

Cantonments Act, 1924

Section 28 - Qualification for Being a Member of the Board

(1) Save as hereinafter, provided, every person, not being [1](#) [a person[holding any office of profit under the Government]], whose name is entered on the electoral roll of a cantonment shall be qualified for election as a member of the Board in that cantonment.

[2](#) [(1A) No person shall be qualified for nomination as a member of a Board if he is subject to any of the disqualification specified in sub-section (2) of section 27.]

(2) No person shall be qualified for [3](#) [being chosen (whether by election or nomination) as, and for being] a member of a Board, if he-

(a) has been dismissed from [4](#) [the service of the Government] and is debarred from re-employment therein, or is a dismissed servant of [5](#) [a Board or an authority which, before the commencement of the Cantonments (Amendment) Act, 1936 (24 of 1936), exercised and performed the powers and duties of a Cantonment Authority under this Act];

(b) is debarred from practising as a legal practitioner by order of any competent authority;

(c) holds any place of profit in the gift or at the disposal of the Board, or is a [6](#) [** *] police officer, or is the servant or

employer of a member of the Board; or

(d) is interested in a subsisting contract made with, or in work being done for, the Board except as a shareholder (other than a director) in an incorporated company; or

[7](#) [(e)] is an officer or servant, permanent or temporary, of a Board [8](#) [or of any other local authority]; or]

[9](#) [(f)] is a member of any other local authority; or]

[8](#) [(g)] has, by the authority referred to in clause (f) of section 31, been found to have been guilty of any of the corrupt practices specified in sub-section (2) of section 29 unless a period of five years has elapsed since the date of the finding or the disqualification has been removed either retrospectively or prospectively by an order of the Central Government; or

(h) fails to pay any arrears of any kind due by him otherwise than as an agent, receiver, trustee or an executor, to the Board within thirty days after the notice in this behalf has been served upon him; or]

[10](#) [(i)] is disqualified under any other provision of this Act:

Provided that--

(i) any of the disqualifications referred to in clauses (a) and (b) may be removed by an order of the [Central Government] in this behalf; and

(ii) a person shall not be deemed to have any interest in such a contract or work as is referred to in clause (d) by

reason only of his having a share or interest in--

(a) any lease or sale or purchase of immovable property or any agreement for the same; or

- (b) any agreement for the to an of money or any security for the payment of money only; or
- (c) any newspaper in which any advertisement relating to the affairs of the Board is inserted; or
- (d) the sale to the Board of any articles in which he regularly trades or the purchase from the Board of any articles, to a value in either case not exceeding Rs. [11](#) [3,000] in the aggregate in any year during the period of the contract or work.

1. Substituted by Act 24 of 1936, section 12, for "a stipendiary Magistrate or a military officer or soldier".

2. Inserted by Act 15 of 1942, section 5.

3. Substituted by Act 15 of 1983, section 17, for certain words w.e.f. 1-10-1983.

4. Substituted by the A.O. 1937, for "Government service".

5. Substituted by Act 24 of 1936, section 12, for "the Cantonment Authority".

6. The words "stipendiary Magistrate or" rep. by Act 7 of 1925, section 4.

7. Inserted by Act 24 of 1936, section 12.

8. Inserted by Act 15 of 1983, section 17 w.e.f. 1-10-1983.

9. Inserted by Act 2 of 1954, section 7.

10. Re-lettered as clauses (e), (f) and (i) respectively by Act 15 of 1983, section 17 w.e.f. 1-10-1983.

11. Substituted by Act 15 of 1983, section 17, for "1,500" w.e.f. 1-10-1983.