 2 w.e.f. 1-10-1983.
14. Clause (xv) which was rep. by Act 24 of 1936, section 2, Inserted by Act 15 of 1983, section 2 w.e.f. 1-10-1983.
15. Substituted by the A.O. 1937, for "L.G."
16. The words "with the previous sanction of the G.G. in C", rep. by Act 7 of 1925, section 2.
17. Substituted by Act 15 of 1983, section 2, for clause (xx) w.e.f. 1-10-1983.
18. Clause (xxa) omitted by Act 15 of 1983, section 2 w.e.f. 1-10-1983.
19. Substituted by Act 15 of 1983, section 2, for clauses (xxi) and (xxii) w.e.f. 1-10-1983.
20. Substituted by Act 15 of 1983, section 2, for clause (xxiv) w.e.f. 1-10-1983.
21. Inserted by Act 12 of 1935, section 2 and Schedule I.
22. Substituted by Act 15 of 1983, section 2, for "District" w.e.f. 1-10-1983.
23. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
24. Inserted by Act 24 of 1936 section 2.
25. Substituted by Act 15 of 1983, section 2, for clause (xxxv) w.e.f. 1-10-1983.
26. Substituted by the A.O. 1937, for "L.G."
27. The words "with the previous sanction of the G.G. in C." rep. by Act 7 of 1925, section 2.
28. Substituted by Act 24 of 1936, section 2, for "passage or open space".
29. Inserted by Act 15 of 1983, section 2 w.e.f. 1-10-1983.
30. The word "and" rep. by Act 24 of 1936, section 2.
31. Inserted by Act 24 of 1936, section 2.

Section 2A - Rule of construction

[Rep. by the Cantonments (Amendment) Act, 1954 (2 of 1954), section 3.]
