

Cantonments Act, 1924

Chapter X - Sanitation and the Prevention and Treatment of Disease

Section 128 - Responsibility for sanitation

The following officers shall, for the purposes of sanitation, have control over, and be responsible for maintaining in a sanitary condition, those parts of a cantonment, respectively, which are specified in the case of each, that is to say:--

- 1[(a) the Officer Commanding the army in the cantonment--all buildings and lands which are occupied or used for army purposes;
- (b) the Officer Commanding the navy in the cantonment--all buildings and lands which are occupied or used for naval purposes;
- (c) the Officer Commanding the air force in the cantonment--all buildings and lands which are occupied or used for air force purposes;
- (d) the Officer Commanding the station in the Command--all buildings and lands occupied or used for any defence purpose, other than those referred to in clauses (a), (b) and (c);
- (e) the head of any civil department or railway administration occupying as such any part of the cantonment--all buildings and lands in his charge as head of that department or administration.]

1. Substituted by Act 15 of 1983, section 82, for "clauses (a), (b) and (c)" w.e.f. 1-10-1983.

Section 129 - General duties of Health Officer

- (1) The Health Officer shall exercise a general sanitary supervision over the whole cantonment, and shall submit monthly to the 1 [Board] a report as to the sanitary condition of the cantonment, together with such recommendation in connection therewith as he thinks fit.
- (2) The Assistant Health Officer shall perform such duties in connection with the sanitation of the cantonment as are, subject to the control of the 1 [Board], allotted to him by the Health Officer.

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

Section 130 to 144 - Conservancy and Sanitation

Section 130 - Public latrines, urinals and conservancy establishments

All public latrines and urinals provided or maintained by a [Board] shall be so constructed as to provide separate compartments for each sex and not to be a nuisance, and shall be provided with all necessary conservancy establishments, and shall regularly be cleansed and kept in proper order.

Section 130A - Duty of occupier to collect and deposit rubbish, etc

1[130A . Duty of occupier to collect and deposit rubbish, etc.---

- (1) It shall be the duty of an occupier of a building or land--
- (a) to make adequate arrangements for the house scavenging of the building or land;
 - (b) to provide receptacles of the type and in the manner prescribed by the Executive Officer for the collection therein of all filth, rubbish and other offensive matter from such building or land and to keep such receptacle in good condition and repair;
 - (c) to cause all filth, rubbish and other offensive matter collected in receptacles and to be removed and deposited in the public receptacles, depots or places provided or appointed under sub-section (1) of section 132.
- (2) For the purpose of this section and section 131, "house scavenging" means the removal of filth, rubbish or other offensive matter from a privy, latrine, urinal, drain, cesspool or other common receptacle for such matter.]

1. Inserted by Act 15 of 1983, section 83 w.e.f. 1-10-1983.

Section 131 - Power of Board to undertake private conservancy arrangements

- (1) On the application or with the consent of the occupier of any building or land, or, where the occupier of any building or land fails to make arrangements to the satisfaction of 1[the Executive Officer] for the matters referred to in this section, without such consent, and after giving notice in writing to the occupier, 1[the Executive Officer] may undertake the house scavenging of any building or land in the cantonment 2[for such period as he thinks fit on such terms as he may specify] in this behalf.
- (2) Where 1[the Executive Officer] has undertaken the duties referred to in this section, all matter removed in the performance of such duties shall be the property of the 3[Board].

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- 1. Substituted by Act 15 of 1983, sec 84, for "the Board" w.e.f. 1-10-1983.
 - 2. Substituted by Act 15 of 1983, section 84, for certain words w.e.f. 1-10-1983.
 - 3. Substituted by Act 15 of 1983, section 84, for "that Board" w.e.f. 1-10-1983.
 - 4. Sub-section (3) omitted by Act 15 of 1983, section 84 w.e.f. 1-10-1983.

Section 132 - Deposits and disposal of rubbish, etc

- (1) Every 1[Board] shall provide or appoint, in proper and convenient situations, public receptacles, depots or places for the temporary deposit or disposal of household rubbish, offensive matter, car cases of dead animals and sewage.
- (2) The 2[Executive Officer] may, by public notice, issue directions as to the time at which, the manner in which, and the conditions subject to which, any matter referred to in sub-section (1) may be removed along a street or may be deposited or otherwise disposed of.

(3) All matter deposited in receptacles, depots or places provided or appointed under this section shall be the property of the 1[Board].

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

2. Substituted by Act 15 of 1983, section 85, for "Board" w.e.f. 1-10-1983.

Section 133 - Cesspools, receptacles, for filth, etc

The Executive Officer of any cantonment may, by notice in writing,--

(a) require any person having the control whether as owner, lessee or occupier of any land or building in the cantonment--

(i) to close any cesspool appertaining to the land or building which is, in the opinion of the Executive Officer, a nuisance, or

(ii) to keep in a clean condition, in such manner as may be prescribed by the notice, any receptacle for filth or sewage accumulating on the land or in the building, or

(iii) to prevent the water of any private latrine, urinal, sink or bathroom or any other offensive matter, from soaking, draining or flowing, or being put, from the land or building upon any street or other public place, or into any water-course or into any drain not intended for the purpose, or

(iv) to collect and deposit for removal by the conservancy establishment of the 1[Board], within such time and in

such receptacle or place, 2[* * *] as may be specified in the notice, any offensive matter or rubbish which such person has allowed to accumulate or remain under, in or on such building or land; or

(b) require any person to desist from making or altering any drain leading into a public drain; or

(c) require any person having the control of a drain in the cantonment to cleanse, purify, repair or alter the same, or otherwise put it in good order, within such time as may be specified in the notice.

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

2. Certain words omitted by Act 15 of 1983, section 86 w.e.f. 1-10-1983.

Section 134 - Filling up of tank, etc

(1) Where any well, tank, cistern, reservoir, receptacle or other place in the cantonment where water is stored or accumulates, whether within any private enclosure or not, is in such a condition as to create a nuisance or, in the opinion of the Health Officer, or the Assistant Health Officer, is or is likely to be a breeding place for mosquitoes, the 1[Board] may, by notice in writing, require the owner, lessee or occupier thereof within such period as may be specified in the notice, to fill up or cover the well, cistern, reservoir or receptacle, or to fill up the tank, or to drain off or remove the water, as the case may be.

(2) The 1[Board] may, if it thinks fit, with the previous sanction of the 2[Officer Commanding-in-Chief, of the Command 3[or the Director],] meet the whole or any portion of the expenses incurred in complying with a requisition under sub-section(1).

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1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
 2. Substituted by Act 35 of 1926, section 2, for "Officer Commanding the District".
 3. Inserted by Act 15 of 1983, section 87 w.e.f. 1-10-1983.
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Section 135 - Provision of latrines, etc

1[The Executive Officer] may, by notice in writing, require the owner or lessee of any building or land in the cantonment to provide, in such manner as may be specified in the notice, any latrine, urinal, cesspool, dust-bin or other receptacle for filth, sewage, or rubbish, or any additional latrine, urinal, cesspool or other receptacle as aforesaid, which should,2[in his opinion], be provided for the building or land.

1. Substituted by Act 15 of 1983, section 88, for "A Board" w.e.f. 1-10-1983.
 2. Substituted by Act 15 of 1983, section 88, for "in its opinion" w.e.f. 1-10-1983.
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Section 136 - Sanitation in factories, etc

Every person employing, whether on behalf of the Government or otherwise, more than ten workmen or labourers, and every person managing or having control of a market, school, theatre or other place of public resort, in a cantonment shall give notice of the fact to the1[Executive Officer], and shall provide such latrine and urinals, and shall employ such number of sweepers, as the1[Executive Officer] thinks fit, and shall cause the latrines and urinals to be kept clean and in proper order:

Provided that nothing in this section shall apply in the case of a factory to which the2[Factories Act, 194 (63 of 1948)], applies.

1. Substituted by Act 15 of 1983, section 89, for "Board" w.e.f. 1-10-1983.
 2. Substituted by Act 15 of 1983, section 89, for "Indian Factories Act, 1911" w.e.f. 1-10-1983.
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Section 137 - Private latrines

A1[Board] may, by notice in writing,--

- (a) require the owner or other person having the control of any private latrine, or, urinal in the cantonment not to put the same to public use; or
- (b) where any plan for the construction of private latrines or urinals has been approved by the1[Board], and copies thereof may be obtained free of charge on application--
 - (i) require any person repairing or constructing any private latrine or urinal not to allow the same to be used until it has been inspected by or under the direction of the Health Officer and approved by him as conforming with such plan; or
 - (ii) require any person having control of any private latrine or urinal to re-build or alter the same in accordance with such plan; or
- (c) require the owner or other person having the control of any such private latrine or urinal which, in the opinion of the1[Board], constitutes a nuisance, to remove the latrine or urinal; or

(d) require any person having the control whether as owner, lessee or occupier of any land or building in the cantonment--

(i) to have any latrines provided for the same shut out by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighbourhood, or

(ii) to cleanse in such manner as the¹[Board] may specify in the notice any latrine or urinal belonging to the land or building;

(e) require any person being the owner and having the control of any drain in the cantonment to provide, within ten days from the service of the notice, such covering as may be specified in the notice.

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

Section 138 - Removal of congested buildings

(1) Where it appears to a¹[Board] that any block of buildings in the cantonment is in an unhealthy condition by reason of the manner in which the buildings are crowded together, or of the narrowness or closeness of the street, or of the want of proper drainage or ventilation, or of the impracticability of cleansing the buildings or other similar cause, it may cause the block to be inspected by a committee consisting of-

(a) the Health Officer,

(b) the Civil Surgeon of the district, or, if his services are not available, some other medical officer²[in the service of the Government],

(c) the Executive Engineer or a person deputed by the Executive Engineer in this behalf, and

³(d) Where the cantonment is a Class I or Class II cantonment, two non-official members of the Board, or where the cantonment is a Class III cantonment, one non-official member of the Board.]

(2) The committee shall make a report in writing to the¹[Board] regarding the sanitary condition of the block, and, if it considers that the condition thereof is likely to cause risk of disease to the inhabitants of the building or of the neighbourhood or otherwise to endanger the public health, it shall clearly indicate on a plan verified by the Executive Engineer or the person deputed by him to serve on the committee, the buildings which should in its opinion wholly or in part be removed in order to abate the unhealthy condition of the block.

(3) If, upon receipt of such report, the¹[Board] is of opinion that all or any buildings indicated should be removed, it may, by notice in writing, require the owners thereof to remove them:

Provided that the¹[Board] shall make compensation to the owners for any buildings so removed which may have been erected under proper authority:

Provided, further, that the¹[Board] may, if it considers it equitable in the circumstances so to do, pay to the owners such sum as it thinks fit as compensation for any buildings so removed which have been erected under proper authority.

(4) For the purposes of this section "buildings" includes enclosure, walls and fences appertaining to buildings.

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

2. Substituted by the A.O. 1937, for "of the Government".

3. Substituted by Act 24 of 1936, section 39, for the original clause.

Section 139 - Overcrowding of dwelling houses

(1) Where it appears to a¹[Board] that any building or part of a building in the cantonment which is used as a dwelling house is so overcrowded as to endanger the health of the inmates thereof, it may, after such inquiry as it thinks fit, by notice in writing require the owner or occupier of the building or part thereof, as the case may be, within such time not being less than one month as may be specified in the notice, to abate the over crowding of the same by reducing the number of lodgers, tenants, or other inmates to such number as may be specified in the notice.

(2) Any person who fails, without reasonable cause, to comply with a requisition made upon him under sub-section (1) shall be punishable with fine which may extend to²[two hundred and fifty rupees], and, in the case of a continuing offence, to an additional fine which may extend to³[twenty-five rupees] for every day after the first during which the failure has continued.

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1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
 2. Substituted by Act 15 of 1983, section 90, for "fifty rupees" w.e.f. 1-10-1983.
 3. Substituted by Act 15 of 1983, section 90, for "five rupees" w.e.f. 1-10-1983.
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Section 140 - Power to require repair or alteration of building

(1) Where any building in a cantonment is so ill-constructed or dilapidated as to be, in the opinion of the¹[Board], in an insanitary state, the¹[Board] may, by notice in writing, require the owner, within such time as may be specified in the notice, to execute such repairs or to make such alterations as it thinks necessary for the purpose of removing such defects.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted on the building to which it relates.

(3) A notice issued under sub-section (1) shall be deemed to have been complied with if the owner of the building to which it relates has, instead of executing the repairs or making the alterations directed by the notice, removed the building.

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1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
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Section 141 - Power to require land or building to be cleansed

¹[141 . Power to require land or building to be cleansed

(1) If any building or land, whether icnantable or otherwise, is--

- (i) in an insanitary, filthy or unwholesome state; or
- (ii) in the opinion of the Executive Officer, a nuisance to persons residing in the neighbourhood;
or
- (iii) overgrown with prickly-pear or rank and noisome vegetation;

the Executive Officer may, by notice in writing, require the owner, lessee or occupier of such building or land to clean, lime-wash internally or externally, clear, or otherwise put such building or land in a proper state within such period as may be specified in the notice.

(2) Any person who fails to comply with the notice issued under sub-section (1) shall be punishable with fine which may extend to five hundred rupees, and, in the case of a continuing offence, with an

additional fine which may extend to twenty-five rupees for each day after the first during which the offence continues.]

1. Substituted by Act 15 of 1983, section 91, for section 141 w.e.f. 1-10-1983.

Section 142 - Power to order disuse of house

If a¹[Board] is satisfied that any building or part of a building in the cantonment which is intended for or used as a dwelling place is unfit for human habitation, it may cause a notice to be posted on some conspicuous part of the building prohibiting the owner or occupier thereof from using the building or room for human habitation, or allowing it to be so used, until it has been rendered fit for such use to the satisfaction of the¹[Board].

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

Section 143 - Removal of noxious vegetation

¹[The Executive Officer] may, by notice in writing, require the owner, lessee, or occupier of any land in the cantonment to clear away and remove any thick or noxious vegetation or undergrowth which appears²[to him] to be injurious to health or offensive to persons residing in the neighbourhood.

1. Substituted by Act 15 of 1983, section 92, for "A Board" w.e.f. 1-10-1983.

2. Substituted by Act 15 of 1983, section 92, for "to it" w.e.f. 1-10-1983.

Section 144 - Agriculture and irrigation

Where, in the opinion of a¹[Board], the cultivation in the cantonment of any description of crop or the use therein of any kind of manure or the irrigation of any land therein in any specified manner is likely to be injurious to the health of persons dwelling in the neighbourhood, the¹[Board] may, by public notice, or may, by a like notice, direct that it shall be carried out subject to such conditions as the¹[Board] thinks fit:

Provided that if, when a notice is issued under this section, any land to which it relates has been lawfully prepared for cultivation or any crop is sown therein or is standing thereon, the¹[Board] shall, if it directs that the notice is to take effect on a date earlier than that by which the crop would ordinarily be sown or reaped, as the case may be, make compensation to all persons interested in the land or crop for the loss, if any, incurred by them respectively by reason of compliance with the notice.

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

Section 145 to 149 - Burial and burning grounds

Section 145 - Power to call for information regarding burial and burning grounds

¹ [The Executive Officer] may, by notice in writing, require the owner or person in-charge of any burial or burning ground in the cantonment to supply such information as may be specified in the notice concerning the condition, management or position of such ground.

1.Substitutedby Act 15 of 1983, section 93, for "A Board" w.e.f. 1-10-1983.

Section 146 - Permission for use of new burial or burning ground

(1) No place in a cantonment which has not been used as a burial or burning ground before the commencement of this Act shall be so used without the permission in writing of the¹[Board].

(2) Such permission may be granted subject to any conditions which the¹[Board] thinks fit to impose for the purpose of preventing annoyance to, or danger to the health of, persons residing in the neighbourhood.

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

Section 147 - Power to require closing of burial or burning ground

(1) Where a¹[Board], after making or causing to be made local inquiry, is of opinion that any burial or burning ground in the cantonment has become offensive to, or dangerous to the health of, persons living in the neighbourhood, it may, with the previous sanction of the²[Central Government], by notice in writing, require the owner or person in charge of such ground to close the same from such date as may be specified in the notice.

(2) Where the²[Central Government] sanctions the issue of any notice under sub-section (1) it shall declare the conditions on which the burial or burning ground may be re-opened, and a copy of such declaration shall be annexed to the notice.

(3) Where the²[Central Government] sanctions the issues of any such notice, it shall require anew burial or burning ground to be provided at the expense of the cantonment fund, or, if the community concerned is willing to provide a new burial or burning ground, the²[Central Government] shall require a grant to be made from the cantonment fund towards the cost of the same.

(4) No corpse shall be buried or burnt in any burial or burning ground in respect of which a notice issued under this section is for the time being in force.

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

2. Substituted by the A.O. 1937, for "L.G.".

Section 148 - Exemption from operation of sections 145 to 147

The provisions of sections 145,146 and 147 shall not apply in the case of any burial ground which is for the time being managed by or on behalf of the Government.

Section 149 - Removal of corpses

¹[Board] may, by public notice, prescribe notice, prescribe routes in the cantonment by which atone corpses may be removed to burial or burning grounds.

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

Section 150 to 170 - Prevention of infectious or contagious diseases

Section 150 - Obligation concerning infectious or contagious diseases

1[150 . Obligation concerning infectious or contagious diseases.--

(1) Any person being in charge of, or in attendance, whether as a medical practitioner or otherwise, upon any person in a cantonment whom he knows or has reason to believe to be suffering from a contagious or infectious disease, or being the owner, lessee or occupier of any building in a cantonment in which he knows that any person is so suffering, shall forthwith give information to the Board respecting the existence of such disease.

(2) No person shall--

(a) knowing that he is suffering from a contagious or an infectious disease, expose other persons to the risk of infection by his presence or conduct in any public street or public place;

(b) having the care of a person whom he knows to be suffering from a contagious or an infectious disease cause or permit that person to expose other persons to the risk of infection by his presence or conduct in any such street or place as aforesaid;

(c) place or cause to be placed in a dustbin or other receptacle for the deposit of rubbish any matter which he knows or has reason to believe to have been exposed to infection from a contagious or an infectious disease and which has not been disinfected properly;

(d) throw or cause to be thrown into any latrine or urinal any matter which he knows or has reason to believe to have been exposed to infection from a contagious or an infectious disease and which has not been disinfected properly.

(3) Nothing contained in sub-section (1) or sub-section (2) shall apply in the case of venereal disease where the person suffering therefrom is under specific and adequate medical treatment and is by reason of his habits and conditions of life and residence unlikely to spread the disease.

(4) Whoever--

(a) fails to give information or gives false information to the Board respecting the existence of such disease as is referred to in sub-section (1), or

(b) contravenes the provisions of sub-section (2), shall be punishable with fine which may extend to five hundred rupees:

Provided that no person shall be punishable for failure to give information if he had reasonable cause to believe that the information had already been duly given.].

Section 151 - Special measures in case of outbreak of infectious or epidemic diseases

(1) In the event of a cantonment being visited or threatened by an outbreak of any infectious or contagious disease among the inhabitants thereof or of any epidemic disease among any animals therein, the¹[Officer Commanding-in-Chief, the Command], if he thinks that the provisions of this Act or of any law for the time being in force in the cantonment are insufficient for the purpose, may, with the previous sanction of the²[Central Government],--

(a) take such special measures, and

(b) by public notice, make such temporary regulations to be observed by the public or by any class or section of the public,

as he thinks necessary to prevent the outbreak or the spread of the disease:

Provided that, where in the opinion of the¹[Officer Commanding-in-Chief, the Command], immediate measures are necessary, he may take action without such sanction as aforesaid and, if he does so, shall forthwith report such action to the²[Central Government].

(2) Whoever commits a breach of any temporary regulation made under sub-section (1) shall be deemed to have committed an offence under section 188 of the Indian Penal Code (45 of 1860.).

1. Substituted by Act 35 of 1926, section 2, for "Officer Commanding the District".

2. Substituted by the A.O. 1937, for "L.G.".

Section 152 - Power to require names of dairyman's customers

Where it is certified to the Executive Officer by a medical practitioner that the outbreak or spread of any infectious or contagious disease in the cantonment is, in the opinion of such medical practitioner, attributable to the milk supplied by any dairyman, the Executive Officer may, by notice in writing, require the dairyman, within such time as may be specified in the notice, to furnish him with a full and complete list of the names and addresses of all his customers within the cantonment, or to give him such information as will enable him to trace the persons to whom the dairyman has sold milk.

Section 153 - Power to require names of a washerman's customers

Where it is certified to the Executive Officer by the Health Officer that it is desirable, with a view to prevent the spread of any infectious or contagious disease in the cantonment, that the Health Officer should be furnished with a list of the customers of any washerman, the Executive Officer may, by notice in writing, require the washerman, within a time to be specified in the notice, to furnish the Health Officer with a full and complete list of the names and addresses of all owners within the cantonment of clothes and other articles which the washerman washes or has washed during the six weeks immediately preceding the date of the notice.

Section 154 - Report after inspection of dairy or washerman's place of business

Where, after inspection, the Health Officer is of opinion that any infectious or contagious disease is caused or is likely to arise in the cantonment from the consumption of the milk supplied from a dairy or from the washing of clothes or other articles in any place, or from any process employed by a washerman, he shall report the matter to the Executive Officer.

Section 155 - Action on report submitted by Health Officer

Upon receipt of a report submitted by the Health Officer under section 154, the Executive Officer may, by notice in writing,--

- (a) prohibit the supply of milk from the dairy until the notice has been withdrawn; or
- (b) prohibit the washerman from washing clothes or other articles in any such place or by any such process as aforesaid until the notice has been withdrawn or unless he uses such place in such manner, or washes by such process, as the Executive Officer may direct in the notice.

Section 156 - Examination of milk or washed clothes

The Health Officer may take possession of any milk, clothes, or other articles which are or have recently been in the possession of any dairyman on whom a notice has been served under section 152, or of any clothes or other articles which are or have recently been in the possession of any washerman, on whom a notice has been served under section 153, and may subject the same or cause the same to be subjected to such chemical or other process as he may think necessary; and the¹ [Board] shall pay from the cantonment fund all the costs of the process and shall also pay to the owner of the milk clothes or²[other] articles such sum as compensation for any loss occasioned by such process as may appear to it to be reasonable.

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- 1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
 - 2. Substituted by Act 8 of 1930, section 2. and Schedule I, for "their".
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Section 157 - Contamination of public conveyance

Whoever in a cantonment--

- (a) uses a public conveyance while suffering from an infectious or contagious disease, or
- (b) uses a public conveyance for the carriage of a person who is suffering from any such disease, or
- (c) uses a public conveyance for the carriage of the corpse of a person who has died from any such disease,

shall be bound to take proper precautions against the communication of the disease to other persons using or who may thereafter use the conveyance and to notify such use to the owner, driver or person in charge of the conveyance, and further to report without delay to the Executive Officer the number of the conveyance and the name of the person so notified.

Section 158 - Disinfection of public conveyance

- (1) Where any person suffering from, or the corpse of any person who has died from, an infectious or contagious disease has been carried in a public conveyance which ordinarily plies in a cantonment, the driver thereof shall forthwith report the fact to the Executive Officer who shall forthwith cause the conveyance to be disinfected if that has not already been done.
 - (2) No such conveyance shall be brought again into use until the Executive Officer has granted a certificate stating that it can be used without causing risk of infection.
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Section 159 - Penalty for failure to report

Whoever fails to make to the Executive Officer any report which he is required to make by section 157 or section 158, shall be punishable with fine which may extend to¹[five hundred rupees].

1. Substituted by Act 15 of 1983, sec 95, for "one hundred rupees" w.e.f. 1-10-1983.

Section 160 - Driver of conveyance not bound to carry person suffering from infectious or-contagious disease

Notwithstanding anything contained in any law for the time being in force, no owner, driver or person in charge of a public conveyance shall be bound to convey or to allow to be conveyed in such conveyance in or in the vicinity of a cantonment any person suffering from an infectious or contagious disease or the corpse of any person who has died from such disease unless and until such person pays or tenders a sum sufficient to cover any loss and expense which would ordinarily be incurred in disinfecting the conveyance.

Section 161 - Disinfection of building or articles therein

Where a¹[Board] is, upon the advice of the Health Officer, of opinion that the cleansing and disinfection of any building or part of a building in the cantonment or of any articles in any such building or part which are likely to retain infection, or the renewal of the flooring of any such building or part of such building, would tend to prevent or check the spread of any infectious or contagious disease,²[the Board may] by notice in writing, require the owner or occupier to cleanse and disinfect, the said building, part or articles, as the case may be, or to renew the said flooring, within such time as may be specified in the notice:

Provided that where, in the opinion of the¹[Board] the owner or occupier is from poverty or any other cause unable effectually to carry out any such requisition, the¹[Board] may, at the expense of the cantonment fund, cleanse and disinfect the building, part or articles, or as the case may be, renew the flooring.

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

2. Substituted by Act 58 of 1960, section 3 and Schedule II, for "he may".

Section 162 - Destruction of infectious hut or shed

(1) Where the destruction of any hut or shed in a cantonment is, in the opinion of the¹[Board], necessary to prevent the spread of any infectious or contagious disease, the¹[Board] may, by notice in writing, require the owner to destroy the hut or shed and the materials thereof within such time as may be specified in the notice.

(2) Where the President of a Board²[* * *] is satisfied that the destruction of any hut or shed in the cantonment is immediately necessary for the purpose of preventing the spread of any infectious or contagious disease, he may order the owner or occupier of the hut or shed to destroy the same forthwith, or may himself cause it to be destroyed after giving not less than two hours notice to the owner or occupier thereof.

(3) The¹[Board] shall pay compensation to the owner of any hut or shed destroyed under this section.

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

2. The words "for, where there is no Board, the Officer Commanding the station" omitted by Act 24 of 1936, section 40.

Section 163 - Temporary shelter for inmates of disinfected or destroyed building or shed

The¹[Board] shall provide free of charge temporary shelter or house accommodation for the members of any family in which an infectious or contagious disease has appeared who have been compelled to leave their dwelling by reason of any proceedings taken under section 161 or section 162, and who desire such shelter or accommodation as aforesaid to be provided for them.

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

Section 164 - Disinfection of building before letting the same

(1) Where in a cantonment any building or part of a building is intended to be let in which any person has, within the six weeks immediately preceding, been suffering from an infectious or contagious disease, the person letting the building or part shall before doing so disinfect the same in such manner as the¹[Executive Officer] may, by public or special notice, direct, together with all articles therein liable to retain infection.

(2) For the purposes of this section, the keeper of an hotel, lodging house or sarai shall be deemed to let to any person who is admitted as a guest therein that part of the building in which such person is permitted to reside.

1. Substituted by Act 15 of 1983, section 96, for "Board" w.e.f. 1-10-1983.

Section 165 - Disposal of infected article without disinfection

No person shall, without previous disinfection of the same, give, lend, sell, transmit or otherwise dispose of to another person any article or thing which he knows or has reason to believe has been exposed to contamination by any infectious or contagious disease and is likely to be used in, or taken into, a cantonment.

Section 166 - Means of disinfection

(1) Every¹[Board] shall-

(a) provide proper place with necessary attendants and apparatus for the disinfection of conveyances, clothing, bedding or

other articles which have been exposed to infection;

(b) cause conveyances, clothing or other articles brought for disinfection to be disinfected either free of charge or on payment of such charges as it may fix.

(2) A¹[Board] may notify places at which articles of clothing, bedding, conveyances or other articles which have been exposed to infection shall be washed, and, if it does so, no person shall wash any such thing at any place not so notified without having previously disinfected such thing.

(3) The President of a Board²[* * *] may direct the destruction of any clothing, bedding or other article in the cantonment likely to retain infection, and may give such compensation as he thinks fit for any article so destroyed.

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

2. The words "or, where there is no Board, the Officer Commanding the station" omitted by Act 24 of 1936, section 41.

Section 167 - Making or selling of food, etc., or washing clothes by infected person

Whoever, while suffering from, or in circumstances in which he is likely to spread, any infectious or contagious disease,--

(a) makes, carries or offers for sale in a cantonment or takes any part in the business of making, carrying or offering for sale therein any article of food or drink or any medicine or drug for human consumption, or any article of clothing or bedding for personal use or wear, or

(b) takes any part in the business of the washing or carrying of clothes,

shall be punishable with fine which may extend to [1](#)[five hundred rupees],

1. Substituted by Act 15 of 1983, section 97, for "one hundred rupees" w.e.f. 1-10-1983.

Section 168 - Power to restrict or prohibit sale of food or drink

When a cantonment is visited or threatened by an outbreak of any infections or contagious disease, the [1](#)[Board] may, by public notice, restrict in such manner or prohibit for such period, as may be specified in the notice, the sale or preparation of any article of food or drink for human consumption specified in the notice or the sale of any flesh of any description of animals so specified.

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

Section 169 - Control over wells, tanks, etc

(1) If a [1](#)[Board] is of opinion that the water in any well, tank or other place is likely, if used for drinking, to endanger, or cause the spread of, any disease, it may,--

(a) by public notice, prohibit the removal or use of such water for drinking;

(b) by notice in writing, require the owner or person having control of such well, tank or place to take such steps as may be directed by the notice to prevent the public from having access to or using such water; or

(c) take such other steps as it may consider expedient to prevent the outbreak or spread of any such disease,

(2) In the event of a cantonment or any part of a cantonment being visited or threatened by an outbreak of any infectious or contagious disease, the Health Officer or any person authorised by him in this behalf may, without notice and at any time, inspect and disinfect any well, tank or other place from which water is, or is likely to be, taken for the purposes of drinking, and may further take such steps as he thinks fit to ensure the purity of the water or to prevent the use of the same for drinking purposes.

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

Section 170 - Disposal of infectious corpse

Where any person has died in a cantonment from any infectious or contagious disease, the Executive Officer may, by notice in writing,--

(a) require any person having charge of the corpse to convey the same to a mortuary, thereafter to be disposed of in accordance with law; or

(b) prohibit the removal of the corpse from the place where death occurred except for the purpose of being buried or burned or of being conveyed to a mortuary.

Section 171 to 176 - Hospitals and dispensaries

Section 171 - Maintenance or aiding of hospitals or dispensaries

(1) A¹[Board] may-

(a) provide and maintain either within or without the cantonment as many hospitals and dispensaries as it thinks fit; or

(b) make, upon such terms as it thinks fit to impose, a grant-in-aid to any hospital or dispensary² [or veterinary hospital], whether within or without the cantonment, not maintained by it.

(2) Every hospital or dispensary maintained or aided under sub-section (1) shall have attached to it a ward or wards for the treatment of persons suffering from infectious or contagious diseases.

(3) A medical officer, appointed in such manner as the³[Central Government] may direct, shall be in-charge of every hospital or dispensary maintained or aided under this section.

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

2. Inserted by Act 24 of 1936, section 42.

3. Substituted by the A.O. 1937, for "L.G.".

Section 172 - Medical supplies, appliances, etc

(1) Every hospital or dispensary maintained or aided under section 171 shall be maintained in accordance with any general or special orders of the Central Government ¹ [* * *] for the conduct of hospitals and dispensaries or in accordance with the said orders modified in such manner as the Central Government ¹ [***] ² [***] think fit.

(2) The³ [Board] shall cause every such hospital or dispensary to be provided with all requisite drugs, instruments, apparatus, furniture and appliances and with sufficient cots, bedding and clothing for in-patients.

1. The words "or the L.G." rep. by the A.O. 1937.

2. The words "as the case may be" rep. by the A.O. 1937.

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

Section 173 - Free patients

At every hospital or dispensary maintained or aided under section 171, the sick poor of the cantonment, and other inhabitants of the cantonment suffering from infectious or contagious diseases, and, with the sanction of the¹[Board], any other sick persons, may receive medical²[or surgical] treatment free of cost, and, if treated as in-patients, shall be either dieted gratuitously or, if the medical officer in charge so directs, shall be granted subsistence allowance on such scale as the¹ [Board] may fix.

³[***]

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1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
 2. Inserted by Act 24 of 1936, section 43.
 3. The Proviso omitted by Act 15 of 1983, section 98 w.e.f. 1-10-1983.
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Section 174 - Paying patients

Any sick person who is ineligible to receive medical¹[or surgical] treatment free of cost in any hospital or dispensary under section 173 may be admitted to treatment therein upon such terms as the ²[Board] thinks fit.

1. Inserted by Act 24 of 1936, section 44.
 2. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
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Section 175 - Power to order person to attend hospital or dispensary

(1) If the Health Officer or the medical officer in-charge of a hospital or dispensary maintained or aided under section 171 has reason to believe that any person living in the cantonment is suffering from an infectious or contagious disease, he may, by notice in writing, call upon such person to attend for examination at any such hospital or dispensary at such time as may be specified in the notice and not to quit it without the permission of the medical officer-in-charge; and, on the arrival of such person at the hospital or dispensary, the medical officer-in-charge thereof may examine him for the purpose of satisfying himself whether or not such person is suffering from an infectious or contagious disease:

Provided that, if, having regard to the nature of the disease or the condition of the person suffering therefrom, or the general environment and circumstances of such person, the Health Officer or medical officer, as the case may be, considers that the attendance of such person at a hospital or dispensary is likely to prove unnecessary or inexpedient, he shall examine such person at such person's own residence.

(2) If any person on examination under sub-section (1), is found to be suffering from an infectious or contagious disease, the Health Officer or medical officer, as the case may be, may cause him to be detained in hospital until he is free from the infection or contagion:

Provided that, if having regard to the nature of the disease or the condition of the person suffering therefrom, or the general environment and circumstances of such person, he considers that the detention of such person at a hospital or dispensary is unnecessary or inexpedient, he shall discharge such person and take such measures or give such directions in the matter as he thinks necessary.

Section 176 - Power to exclude from cantonment persons refusing to attend hospital or dispensary

(1) If the Health Officer or the medical officer in-charge of a hospital or dispensary maintained or aided under section 171 reports in writing to the¹[Officer Commanding the station] that any person having received a notice under section 175 has refused or omitted to attend at the hospital or dispensary, specified in the notice, or that such person, having attended the hospital or dispensary, has quitted it without the permission of such medical officer, or that any person has failed to comply with any direction given to him under section 175 the¹[Officer Commanding the station] may, by order in writing, direct such person to remove from the cantonment within twenty-four hours and not to re-enter it without his permission in writing.

(2) No person who has under sub-section (1) been ordered to remove from and not to re-enter a cantonment shall enter any other cantonment²[* * *] without the written permission of the³[Officer

Commanding the station].

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1. Substituted by Act 7 of 1925, section 14, for "Commanding Officer of the Cantonment".
 2. The words "in the Provinces" omitted by the A.O. 1950.
 3. Substituted by Act 7 of 1925, section 8, for "Commanding Officer of the Cantonment".
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Section 177 - Routes for pilgrims and others

Control of traffic for hygienic purposes

- (1) A¹[Board] may provide or prescribe suitable routes for the use of persons passing through the cantonment-
- (a) on their way to or from fairs or places of pilgrimage or other places of public resort; or
 - (b) during times when an infectious or contagious disease is prevalent, and may, by public notice, require such persons as aforesaid to use such routes and no others.
- (2) All routes provided or prescribed under sub-section (1) shall be clearly and sufficiently indicated by the¹[Board].

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1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
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Section 178 - Conditions of service of safaiwalas

Special conditions regarding essential services

- (1) Whoever, being a¹[safaiwala] employed by a²[Board], in the absence of a written contract authorising him so to do and without reasonable cause, resigns his employment or absents himself from his duty without having given one month's notice to the²[Board], or neglects or refuses to perform his duties, or any of them, shall be punishable with imprisonment which may extend to one month.
- (2) The³[Central Government] may, by notification in the Official Gazette, direct that on and from such date as may be specified in the notification, the provisions of this section shall apply in the case of any specified class of servants employed by a²[Board] whose functions intimately concern the public health or safety.
- (3) For the purpose of this section⁴["safaiwala" includes any lower grade employee] employed by a²[Board] in the removal or disposal of filth or rubbish.

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1. Substituted by Act 15 of 1983, section 99, for "sweeper" w.e.f. 1-10-1983.
 2. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
 3. Substituted by the A.O. 1937 for "L.G.".
 4. Substituted by Act 15 of 1983, section 99, for ' "sweeper" includes any menial servant', w.e.f. 1-10-1983.
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