

## Cantonments Act, 1924

### Section 138 - Removal of Congested Buildings

---

(1) Where it appears to a<sup>1</sup>[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 officer<sup>2</sup>[in the service of the Government],

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

<sup>3</sup>(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 the<sup>1</sup>[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, the<sup>1</sup>[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 the<sup>1</sup>[Board] shall make compensation to the owners for any buildings so removed which may have been erected under proper authority:

Provided, further, that the<sup>1</sup>[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.

---