

Cantonments Act, 1924

Chapter XII - Markets, Slaughter-houses, Trades and Occupations

(1) A¹[Board] may provide and maintain, either within or without the cantonment, public markets and public slaughterhouses, to such number as it thinks fit, together with stalls, shops, sheds, pens and other buildings or conveniences for the use of persons carrying on trade or business in or frequenting such markets or slaughter-houses, and may provide and maintain in any such market buildings, places, machines, weights, scales and measures for the weightment or measurement of goods sold therein.

(2) When such market or slaughter-house is situated beyond cantonment limits, the¹[Board] shall have the same power for the inspection and proper regulation of the same as if it were situated within those limits.

(3) The¹[Board] may at any time, by public notice, close any public market or public slaughter-house or any part thereof.

(4) Nothing in this section shall be deemed to authorise the establishment of a public market or public slaughter-house within the limits of any area administered by any local authority other than the¹[Board], without the permission of such local authority or otherwise than on such conditions as such local authority may approve.

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

Section 199 - Use of public market

(1) No person shall, without the general or special permission in writing of the¹[Board], sell or expose for sale any animal or article in any public market.

(2) Any person contravening the provisions of this section, and any animal or article exposed for sale by such person, may be summarily removed from the market by or under the orders of the Executive Officer or any officer or servant of the¹[Board] authorised by it in this behalf.

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

Section 200 - Power to transfer by public auction, etc

¹[200. Power to transfer by public auction, etc.--

The Board may transfer by public auction, for any period not exceeding three years at a time, the right to occupy or use any stall, shop, standing, shed or pen in a public market, or public slaughter-house, or the right to expose goods for sale in a public market or the right to weight or measure goods sold therein, or the right to slaughter animals in any public slaughter-house :

Provided that where the Board is of opinion that such transfer of the aforesaid rights by public auction is not considered desirable or expedient, it may, with the previous sanction of the General Officer Commanding-in-Chief of the Command²[or the Director],--

(a) either levy such stallages, rents or fees as it thinks fit; or

(b) farm the stallages, rents and fees leviable under clause (a) for any period not exceeding one year at a time :]

2[Provided further that the enjoyment of any such aforesaid right by any person for any length of time shall never be deemed to create or confer any tenancy in such stall, shop, pen, public market or public slaughter-house.]

1. Substituted by Act 2 of 1954, section 18, for the former section.

2. Inserted by Act 15 of 1983, section 115 w.e.f. 1-10-1983.

Section 201 - Stallages, rents, etc., to be published

A copy of the table of stallages, rents and fees, if any, leviable in any public market or public slaughter-house, and of the bye-laws made under this Act for the purpose of regulating the use of such market or slaughter-house, printed in the English language and in such other language or languages as the 1[Board] may direct, shall be affixed in some conspicuous place in the market or slaughter-house.

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

Section 202 - Private markets and slaughter-houses

(1) No place in a cantonment other than a public market shall be used as a market, and no place in a cantonment other than a public slaughter-house shall be used as a slaughter-house, unless such place has been licensed as a market or slaughter-house, as the case may be, by the 1[Board]:

Provided that nothing in this sub-section shall apply in the case of a slaughter-house established and maintained by the Government.

(2) Nothing in sub-section (1) shall be deemed--

(a) to restrict the slaughter of any animal in any place on the occasion of any festival or ceremony, subject to such conditions as to prior or subsequent notice as the Executive Officer with the previous sanction of the District Magistrate may, by public or special notice, impose in this behalf, or

(b) to prevent the Executive Officer, with the sanction of the 1[Board], from setting apart places for the slaughter of animals in accordance with religious custom 2[***].

(3) Whoever omits to comply with any condition imposed by the Executive Officer under clause (a) of sub-section (2) shall be punishable with fine which may extend to 3[two hundred and fifty rupees] and, in the case of a continuing offence, with an additional fine which may extend to 4[fifty rupees] for every day after the first during which the offence is continued.

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

2. Certain words omitted by Act 15 of 1983, section 116 w.e.f. 1-10-1983.

3. Substituted by Act 15 of 1983, section 116, for "fifty rupees" w.e.f. 1-10-1983.

4. Substituted by Act 15 of 1983, section 116, for "ten rupees" w.e.f. 1-10-1983.

Section 203 - Conditions of grant of licence for private market or slaughter-house

(1) A¹[Board] may charge such fees as it thinks fit to impose for the grant of a licence to any person to open a private market or private slaughter-house in the cantonment, and may grant such licence subject to such conditions, consistent with this Act and any bye-laws made thereunder, as it thinks fit to impose.

(2) The¹[Board] may refuse to grant any such licence without giving reasons for such refusal.

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

Section 204 - Penalty for keeping market or slaughter-house open without licence, etc

(1) Any person who keeps open for public use any market or slaughter-house in respect of which a licence is required by or under this Act, without obtaining licence therefor, or while the licence therefor is suspended, or after the same has been cancelled, shall be punishable with fine which may extend to¹[two hundred and fifty rupees] and, in the case of a continuing offence, with an additional fine which may extend to²[twenty-five rupees] for every day after the first during which the offence is continued.

(2) When a licence to open a private market or private slaughter-house is granted or refused or is suspended or cancelled, the³[Board] shall cause a notice of the grant, refusal, suspension or cancellation to be posted in English, and in such other language or languages as it thinks necessary, in some conspicuous place by or near the entrance to the place to which the notice relates.

1. Substituted by Act 15 of 1983, section 117, for "fifty rupees" w.e.f. 1-10-1983.

2. Substituted by Act 15 of 1983, section 117, for "five rupees" w.e.f. 1-10-1983.

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

Section 205 - Penalty for using unlicensed market or slaughter-house

Whoever, knowing that any market or slaughter-house has been opened to the public without a licence having been obtained therefor when such licence is required by or under this Act, or that the licence granted therefor is for the time being suspended or that it has been cancelled, sells or exposes for sale any article in such market, or slaughters any animals in such slaughter-house, shall be punishable with fine which may extend to¹[two hundred and fifty rupees] and, in the case of a continuing offence, with an additional fine which may extend to²[twenty-five rupees] for every day after the first during which the offence is continued.

1. Substituted by Act 15 of 1983, section 118, for "fifty rupees" w.e.f. 1-10-1983.

2. Substituted by Act 15 of 1983, section 118, for "five rupees" w.e.f. 1-10-1983.

Section 206 - Prohibition and restriction of use of slaughter-house

(1) Where, in the opinion of the 1[Board], it is necessary on sanitary grounds so to do, it may, by public notice, prohibit for such period not exceeding one month, as may be specified in the notice, or for such further period not exceeding one month, as it may specify by a like notice, the use of any private slaughter-house specified in the notice, or the slaughter therein of any animal of any description so specified.

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

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

Section 207 - Power to inspect slaughter-houses

(1) Any servant of a 1[Board], authorised by order in writing in this behalf by 2[the President of the Board or the Executive Officer] 3[***] or the Health Officer, may, if he has reason to believe that any animal has been, is being, or is about to be slaughtered in any place in contravention of the provisions of this Chapter, enter into and inspect any such place at any time, whether by day or by night.

(2) Every such order shall specify the place to be entered and the locality in which the same is situated and the period, which shall not exceed seven days for which the order is to remain in force.

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

2. Substituted by Act 15 of 1983, section 119, for "the President of the Board" w.e.f. 1-10-1983.

3. The words "if any," rep. by Act 24 of 1936, section 54.

Section 208 - Power to make bye-laws

A 1 [Board] may, with the approval of the 2 [Central Government], make bye-laws consistent with this Act to provide for all or any of the following matters, namely :--

(a) the days on, and the hours during, which any private market or private slaughterhouse may be kept open for use;

(b) the regulation of the design, ventilation and drainage of such markets and slaughterhouses, and the material to be used in the construction thereof;

(c) the keeping of such markets and slaughter-houses and lands and buildings appertaining thereto in a clean and sanitary condition, the removal of filth and refuse therefrom, and the supply therein of pure water and of a sufficient number of latrines and urinals for the use of persons using or frequenting the same;

(d) the manner in which animals shall be stalled at a slaughter-house;

(e) the manner in which animals may be slaughtered;

(f) the disposal or destruction of animals offered for slaughter which are, from disease or any other cause, unfit for human consumption; 3 [***]

(g) the destruction of car cases which from disease or any other cause are found after slaughter to be unfit for human consumption;

4 [(h) any other matter with respect to the regulation of such markets and slaughterhouse.]

1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
2. Substituted by the A.O. 1937 for "L.G.".
3. The word "and" omitted by Act 15 of 1983, section 120 w.e.f. 1-10-1983.
4. Inserted by Act 15 of 1983, section 120, w.e.f. 1-10-1983.

Section 209 - Provision of washing places

(1) A¹[Board] may provide suitable places for the exercise by washermen of their calling, and may require payment of such fees for the use thereof as it thinks fit.

(2) Where the¹[Board] has provided such places as aforesaid it may, by public notice, prohibit the washing of clothes by washermen at any other place in the cantonment:

Provided that such prohibition shall not be deemed to apply to the washing by a washerman of his own clothes or of the clothes of any other person who is an occupier of the place at which they are washed.

(3) Whoever contravenes any prohibition contained in a notice issued under sub-section (2) shall be punishable with fine which may extend to²[one hundred rupees].

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1. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
 2. Substituted by Act 15 of 1983, section 121, for "twenty rupees" w.e.f. 1-10-1983.
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Section 210 - Licences required for carrying on of certain occupations

(1) No person of any of the following classes, namely :--

- (a) butchers and vendors of poultry, game or fish;
- (b) persons keeping pigs for profit, and dealers in the flesh of pigs which have been slaughtered in India;
- (c) persons keeping milch cattle or milch goats for profit;
- (d) persons keeping for profit any animals other than pigs, milch cattle or milch goats;
- (e) dairymen, buttermen and makers and vendors of ghee;
- (f) makers of bread, biscuits or cake, and vendors of bread, biscuits or cake made in India;
- (g) vendors of fruit or vegetables;
- (h) manufacturers of aerated or other potable waters or of ice or ice-cream, and vendors of the same;
- ¹[(i)] vendors of any medicines, drugs or articles of food or drink for human consumption (other than the flesh of pigs, milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other potable waters or ice or ice-cream) which are of a perishable nature;
- ²[(ia) vendors of spirituous liquor;]
- ¹[(j)] vendors of water to be used for drinking purposes;
- ¹[(k)] washermen;

1[(l)] dealers in hay, straw, wood, charcoal or other inflammable material;

1[(m)] dealers in fire-works, kerosene oil, petroleum or any other inflammable oil or spirit;

1[(n)] tanners and dyers;

1[(o)] persons carrying on any trade or occupation from which offensive or unwholesome smells arise;

1[(p)] vendors of wheat, rice and other grain or of flour;3[***]

1[(q)] makers and vendors of sugar or sweetmeats;4[* * *]

1[(r)] barbers and keepers of shaving saloons;]

5[(s)] any other persons carrying on such other trade, calling or occupation as the Central Government may, by notification in the Official Gazette, specify in this behalf;]

shall carry on his trade, calling or occupation in any part of a cantonment unless he has applied for and obtained a licence in this behalf from the6[Board].

(2) A licence granted under sub-section (1) shall be valid7[until the end of the year in which it is issued] and the grant of such licence shall not be withheld by the6[Board] unless it has reason to believe that the business which it is intended to establish or maintain would be offensive or dangerous to the public8[or that the premises in which the business is intended to be established or maintained9 [are unfit or unsuitable] for the purpose].

(3) Notwithstanding anything contained in sub-section (1),--

(a) no person who was, at the commencement of this Act, carrying on his trade, calling or occupation in any part of a cantonment shall be bound to apply for a licence for carrying on such trade or occupation in that part until he has received from the6[Board] not less than three months' notice in writing of his obligation to do so, and if the6[Board] refuses to grant him a licence, it shall pay compensation for any loss incurred by reason of such refusal;

(b) no person shall be required to take out a licence for the sale or storage of petroleum or for the sale or possession for sale of poisons or white arsenic in any case in which he is required to take out a licence for such sale, storage, or possession for sale by or under the10[Petroleum Act, 1934 (30 of 1934),] or the Poisons Act, 1919 (12 of 1919).

(4) The6[Board] may charge for the grant of licences, under this section11[such reasonable fees], as it may fix with the previous sanction of the12[Central Government].

1. The original clauses (j) to (r) re-lettered (i) to (q) 24 of 1934, section 2 and Schedule I.

2. Inserted by Act 15 of 1983, section 122 w.e.f. 1-10-1983.

3. The word "and" rep. by Act 24 of 1936, section 55.

4. The word "and" omitted by Act 15 of 1983, section 122 w.e.f. 1-10-1983.

5. Inserted by Act 15 of 1983, section 122 w.e.f. 1-10-1983.

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

7. Substituted by Act 24 of 1936, section 55, for "for one year".

8. Added by Act 2 of 1954, section 19.

9. Substituted by Act 15 of 1983, section 122, for "are unsuitable" w.e.f. 1-10-1983.

10. Substituted by Act 15 of 1983, section 122, for "Indian Petroleum Act, 1899" w.e.f. 1-10-1983.

11. Substituted by Act 15 of 1983, section 122, for certain words w.e.f. 1-10-1983.

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

Section 211 - Conditions which may be attached to licences

A licence granted to any person under section 210 shall specify the part of the cantonment in which the licensee may carry on his trade, calling or occupation, and may regulate the hours and manner of transport within the cantonment of any specified articles intended for human consumption, and may contain any other conditions which the 1[Board] thinks fit to impose in accordance with bye-laws made under this Act.

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

Section 212 - Power to vary licence

If a 1[Board] is satisfied that any place used under a licence granted under this Chapter is a nuisance or is likely to be dangerous to life, health or property, the 1[Board] may, by notice in writing, require the owner, lessee or occupier thereof to discontinue the use of such place or to effect such alterations, additions, or improvements as will, in the opinion of the 1[Board], render it no longer a nuisance or dangerous.

1. Substituted by Act 24 of 1936, section 55, for "for one year".

Section 213 - Carrying on trade, etc., without licence or in contravention of section 212

Whoever carries any trade, calling or occupation for which a licence is required without obtaining a licence therefor or while the licence therefor is suspended or after the same has been cancelled, and whoever, after receiving a notice under section 212, uses or allows to be used any building or place in contravention thereof, shall be punishable with fine which may extend to 1[five hundred rupees] and, in the case of a continuing offence, with an additional fine which may extend to 2[fifty rupees] for every day after the first during which the offence is continued.

1. Added by Act 2 of 1954, section 19.

2. Substituted by Act 15 of 1983, section 122, for "are unsuitable" w.e.f. 1-10-1983.

Section 214 - Feeding animals on dirt, etc

Whoever feeds or allows to be fed on filthy or deleterious substances any animal, which is kept for the purpose of supplying milk to, or which is intended to be used as food for, the inhabitants of a cantonment or allows it to graze in any place in which grazing has, for sanitary reasons, been prohibited by public notice by the 1 [Board] shall be punishable with fine which may extend to 2 [two hundred rupees].

1. Substituted by Act 24 of 1936, section 55, for "for one year".

2. Substituted by Act 15 of 1983, section 122, for "Indian Petroleum Act, 1899" w.e.f. 1-10-1983.

Section 215 - Powers of entry and seizure

Entry, inspection and seizure

(1) The President or the Vice-President¹[* * *], the Executive Officer, the Health Officer, the Assistant Health Officer, or any other officer or servant of a²[Board] authorised by it in writing in this behalf,--

(a) may at any time enter into any market, building, shop, stall or other place in the cantonment for the purpose of inspecting, and may inspect, any animals, article or thing intended for human food or drink or for medicine, whether exposed or hawked about for sale or deposited in or brought to any place for the purpose of sale, or of preparation for sale, or any utensil or vessel for preparing, manufacturing or containing any such article, or thing, and may enter into and inspect any place used as a slaughter-house and may examine any animal or article therein;

(b) may seize any such animal, article or thing which appears to him to be diseased, or unwholesome or unfit for human food or drink or medicine, as the case may be, or to be adulterated or to be not what it is represented to be, or any such utensil or vessel which is of such a kind or in such a state as to render any article prepared, manufactured or contained therein unwholesome or unfit for human food or for medicine as the case may be.

(2) Any article seized under sub-section (1) which is of a perishable nature may, under the orders of the Health Officer or the Assistant Health Officer, forthwith be destroyed if, in his opinion, it is diseased, unwholesome or unfit for human food, drink or medicine, as the case may be.

(3) Every animal, article, utensil, vessel or other thing seized under sub-section (1) shall, if it is not destroyed under sub-section (2), be taken before a Magistrate³[who shall give orders as to its disposal].

(4) The owner or person in possession, at the time of seizure under sub-section (1), of any animal or carcass which is diseased or of any article or thing which is unwholesome or unfit for human food, drink or medicine, as the case may be, or is adulterated or is not what it is represented to be, or of any utensil or vessel which is of such kind or in such state as is described in clause (b) of sub-section (1), shall be punishable with fine which may extend to⁴[five hundred rupees], and the animal, article, utensil, vessel or other thing shall be liable to be forfeited to the⁵[Board] or to be destroyed or to be so disposed of as to prevent its being exposed for sale or used for the, preparation of food, drink or medicine, as the case may be.

Explanation I.--If any such article, having been exposed or stored in, or brought to, any place mentioned in sub-section (1) for sale as ghee, contains any substance not exclusively derived from milk, it shall be deemed, for the purposes of this section, to be an article which is not what it is represented to be.

Explanation II.--Meat subjected to the process of blowing shall be deemed to be unfit for human food.

Explanation III.--The article of food or drink shall not be deemed to be other than what it is represented to be merely by reason of the fact that there has been added to it some substance not injurious to health :

Provided that--

(a) such substance has been added to the article because the same is required for the preparation or production thereof as an article of commerce in a state fit for carriage or consumption and not fraudulently to increase the bulk, weight or measure of the food or drink or conceal the inferior quality thereof, or

(b) in the process of production, preparation or conveyance of such article of food or drink, the extraneous substance has unavoidably become intermixed therewith, or

(c) the owner or person in possession of the article has given sufficient notice by means of a label distinctly and legibly written or printed thereon or therewith, or by other means of a public description, that such substance has been added, or

(d) such owner or person has purchased the article with a written warranty that it was of a certain nature, substance and quality and had no reason to believe that it was not of such nature, substance and quality, and has exposed it or hawked it about or brought it for sale in the same state and by the same description as that in and by which he purchased it.

1. Substituted by Act 15 of 1983, section 122, for certain words w.e.f. 1-10-1983.
 2. Substituted by Act 24 of 1936, section 55, for "for one year".
 3. Substituted by the A.O. 1937, for "L.G.".
 4. Substituted by Act 15 of 1983, section 125, for "one hundred rupees" w.e.f. 1-10-1983.
 5. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
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Section 216 - Import of cattle and flesh

Import of cattle and flesh

(1) No person shall, without the permission in writing¹[of the Executive Officer], bring into a cantonment any animal intended for human consumption, or the flesh of any animal slaughtered outside the cantonment otherwise than in a slaughter-house maintained by the Government or the²[Board]:

³[Provided that the Executive Officer shall not grant such permission unless recommended by the Health Officer.]

(2) Any animal or flesh brought into a cantonment in contravention of sub-section (1) may be seized by the Executive Officer or by any servant of the²[Board] and sold or otherwise disposed of as the⁴[President of the Board] may direct, and, if it is sold, the sale-proceeds may be credited to the cantonment fund.

(3) Whoever contravenes the provisions of sub-section (1) shall be punishable with fine which may extend to⁵[two hundred and fifty rupees].

(4) Nothing in this section shall be deemed to apply to cured or preserved meat or to animals driven or meat carried through a cantonment for consumption outside thereof, or to meat brought into a cantonment by any person for his immediate domestic consumption:

Provided that the²[Board] may, by public notice, direct that the provisions of this section shall apply to cured or preserved meat of any specified description or brought from any specified place.

1. Substituted by Act 15 of 1983, section 126, for "of the Board" w.e.f. 1-10-1983.
2. Substituted by Act 24 of 1936, section 69, for "Cantonment Authority".
3. Added by Act 15 of 1983, section 126 w.e.f. 1-10-1983.
4. Substituted by Act 8 of 1944, section 8, for "Board".
5. Substituted by Act 15 of 1983, section 126, for "fifty rupees" w.e.f. 1-10-1983.

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