

Cantonments Act, 1924

Section 45 - Joint Action with Other Local Authority

(1) A¹[Board] may-

(a) join with any other to cal authority-

(i) in appointing a joint committee for any purpose in which they are jointly interested and in appointing a chairman of such committee;

(ii) in delegation to such committee power to frame terms binding on the¹[Board] and such other to cal authority as to the construction and future maintenance of any joint work or to exercise any power which might be exercised by²[the Board or by such other to cal authority]; and

(iii) in making rules for regulating the proceedings of any such committee relating to the purposes for which it has been appointed; or

(b) with the previous sanction of³[the Officer Commanding-in-Chief, the Command, and] the⁴[State Government concerned], enter into an agreement with any other to cal authority regarding the levy of any tax or toll whereby the said tax or toll respectively leviable by the⁵[Board and by such other to cal authority] may be levied together instead of separately within the limits of the⁶[area subject to the control of the Board and such other to cal authority (hereafter in this section referred to as the aggregate area)].

(2) If any difference of opinion arises between any⁷[Board and other to cal authority] acting together under this section, the decision thereon of the⁴[Central Government] or of an officer appointed by the⁴[Central Government] in this behalf shall be final.

(3) When any agreement such as is referred to in clause (b) of sub-section (1) has been entered into, then--

⁸(a) where the agreement relates to octroi or terminal tax or toll, the party to the agreement (the Board or as the case may be such other to cal authority) which is specified in this behalf in the agreement--

(i) shall have the same powers to establish octroi limits and octroi stations and places for the collection of octroi, terminal tax and toll within the aggregate area as it has within the area ordinarily subject to its control;

(ii) shall have the same powers of collecting such octroi, tax or toll in the aggregate area and the provisions of any enactment in force relating to the levy of such octroi, tax or toll by it shall apply in the same manner as if the aggregate area were comprised within the area ordinarily subject to its control;]

⁹(b)]¹⁰[the total of the collection of such octroi, tax or toll made in the aggregate area and the costs thereby incurred shall be divided between the cantonment fund and the fund subject to the control of such other to cal authority, in such proportion, as may have been determined by the agreement.]

1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".

2. Substituted by Act 24 of 1936, section 18, for "either of the said authorities".

3. Inserted by Act 24 of 1936, section 18.
4. Substituted by the A.O. 1937, for "L.G.".
5. Substituted by Act 24 of 1936, section 18, for "authorities so contracting".
6. Substituted by Act 15 of 1983, section 30, for certain words w.e.f. 1-10-1983.
7. Substituted by Act 24 of 1936, section 18, for "authorities".
8. Substituted by Act 15 of 1983, section 30, for clauses (a) and (b) w.e.f. 1-10-1983.
9. Clause(c) re-lettered as clause (b) by Act 15 of 1983, section 30 w.e.f. 1-10-1983.
10. Substituted by Act 15 of 1983, section 30, for clause (b) w.e.f. 1-10-1983.