

The Cantonments (Extension of Rent Control Laws) Act, 1957

(ACT NO. 46 OF 1957)

[*As on the* 1*st June,* 2026]

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AMENDING ACT

The Cantonments (Extension of Rent Control Laws) Amendment Act, 1972 (22 of 1972).

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LIST OF ABBREVIATIONS USED

Cl., cls.	. . . . .	*for*	Clause, clauses.
Ins.	. . . . .	,,	Inserted.
Notifn.	. . . . .	,,	Notification.
S., ss.	. . . . .	,,	Section, sections.
Sch.	. . . . .	,,	Schedule.
Subs.	. . . . .	,,	Substituted.
w.e.f.	. . . . .	,,	with effect from.

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THE CANTONMENTS (EXTENSION OF RENT CONTROL LAWS) ACT, 1957

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title.
2. Definitions.
3. Power to extend to cantonments laws relating to control of rents and regulation of house accommodation.
4. Extension of the Madhya Bharat Accommodation Control Act, 1955 to the cantonment of Mhow.

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THE CANTONMENTS (EXTENSION OF RENT CONTROL LAWS) ACT, 1957

ACT NO. 46 OF 1957

[18*th December*, 1957.]

An Act to provide for the extension to cantonments of laws relating to the control of rent and regulation of house accommodation.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. Short title.—[1][(*1*)] This Act may be called the Cantonments (Extension of Rent Control Laws) Act, 1957.

[2][(*2*) It shall be deemed to have come into force on the 26th day of January, 1950.]

2. Definitions.—In this Act, "cantonment" means any place declared to be a cantonment under section 3 of the Cantonments Act, 1924 (2 of 1924).

3. Power to extend to cantonments laws relating to control of rents and regulation of house accommodation.—[3][(*1*)] The Central Government may, by notification in the Official Gazette, extend to any cantonment with such restrictions and modifications as it thinks fit, any enactment relating to the control of rent and regulation of house accommodation which is in force[4]*** in the State in which the cantonment is situated:

Provided that nothing contained in any enactment so extended shall apply to—

(*a*) any premises within the cantonment belonging to the Government;

(*b*) any tenancy or other like relationship created by a grant from the Government in respect of premises within the cantonment taken on lease or requisitioned by the Government; or

(*c*) any house within the cantonment which is, or may be, appropriated by the Central Government on lease under the Cantonments (House Accommodation) Act, 1923 (6 of 1923).

[5][(*2*) The extension of any enactment under sub-section (*1*) may be made from such earlier or future date as the Central Government may think fit:

Provided that no such extension shall be made from a date earlier than—

(*a*) the commencement of such enactment, or

(*b*) the establishment of the cantonment, or

(*c*) the commencement of this Act,

whichever is later.

(*3*) Where any enactment in force in any State relating to the control of rent and regulation of house accommodation is extended to a cantonment from a date earlier than the date on which such extension is made (hereafter referred to as the "earlier date"), such enactment, as in force on such earlier date, shall apply to such cantonment, and, where any such enactment has been amended at any time after the earlier date but before the commencement of the Cantonments (Extension of Rent Control Laws) Amendment Act, 1972 (22 of 1972), such enactment as amended, shall apply to the cantonment on and from the date on which the enactment by which such amendment was made came into force.

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1. S.1 re-numbered as sub-section (*1*) thereof by Act 22 of 1972, s. 2 (w.e.f. 2-6-1972).
2. Ins. by s. 2, *ibid*. (w.e.f. 2-6-1972).
3. S. 3 re-numbered as sub-section (*1*) thereof by s. 3, *ibid*. (w.e.f. 2-6-1972).
4. The words "on the date of the notification" omitted by s. 3, *ibid*. (w.e.f. 6-2-1972).
5. Ins. by s. 3, *ibid*. (w.e.f. 2-6-1972).

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(*4*) Where, before the extension to a cantonment of any enactment relating to the control of rent and regulation of house accommodation therein (hereafter referred to as the "Rent Control Act"),—

(*i*) any decree or order for the regulation of, or for eviction from, any house accommodation in that cantonment, or

(*ii*) any order in the proceedings for the execution of such decree or order, or

(*iii*) any order relating to the control of rent or other incident of such house accommodation,

was made by any court, tribunal or other authority in accordance with any law for the control of rent and regulation of house accommodation for the time being in force in the State in which such cantonment is situated, such decree or order shall, on and from the date on which the Rent Control Act is extended to that cantonment, be deemed to have been made under the corresponding provisions of the Rent Control Act, as extended to that cantonment, as if the said Rent Control Act, as so extended, were in force in that cantonment, on the date on which such decree or order was made.]

4. Extension of the Madhya Bharat Accommodation Control Act, 1955 to the cantonment of Mhow.—[1][(*1*)] The Madhya Bharat Accommodation Control Act, 1955 (Madhya Bharat Act 23 of 1955), as in force in that part of the State of Madhya Pradesh which immediately before the 1st day of November, 1956, formed the State of Madhya Bharat is hereby extended to, and brought into force in, the cantonment of Mhow with the following modifications, namely:—

In the said Act,—

(*a*) for the words "commencement of this Act" wherever they occur, the words "extension of this Act to the cantonment" shall be substituted;

(*b*) in section 1, for sub-sections (*2*), (*3*) and (*4*), the following sub-sections shall be substituted, namely:—

"(*2*) It extends to the cantonment of Mhow.

(*3*) It shall remain in force upto the 31st day of December, 1957; but the Central Government may, by notification in the Official Gazette, direct from time to time that it shall remain in force for such further period as may be specified in the notification so, however, that the total period for which it may remain in force shall not exceed two years from the 31st day of December, 1957.";

(*c*) in section 2, in clause (*b*) of sub-section (*1*), for the words "a Municipality", the words "the Cantonment Board" shall be substituted;

(*d*) in section 3, in clause (*e*), for the word "Municipal", the words "Cantonment Board" shall be substituted;

(*e*) in section 4,—

(*i*) in clause (*g*), for the words "city or town concerned", the word "cantonment" shall be substituted;

(*ii*) in clause (*h*), for the words "city or town for that purpose and if he was in occupation, has for sufficient reasons vacated it after the Act has been extended to that city or town", the words "cantonment for that purpose or if he was in occupation, has for sufficient reasons vacated it after the extension of this Act thereto" shall be substituted;

(*f*) in section 6,—

(*i*) in sub-section (*1*), the words and brackets "situated in the city of Lashkar (including Gwalior and Morar), Indore, Ujjain or Ratlam" shall be omitted;

(*ii*) sub-section (*2*) shall be omitted;

1. S. 4 re-numbered as sub-section (*1*) thereof by Act 22 of 1972, s. 4 (w.e.f. 2-6-1972).

(*g*) in section 14, the words "the provisions of this Act cease to be applicable to any town, or" shall be omitted;

(*h*) in section 15, after the word "instituted", the words "or if instituted, continued", shall be inserted;

(*i*) in section 18, sub-section (*4*) shall be omitted;

(*j*) in section 21, the words "or deemed to have been passed" shall be omitted;

(*k*) in section 22, the words "or deemed to have been made" shall be omitted;

(*l*) section 23, section 27 and the Schedule shall be omitted;

(*m*) in sections 24 and 25, the words "or deemed to have been made" shall be omitted.

[1][(*2*) Any law relating to the control of rent and regulation of house accommodation in force in the cantonment of Mhow immediately before the commencement therein of the Madhya Bharat Accommodation Control Act, 1955 (Madhya Bharat Act (23 of 1955), shall be, and shall be deemed always to have been, extended to that cantonment under section 3 of this Act with effect from the commencement of such law in that cantonment or from the commencement of this Act, whichever is later:

Provided that no such law shall continue, and shall be deemed to have continued, in force in the cantonment of Mhow on and from the commencement therein of the Madhya Bharat Accommodation Control Act, 1955 (Madhya Bharat Act 23 of 1955).

(*3*) Where, before the extension under sub-section (*2*) of any law to the cantonment of Mhow,—

(*i*) any decree or order for the regulation of, or for eviction from, any house accommodation in that cantonment; or

(*ii*) any order in the proceedings for the execution of such decree or order; or

(*iii*) any order relating to the control of rent or other incident of such house accommodation,

was made by any court, tribunal or other authority in accordance with any law for the control of rent and regulation of house accommodation for the time being in force in that cantonment, such decree or order shall, on and from the commencement of such law in that cantonment, be deemed to have been made under the corresponding provisions of the first-mentioned Act as if the said Act were in force in that cantonment on the date on which such decree or order was made.]

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1. Ins. by Act 22 of 1972, s. 4 (w.e.f. 2-6-1972).

STATEMENT OF OBJECTS AND REASONS

Under article 246 of the Constitution read with entry 3 of the Union List, power to make laws with respect to rent control in cantonment areas now belongs exclusively to Parliament. Before the Constitution came into force, this power belonged to the Legislatures of the former Provinces and States.

2. Accordingly, in Mhow cantonment, rents of premises, their letting and eviction of tenants therefrom were controlled by the Madhya Bharat Accommodation Control Act which had been passed on the 11th January, 1950, and applied to Mhow as from the 6th February, 1950. The Act was due to expire on the 30th June, 1953, but by State Act VI of 1953, its duration was extended up to the 30th June 1955. The Act was however replaced before that date by an Ordinance which in its turn has been replaced by the present Madhya Bharat Accommodation Control Act powers of 1955. In view of the redistribution of legislative powers in the Constitution the State Legislature cannot exercise legislative powers after the commencement of the Constitution, over a subject which is included in the Union List. Hence, the Amendment Act of 1953 or the Ordinance promulgated in 1955 was not, nor the present Act is, applicable to the Mhow Cantonment. A large number of eviction cases has been filed by the landlords by taking advantage of the non-existence of any rent control law in the cantonment area.

3. To protect the tenants from improper evictions, Central legislation is, therefore, necessary to provide for the application of the State Act of 1955 to Mhow with necessary modifications.

4. As a situation similar to that in Mhow Cantonment, may arise in other cantonments also, it is proposed to confer powers on the Central Government to extend the relevant rent control laws of any State to the cantonments situated in that State by notification in the Gazette of India.

5. The Bill is designed to achieve the objects mentioned above.

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NEW DELHI;

The 19*th August,* 1957.

V. K. KRISHNA MENON.