

Cantonments Act, 1924

Section 93 - Distress

(1) It shall be lawful for any servant of the¹[Board] to whom a warrant issued under section 92 is addressed to distrain, wherever it may be found²[in the cantonment], any movable property of²[or standing timber, growing crops or grass belonging to] the person therein named as defaulter, subject to the following conditions, exceptions and exemption, namely :--

(a) the following property shall not be distrained :--

(i) the necessary wearing apparel and bedding of the defaulter, his wife and children,

(ii) tools of artisans

(iii) books of account, or

(iv) when the defaulter is an agriculturist, his implements of husbandry, seed-grain, and such cattle as may be necessary to enable the defaulter to earn his livelihood;

(b) the distress shall not be excessive, that is to say, the property distrained shall be as nearly as possible equal in value to the amount recoverable under the warrant, and if any property has been distrained which, in the opinion of the Executive Officer, should not have been distrained, it shall forthwith be returned.

(2) The person charged with the execution of a warrant of distress shall forthwith make an inventory of the property which he seizes under such warrant, and shall, at the same time, give a written notice in the form set forth in Schedule III to the person in possession thereof at the time of seizure that the said property will be sold as therein mentioned.

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

2. Inserted by Act 24 of 1936, section 33.
