

**Tripura Land Revenue & Land Reforms
(Allotment of Land) Rules, 1980.**

(As amended upto 8th Amendment dt. 04.11.2020)

**GOVERNMENT OF TRIPURA
REVENUE DEPARTMENT**

**THE TRIPURA LAND REVENUE AND LAND REFORMS
(ALLOTMENT OF LAND) RULES, 1980.**

1. Short title and commencement :

- (1) These rules may be called the Tripura Land Revenue and Land Reforms (Allotment of Land) Rules, 1980.
- (2) They shall come into force at once.

2. Definition :

In these rules, unless the context otherwise requires -

- (a) 'Act' means the Tripura Land Revenue and Land Reforms Act, 1960 (43 of 1960);

¹[(aa) 'agricultural worker' means an individual whose main source of livelihood is agricultural labour and land, if any, held or possessed by himself, together with his family and which does not exceed one standard hectare, and includes a landless agricultural worker,]

- (b) 'allottee', when used with reference to land the possession whereof has been taken by the person in whose favour it has been allotted in accordance with these rules includes any person succeeding to the rights of the allottee ;
- (c) 'jhumia' means a person whose parents were at any time engaged in jhum cultivation and who -
 - (i) has been personally carrying on jhum cultivation for a period of not less than one year immediately before he applies for allotment of any land under these rules ;
 - (ii) derives his livelihood mainly from jhum cultivation ; and
 - (iii) does not hold as raiyat land exceeding 0.04 standard hectare in area ;

1. Inserted by the Tripura Land Revenue and Land Reforms (Allotment of land) (Fourth Amendment) Rules, 1988, w.e.f. 17.3.1988.



- (d) 'landless' in relation to a person means one who, either by himself or, if he has a family, together with his family, does not possess or hold land exceeding 0.04 standard hectare in area and is also economically poor.

Explanation :- For the purpose of this clause, the word 'family' in relation to a person shall mean the person, the wife or husband, as the case may be, children (excluding married daughters) and parents of the person ;

- (e) 'landless agricultural worker' means an individual who is landless and whose main source of livelihood is agricultural labour ;
- (f) 'Scheduled Castes' and 'Schedules Tribes' shall have the same meaning as assigned to them in the Constitution ;
- (g) 'Section' means a section of the Act ;
- (h) 'town land' means any land within the limits of a municipality, notified area, cantonment, or any other area notified by the government for this purpose.

3. Eligibility for allotment of land :

No one who is not an Indian National shall be eligible for allotment of land under section 14.

Explanation :- For the purpose of this rule a person shall be deemed to be an Indian National

- (a) in the case of a public company as defined in the Companies Act, 1956, only if a majority of the directors of the company are citizens of India and not less than fifty one percent of the share capital thereof is held by persons who are either citizens of India or companies as defined in the said Act ;
- (b) in the case of a private company as defined in the said Act, only if all the members of the company are citizens of India ;
- (c) in the case of a firm or other association of individuals, only if all the partners of the firm or members of the association are citizens of India ; and
- (d) in the case of an individual, only if he is a citizen of India.

4. Area of land to be allotted :

the area of land to be allotted to any one person under sub-section (1) of section 14 shall ordinarily be -

- (a) in the case of allotment of land for agricultural purposes -
- (i) if the allottee is an individual, such area as together with the area of land, if any, already held by the allottee may not exceed one standard hectare ;
 - (ii) if the allottee is a co-operative society, such area as together with the areas of land, if any, already held by the society or its members, may not exceed the area that may be allotted to the society at the rate of one standard hectare for every member ; and

¹{(iii) omitted}

²{(b) in case of allotment of land in Nagar Panchayats and the Municipality areas for construction of a dwelling house such area not exceeding 0.024 hectare and elsewhere such area not exceeding 0.08 hectare.}

5. Eligibility and order of preference for allotment of land for agricultural purpose :

Collector shall allot land for agricultural purpose only to a person who is economically poor and will cultivate the land by himself and in allotting land adhere to the following order of preference, namely -

- (i) a jhumia ;
- (ii) an under raiyat who has been evicted from any land on the ground that it is required for personal cultivation of the raiyat and who is landless ;
- (iii) a landless agricultural worker;
- (iv) a landless individual evicted under section 15 ;
- (v) an individual not holding in excess of one standard hectare in area.

1. Omitted by the Tripura Land Revenue and Land Reforms (Allotment of land) (Sixth Amendment) Rules, 1988, w.e.f. 16.9.1998.
2. Inserted *ibid*.

6. Order of preference for allotment of land for construction of dwelling house :

In allotting land for construction of dwelling house the Collector shall follow the following order of preference, namely-

- (i) a jhumia ;
- (ii) a landless agricultural worker or an artisan not owning any house or site for a house;
- (iii) an individual evicted under section 15 who does not come in any of the categories mentioned in the foregoing clauses and does not own any house or site for a house ;
- (iv) any other person not owning any house or site for a house and who intends to build the house for personal habitation.

7. Preference to persons belonging to Scheduled Castes, Scheduled Tribes and ex-serviceman ;

In allotting land to a person belonging to any of the categories mentioned in rules 5 and 6 -

- (i) between persons of the same category, one belonging to any of the Scheduled Tribes, Scheduled Castes and ex-servicemen, shall be preferred in that order ; and
- (ii) between an individual entitled to a particular preference and a registered co-operative society constituted for the purpose for which the land is to be allotted and consisting exclusively of persons entitled to the same or higher preference, the society shall be preferred.

8. Allotments to be made to persons residing within eight kilometers:

notwithstanding anything contained in rules 5 to 7, no allotment under sub-section (1) of section 14 shall ordinarily be made -

- (a) in favour of an individual other than a jhumia if he, does not reside within a distance of eight kilometers of the village in which the land is situated:
- (b) in favour of a co-operative society, if more than on-half of its members do not reside within a distance of eight kilometers of the village in which the land is situated.

Explanation :- The distance referred to in clauses (a) and (b) shall be reckoned by the route normally used from the residence of the person concerned to the village in which the land is allotted.

9. Premium payable or allotment of land :

- (1) An allottee of land for agricultural purposes shall pay premium therefore at thirty times the annual land revenue assessed for the land.
- (2) Any person allotted land for construction of a dwelling house shall pay premium equal to market value of the land.
- (3) The premium may be paid in lump sum or in such annual instalments not exceeding twenty as may be specified by the Collector together with interest at two and half percent per annum on the unpaid amount.
- (4) The premium or the first instalment thereof, as the case may be, shall be paid on or before the date of taking possession of the land, each subsequent instalment shall be payable on the same date in the succeeding years.
- (5) Any amount payable under this rule shall, if it remains unpaid the due date, be recoverable in the same manner as arrear of land revenue.

10. [Notwithstanding anything contained in Rule 9, premium payable by a person belonging to a family that has annual income less than 2.5 times of 'Poverty Line' income shall be at the rates as specified in the Schedule.

Explanation :- Poverty Line "income for the purpose of this rule shall be notified by the Government time to time.

Provided further that in case allotment of land in excess of the area prescribed in Rule 4 is made on request by such person, full premium as prescribed in Rule 9 shall be payable in respect of excess land allotted.]

11. Allotment of land within certain distance of roads and town lands :

Notwithstanding anything contained in the foregoing rules-

i. Substituted by the Tripura Land Revenue and Land Reforms (Allotment of land) (Sixth Amendment) Rules, 1988, w.e.f. 16.9.1998.

- ¹(a) no land lying within fifteen metres of the centre line of any public road in a town or within twenty meters of centre line of any main road or within five meters of the centre line of any village road shall be allotted exceptional measure and without prior sanction of the State Government].
- (b) no town land shall be allotted without prior sanction of the State Government and except for the purpose of homestead.

Explanation :- For the purpose of this rule, the road specified in appendix 'A' to these rules shall be deemed to be main roads.

²["11A Notwithstanding anything in the provision contained herein the area of land shall ordinarily be allotted to both husband and wife jointly if the person applying for allotment has a spouse living For the purpose of allotment, proof of Indian Nationality of either of the spouses shall be the prima-facie proof of nationality of other unless there are reasons to believe he or she is not in Indian national"]

³**[12. Conditions of allotment :**

- (1) Any allotment of land under sub-section (1) of section 14 and in accordance with these rules, shall be further subject to the following conditions and also the condition specified in the allotment order which shall be, as nearly as possible, in the form at Appendix-'B' :-

- (i) The land will be heritable but not alienable without the written consent of the Collector granted on the recommendation of the Advisory Committee that may be set up by the Government :

provided that the land may be mortgaged to the Government, or a co-operative society or a bank or such institution as may be noticed in the Official Gazette by the State Government from time to time ;

- (ii) The allottee may surrender the land in the manner specified in the allotment order ;
- (iii) The allottee shall bring the whole area under cultivation within the time specified in the allotment order ;
- (iv) The allottee shall be liable to pay premium, land revenue and taxes as specified in the allotment order ;
- (v) The allottee shall be entitled to plant trees on his land to enjoy the products thereof and to fell, utilize or dispose of the timber of any trees on his land ;

1. Substituted by the Tripura Land Revenue and Land Reforms (Allotment of land) (5th Amendment) Rules, 1992, w.e.f. 30.9.1992.
2. Inserted by the Tripura Land Revenue and Land Reforms (Allotment of land) (7th Amendment) Rules, 2004, w.e.f. 21.06.2004.
3. Substituted by the Tripura Land Revenue and Land Reforms (Allotment of land) (Second Amendment) Rules, 1983, w.e.f. 26.07.1983.

(vi) The allotment will be liable to be cancelled for breach of any of the provisions of the Act, the rules or any of the conditions of allotment.

(2) The collector shall have the power to delete any of the conditions specified in Appendix-B and/or insert any other conditions as the circumstance of the case may require.]

13. Exemption from payment of premium :

Notwithstanding anything contained in rule 9 and 10 the State Government may by an order in writing suspend or remit payment of premium or any part thereof, if in its opinion the allottee has not sufficient means to make such payment.

14. Allotment of land for the purpose of industry or for any purpose of public utility :

The allotment of land under sub-section (2) of section 14, shall be subject to the following conditions namely-

(i) the allottee shall be liable to pay a premium equal to the market value of the land :

Provided that the State Government may, by order, exempt any allottee from the payment of the whole or any part of the premium or permit any allottee to pay the premium in such number of annual instalments, not exceeding twenty, as may be specified therein together with interest at two and half per cent per annum on the unpaid amount ;

(ii) the allottee shall be liable to pay such land revenue as may be specified in the allotment order :

provided that the land revenue so specified shall not exceed the land revenue in accordance with section 19 ;

(iii) the land shall be liable to be resumed by the Government if used for a purpose other than that for which it has been allotted, or if the allottee has committed breach of any of the conditions of allotment ;

(iv) no compensation shall be payable by the Government on account of resumption of any land under clause (iii) except when a premium has been paid by the allottee in respect of the allotment of land ; and in a case where such premium has been paid the compensation payable by the Government shall be the amount so paid as premium or the market value of the land at the time of resumption whichever be less;



- (v) if the land be resumed by Government it shall have the option of-
- (a) taking over any construction built on the land on payment of their cost or their market value at the time of resumption, whichever be less ; or
 - (b) requiring the allottee to remove the construction and to restore the land to its original condition within a reasonable period to be fixed by the State Government from time to time, should the allottee fail to comply with the order for removal of construction or to restore the land to its original condition within the time so fixed or, as the case may be, within the extended period, the construction shall vest in the Government without payment of any compensation therefore and the cost incurred in restoring the land to its original condition shall be recoverable on the allottee as arrear of land revenue ; and
- (vi) any other condition which the State Government may consider reasonable to impose, in view of the special circumstances of any individual cases.

15. Nothing in these rules shall affect any previous order of allotment passed and any right, privilege, obligation or liability acquired, accrued or incurred under the Tripura Land Revenue and Land Reforms (Allotment of Land) Rule, 1962.

¹[Provided that the market value of trees or any part thereof, payable to the Government by an allottee under the aforesaid rule, if remained unpaid at the commencement of these rules, shall be deemed to have been remitted].

APPENDIX 'A'

(See rule 11)

1. Agartala - Simna road
2. Agartala-Melaghar-Sonamura road
3. Udaipur-Sabroom road
4. Bagafa-Belonia road
5. Bislamganj-Udaipur-Matabari road
6. Khowai-Tchiamura road
7. Kailashahar-Kumarghat road
8. Kamalpur-Ambassa road
9. Melaghar-Udaipur road

1. Inserted by the Tripura Land Revenue and Land Reforms (Allotment of land) (Amendment) Rules, 1981, w.e.f. 21.09.1981.

10. Teliamura-Amarpur road
11. Kumarghat-Nabihampara road
12. Agartala-Assam road
13. Dharmanagar Kailashahar road
14. Chebri-Khowai road (T.G.)
15. Udaipur-Amarpur road
16. Agartala-Abhoynagar road
17. Dharmanagar-Approach road
18. Agartala- Air-field road
19. Manubazar-Upendranagar road
20. Amarapur-Nutanbazar-Tirthamukh road
21. Dharmanagar-Tilthai-Damcherra road
22. Pencharthal-Kanchanpur-manpai road

APPENDIX 'B'
(See rule 12)

**THE TRIPURA LAND REVENUE AND LAND REFORMS
(ALLOTMENT OF LAND) RULES, 1980.**

NO

Dated.....

ALLOTMENT ORDER

Land described in the schedule below is allotted to Shri.....
 Son of of village.....P.O.....
 Of District..... for the purpose of
under sub-section (1) of section 14 of the Tripura Land Revenue and Land
 Reforms Act, 1960 subject to the following conditions, namely :-

- (1) The land is heritable but not alienable without the written consent of the
 Collector :

Provided that the land may be mortgaged to the Government, a
 co-operative society or a bank or such other institution as may be notified in
 the Official Gazette by the State Government, from time to time.

Explanation :- The expression 'bank' shall have the same meaning as assigned to it by the explanation under section 109 of the Tripura Land Revenue and Land Reforms Act, 1960.

- (2) The allottee on giving three months notice before the end of the agricultural year and on payment of all Government dues in respect of the allotted land upto the end of the said agricultural year may surrender the land allotted to him. On such surrender being made, the land shall revert to the Government.
- (3) In case the allottee is a co-operative farming society and the registration of such society is cancelled within ten years from the date of allotment, the land allotted to such society shall thereupon be deemed to have been resumed by the Government and the Government shall not be liable to pay any compensation. Any person holding or retaining possession of such land thereafter shall be deemed to be a trespasser.
- (4) In case of waste land allotted for agricultural purpose the allottee shall bring the whole area under cultivation within five years from the date of allotment.
- (5) The allottee shall be liable to pay Rs.(Rupees.....) only as premium either in lump sum or in annual instalments together with interest at two and half percent per annum on the unpaid amount. The premium or the first instalment, as the case may be, shall be paid on or before.....(date).
- (6) The allottee shall be liable to pay Rs.....(Rupees.....) only as land revenue and Rs.....(Rupees.....) only as cess per year subject to such alteration as may be made under the Tripura Land Revenue and Land Reforms Act, 1960.
- (7) The allottee shall be entitled to plant trees on his land to enjoy the products thereof and to fell, utilize or dispose of the timber of any trees on his land.
- (8) The allottee shall be liable to pay all other taxes for the time being in force or imposed in future under any law.
- (9) The allotment shall be liable to be cancelled if -
 - (a) except in cases falling under clause (4), the land is not used within two years of the date of allotment for the purpose for which it is allotted ; or ;

- (b) the allottee commits a breach of any of the conditions mentioned hereinbefore or any of the provision of the Tripura Land Revenue and Land Reforms (Allotment of Land) Rules, 1980 ; or
- (c) at any time it is discovered that the allottee was not eligible for this allotment in terms of the Tripura Land Revenue and Land Reforms (Allotment of Land) Rules, 1980 or guilty of misrepresentation at the time of allotment.

Provided before such cancellation is ordered, a notice is given to allottee to show cause against cancellation within a period of 15 days from the receipt of the notice.

- (10) no compensation shall be payable by the Government on account of cancellation of any allotment order or re-entry by the Collector, but if the allottee has built any construction on the land, he shall be allowed a reasonable opportunity to remove the same.

Schedule of land allotted

Name of mouja
 Plot No.....
 Area

[SCHEDULE

Family Income category	Limit of premium payable
(a) Family income below the "Poverty Line" Income.	Nil
(b) Family income above the 'Poverty line' Income but less than 1.5 times of "Poverty Line" Income.	25% of premium determined under Rule 9.
(c) Family income above 1.5 times of 'Poverty Line' Income but less than 2.5 times of "Poverty Line' Income.	50% of premium determined under Rule 9.

"Poverty line" income for this purpose shall be as notified by the Government time to time.

By order of the Governor,]

1. Inserted by the Tripura Land Revenue and Land Reforms (Allotment of land) (Sixth Amendment) Rules, 1998, w.e.f. 16.9.1998.

TRIPURA



GAZETTE

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EXTRAORDINARY ISSUE

Agartala, Wednesday, January 16, 1985 A. D.
Paus 26, 1906 S. E.

PART-I—Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

Government of Tripura
Revenue Department.

No.F. 4(41)-RCC/83

Dated, Agartala, the 1st January, 1985.

NOTIFICATION

In exercise of the powers conferred by Section 98 of the Tripura Land Revenue and Land Reforms Act, 1960 (43 of 1960) and all other powers enabling him in this behalf, the Governor, Tripura is pleased to make the following rules, further to amend the Tripura Land Revenue and Land Reforms (Allotment of Land) Rules, 1980, namely :—

Short title &
Commencement

1. (1) These rules shall be called the Tripura Land Revenue and Land Reforms (Allotment of Land) (Third Amendment) Rules, 1985.

(2) They shall come into force at once.

Substitution of
rule 10.

2. For the existing rule 10 of the Tripura Land Revenue and Land Reforms (Allotment of Land) Rules, 1980, the following rule shall be substituted, namely :—

“10. (1) Notwithstanding anything contained in rule 9, no premium shall be payable—

(a) by a jhumia or a landless agricultural worker or a co-operative society of jhumias or of landless agricultural worker in respect of land referred to in sub-rule (1) of rule 9, or

(b) by a jhumia, a landless agricultural worker or an artisan or an individual having annual income not exceeding rupees six thousand in respect of land referred to in sub-rule (2) of rule 9.

(2) An individual having annual income between rupees six thousand one and rupees ten thousand shall pay premium at twentyfive percent of market value in respect of land referred to in sub-rule (2) of rule 9”.

By order of the Governor,
M. Damodaran
Secretary to the
Government of Tripura.

TRIPURA GAZETTE

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Agartala, Friday, November 6, 2020 A. D., Kartika 15, 1942 S. E.

PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA REVENUE DEPARTMENT

No.F.4 (21)-RCC/2020

Dated Agartala the 4th November, 2020

NOTIFICATION

In exercise of the powers conferred by section 98 of the Tripura Land Revenue and Land Reforms Act, 1960 (43 of 1960) the Governor of Tripura, hereby makes the following rules further to amend the Tripura Land Revenue and Land Reforms (Allotment of Land) Rules, 1980 namely:-

1. Short title and commencement :

- (1) These Rules may be called the Tripura Land Revenue and Land Reforms (Allotment of Land) (Eighth Amendment) Rules, 2020.
- (2) They shall come into force on the date of their publication in the Official Gazette.


2. In the Tripura land Revenue and Land Reforms (Allotment of Land) Rules, 1980, after Rule 14 the following Rule shall be inserted, namely:
-

Tripura Gazette, Extraordinary Issue, November 6, 2020 A. D.

“14.A There shall be Sub-Divisional Level Land Allotment Committees, to be constituted or re-constituted for each Sub-Division from time to time, with the approval of the State Government, for proper implementation of the objectives and transparency in the process of land allotment.

Any allotment of land under sub-section (i) and (ii) of Section 14 of the Tripura Land Revenue and Land Reforms Act, 1960, shall be approved on the recommendation of the respective Sub-Divisional Level Land Allotment Committee.”

By order of the Governor,


04/11/20
(Tanusree Deb Barma)
Secretary to the
Government of Tripura