

Cantonments Act, 1924

Section 17 - Vacancies in Special Cases

(1) If from any cause at an ordinary election no member is elected, or if the elected member is unwilling to serve on the Board, the outgoing member shall, if qualified and willing to serve, be deemed to have been re-elected:

1 [Provided that where there are more outgoing members qualified and willing to serve than there are vacancies to be filled under this sub-section, the outgoing members so deemed to have been re-elected shall, failing agreement amongst such members, be determined by lot under the supervision of the President of the Board and in such manner as he may decide.]

2 [(1A) If a person is elected to more than one seat in a Board, then, unless he resigns all but one of the seats within fourteen days from the date on which he is declared elected, or where the dates on which he is declared elected are different in respect of different seats, from the last of such dates, all the seats shall become vacant.]

3 [(2) Vacancies arising in any of the following cases shall be filled by nomination by the Central Government after consultation with the Officer Commanding-in-Chief, the Command, namely:--

(a) where at a casual election no member is elected;

(b) where at an ordinary election no member or an insufficient number of members is elected, or an elected member is unwilling to serve on the Board and the outgoing member is not qualified or is not willing to serve or is dead or cannot be found within a reasonable time;

(c) where at an election held when a Board is constituted for the first time no member or an insufficient number of members is elected or an elected member is unwilling to serve on the Board.]

4 [(3) For the purposes of sub-section (2) of section 16, a member nominated in pursuance of sub-section (2) of this section shall, [where there has been a division of the cantonment into wards, be deemed to have been elected by such ward] as the Central Government may at the time of making the nomination or at any time thereafter declare.]

4 [(4)] The term of office of a member nominated or deemed to have been re-elected under this section shall expire at the time at which it would have expired if he had been elected at the ordinary or casual election, as the case may be.

1. Inserted by Act 15 of 1942, section 2.

2. Inserted by Act 15 of 1983, section 2, for the former sub-section (2).

3. Substituted by Act 15 of 1983, section 2, for the former sub-section (2).

4. Sub-section (3) was inserted and the original sub-section (3) re-numbered as sub-section (4) by Act 15 of 1942, section 2.
