

THE TRIPURA LAND REVENUE AND LAND REFORMS
(SIXTH AMENDMENT) ACT, 1994.

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Agartala, Friday, October 18, 1996 A.D. Asvina 26, 1918 S.E.

GOVERNMENT OF TRIPURA
LAW DEPARTMENT

No. F. 9(15)-Law/Leg/96
1996.

Dated, Agartala, the 18th October,
1996.

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the President on the 11th February, 1996 and is hereby published for general information.

TRIPURA ACT NO. 2 OF 1996.

THE TRIPURA LAND REVENUE AND LAND REFORMS
(SIXTH AMENDMENT) ACT, 1994.

AN
ACT

Further to amend the Tripura Land Revenue and Land Reforms Act, 1960.

Be it enacted by the Legislative Assembly in the forty-fifth year of the republic of India as follows:-

WHEREAS it is expedient to amend the Tripura Land Revenue and Land Reforms Act, 1960:

Short title and	1. (1) This Act may be called the Tripura Land Revenue and Land Reforms (Sixth Amendment) Act, 1994.
Commencement	(2) It shall come into force at once.

1. For Section 187 of the Tripura Land Revenue and Land Reforms Act, 1960 (here-in-after referred to as principal Act). the following Section shall be substituted, namely:-

“187 (1) No transfer of land belonging to a person who is a member of the Scheduled Tribes shall be valid unless—

- (a) the transfer is to another member of the Scheduled Tribes; or
- (b) where the transfer is to a person who is not a member of the Scheduled Tribes, it is made with the previous permission of the collector in writing in the manner to be prescribed by rule, or
- (c) the transfer is by way of mortgage to a Co-operative Society or to a Bank or to the Tripura Housing Board, or to the Central or the State Government or any other financial institutions or Corporations as may be notified by the Government in the Official Gazette from time to time for the purpose.

Provided that the land so mortgaged in pursuance of Clause (c) shall not be transferred by such mortgage to a person who is not a member of the Scheduled Tribes.

Explanation—In this sub-section, the expression, ‘a bank’ shall have the same meaning as in section 109.

(2) (a) Notwithstanding anything contained in the Transfer of Property Act, 1882, but subject to the provision of section 187A, no transfer of land belonging to a person who is a member of the Scheduled Tribes shall be valid unless made by a registered instrument.

(b) No transfer or instrument of transfer including a decree or order passed by any court, Tribunal or Authority, made in contravention of sub-section (1) shall be registered or in any way recognised as valid in any court, Tribunal or Authority.

(3) No decree or order shall be passed by any court, Tribunal or Authority in any case other than the cases as specified in Clause (c) of sub-section (1) for the sale of the land or any portion thereof, of a person belonging to scheduled Tribes nor shall any such land be sold in execution of any decree or order”

Insertion of
New
Section

3. In the Principal Act, after Section 187 A, the following sections shall be inserted, namely;-

“Restoration
of land:

187B. (1) On or after the 1st January, 1969---

- (a) if a transfer of land belonging to a person who is a member of the scheduled Tribes is made in contravention of the provisions of sub-section (1) of section 187 to a person other than a member of the Scheduled Tribes, a Revenue Officer specially appointed for this purpose by a notification in the Official Gazette, and having local jurisdiction may, notwithstanding anything contained in any other law for the time being in force, on its own motion or on an application made in that behalf, and after giving the transferee and the transferer an opportunity of being heard, by an order in writing evict such or any person claiming under him from such land or part thereof and shall restore the possession of the land to the transferer, or his successor in interest and for this purpose the Revenue Officer may use or cause to be used such force as may be considered necessary.

(b) if any land owned by person belonging to the Scheduled Tribes is occupied by any person who is not a member of the Scheduled Tribes without lawful authority, then the Revenue Officer in the same manner as provided in Clause (a) may restore the possession of such land to the person or successor in interest so dispossessed.

(c) if a person belonging to the scheduled Tribes is in occupation of Government land and eligible for allotment of such land under Section 14 of this Act, parts with possession or is dispossessed there from by a person not belonging to the Scheduled Tribes, then the Revenue Officer in the same manner as provided in clause (a) may restore the possession of such land to that person. Or his successor-in-interest as the case may be and refer to the competent authority under Section 14 of this Act for allotment of the land to such person.

Explanation—For the purpose of this sub-section, the successor-in-interest means heirs, transferee or assignee in accordance with law or custom as applicable.

(2) If any person not being a member of the Scheduled Tribes occupies or possesses the land held by or in occupation of a person belonging to the Scheduled Tribes in any manner as specified in sub-section (1) after the commencement of the Tripura Land Revenue and Land Reforms (Sixth Amendment) Act, 1994 without any lawful authority he shall be punishable with imprisonment for a term which may extend to two years and also with a fine which may extend to three thousand rupees.

(3) Notwithstanding anything contained in the Code of Criminal Procedure 1973 every offence punishable under sub-section (2) shall be cognizable and non-bailable and wherever any person is arrested and detained in custody in pursuance of provision of this section, the officer-in-charge of the Police Station or Police Officer making the arrest shall forward the person to the Presiding Officer holding the special Court of the jurisdiction and the provision of the Code of Criminal Procedure, 1973 shall apply mutates mutandis for summary trial.

(4) For the purpose of speedy trial of offence under this section the State Government may, after consultation with the High Court by notification constitute as many special Courts as may be considered necessary, each consisting of an Officer not below the rank of a Judicial Magistrate of the First Class.

(5) For the cases referred to in sub-section (2), the Revenue Officer immediately after restoration of land under sub-section (1) shall file a complaint in the special Court constituted under sub-section (4) for action as provided, in sub-section (2).

(6) An appeal shall lie to the High court from every order passed by a special court under this section within sixty days of the passing of such order.

Onus of Proving

187. C. Notwithstanding anything contained in any other law for the time being in force, the burden of proof for the purpose of section 187 B that transfer of land was not made in contravention of sub-section (1) of section 187 or occupation of land was not made without lawful authority shall lie on the transferee or occupier, as the case may be.

Prevention of re-transfer

187. D. Where the possession of any land is restored to a person belonging to the scheduled Tribes under any of the above provisions is re-transferred by the person belonging Scheduled Tribes in contravention of section 187 and the Revenue Officer specially empowered has reasons to believe that the land holder belonging to Scheduled Tribes shall not be in a position to retain the land so re-transferred even after subsequent restoration, the Revenue Officer shall evict the person to whom the land was re-transferred and entrust the management of the same to a Committee as may be constituted by the State Government with scheduled Tribes members and government Officials for a period of one year and if, after the expiry of this period, the Committee holds that the land holder belonging to the scheduled Tribes shall not be in a position to retain the land if restored, then such land shall vest to the Government free from all encumbrances and the Collector shall allot the land to the eligible tribals of the area under such condition as may be prescribed.

(2) The manner of constitution conduct of business, powers and function of the committee referred to in sub-section (1) shall be such as may be prescribed.

Explanation:- For the purpose of Section 187, 187B, 187C and 187D, the word 'transfer' shall mean sale, mortgage, lease, exchange and gift as defined in Transfer of property Act, 1882 and include parting with fully or partly of ownership or possession of any land or any interest therein in any other manner whatsoever but shall not include the requisition and acquisition of land under any law for the time being in force.

Waiving of limitation

187. E. Notwithstanding anything contained in any law for the time being in force, a petition for restoration of possession of land by a person belonging to the Scheduled Tribes against a person not belonging to the scheduled Tribes shall lie at any time.

Jurisdiction of Civil Court

187. F. Notwithstanding anything contained in any other law for the time being in force, no suit for declaration of title over any land belonging to the Scheduled Tribes shall lie in a civil Court and no Civil Court shall pass a decree or order by which title of land stands transferred from a person belonging to the Scheduled Tribes to a person not belonging to the Scheduled Tribes.

187. G. (1) Wherever an offence under this Act has been committed after the commencement of the Tripura Land Revenue and Land Reforms (Sixth Amendment) Act, 1994 by a company, every person who at the time the offence was committed was in charge of, or was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or a connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:- For the purpose of this section (a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "Director", in relation to a firm, means a partner in the firm".

R.M.MAJUMDER
Deputy Secretary to the
Government of Tripura.

THE TRIPURA LAND REVENUE AND LAND REFORMS
(SIXTH AMENDMENT) ACT, 1997.

GOVERNMENT OF TRIPURA
LAW DEPARTMENT

No. F. 9(15)-Law/Leg/96

Dated, Agartala, the 1st April, 1997.

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the President on the 27th March, 1997 and is hereby published for general information.

"TRIPURA ACT NO. 1 OF 1997

THE TRIPURA LAND REVENUE AND LAND REFORMS
(SEVENTH AMENDMENT) ACT 1997.

AN

ACT

further to amend the Tripura Land Revenue and Land Reforms Act, 1960.

Be it enacted by the Legislative Assembly of Tripura in the Forty-eight Year of the republic of India as follows: -

Short Title and
Commencement

1. (1) This Act may be called the Tripura Land Revenue and Land Reforms (Seventh Amendment) Act, 1997.

(2) It shall be deemed to have come into force on the 11th day of February 1996.

Amendment of
section 187

2. In Section 187 of the Tripura Land Revenue and Land Reforms Act, 1960 (hereinafter referred to as the Principal Act), sub-section (3) shall be renumbered as clause (a) thereof and after clause (a) as so renumbered, the following clause shall be inserted, namely:-

"This sub-section shall come into force on such date as the State Government may be notification in the official Gazette appoint."

Amendment of
section 187 B

3. In Section 187B of the Principal Act, sub-section (2) shall be renumbered as clause (a) thereof and after clause (a) as so renumbered, the following clause shall be inserted, namely: -

"(b) This sub-section shall come into force on such date as the state Government may by notification in the official gazette appoint"

Repeal and
Saving

4. (1) The Tripura Land Revenue and Land Reforms (Seventh Amendment) Ordinance 1996 (hereinafter referred to as the said ordinance) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall respectively be deemed to have been done or taken under the corresponding provisions of this Act."

B.K. Banerjee
Secretary to the
Government of Tripura.

8th Amendment Act, 2000
Published in the
EXTRAORDINARY ISSUE OF TRIPURA GAZETTE

Agartala, Thursday, September 5, 2002 A.D. Bhadra 14, 1924 S.E.

GOVERNMENT OF TRIPURA
LAW DEPARTMENT

NO.F.8(19)-Law-1/2002

Dated, Agartala, the 14th August, 2002.

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor on the 31st of May, 2000 and is hereby published for general information.

A.B. Paul
Secretary
Government of Tripura

THE TRIPURA LAND REVENUE AND LAND REFORMS
(EIGHT AMENDMENT) ACT, 2000.

AN
ACT

to amend the Tripura Land Revenue and Land Reforms Act, 1960.

Be it enacted by the Legislative Assembly of Tripura in the Fifty-First Year of Republic of India as follows :

- | | |
|--------------------------------|--|
| Short title &
Commencement. | 1. (1) This act may be called the Tripura Land Revenue and Land Reforms (Eight Amendment) Act, 2000.
(2) It shall come into force at once. |
| Amendment of
Section--20 | 2. In section 20 of the Tripura Land Revenue and Land Reforms Act, 1960,--

(a) in sub-section (4), for the words "one hundred rupees" the words "ten thousand rupees" shall be substituted ;

(b) in sub-section (5), for the words :One hundred rupees" and "four rupees" the words "ten thousand rupees" and "four hundred rupees" shall respectively be substituted. |

A.B.Pual
Secretary
Government of Tripura

**Published in the
ESTRAORDINARY ISSUE OF TRIPURA GAZETTE**

Agartala, Monday, March 6, 2006 A.D. Phalguna 15, 1927 S.E.

Government of Tripura
Law Department

No.F.8(2)-LAW/Leg-I/2006.

Dated, Agartala, the 23rd February, 2006

The following Act of the Tripura Legislative Assemble received the assent of the Governor on 20.02.2006 is hereby published for general information.

S.C. Das
Law Secretary
Government of Tripura

**THE TRIPURA LAND REVENUE AND LAND REFORMAS
(NINTH AMENDMENT) Act, 2006.**

AN

ACT

to amend the Tripura Land Revenue and Land Reforms Act, 1960.

Be it enacted by the Tripura Legislative Assemble in the Fifty Seventh Year of the Republic of India as Follows :-

- | | |
|---|--|
| Short Title &
Commencement | 1.(1) This Act may called the Tripura Land Revenue and Land Reforms (Ninth Amendment) Act, 2006.

(2) It shall come into force at once. |
| Insertion of Sub-section (1) and (2) in Section 4 | 2. In Section 4 of the Tripura Land Revenue and Land Reforms Act, 1960 the existing provision shall be numbered as sub-section (1) and after sub-section (1) the following shall be inserted namely :-

“(2) Notwithstanding anything contained in Sub-section (1) of Section 4 above, the State Government if it thinks expedient to do so, may engage at any time private individuals to undertake any of the activities under this Act. In the event of such expediency the State Government, shall by notification in the official gazette, prescribe the conditions under which such engagement shall be made.” |

S.C.Das
Law Secretary
Government of Tripura

➤ **POWER OF THE COMPETENT AUTHORITY TO ACT UNDER THE PROVISION OF TLR & LR ACT 1960 :-**

Sl no	Section of the Act	Subject/purpose	Revenue authorities with which powers are vested
1.	11(3)	Power to decide dispute over property.	1. Collector 2. Settlement Officer (during revision)
2.	14(1)	Allotment of land for the purpose of agriculture and construction of dwelling house	1. Sub-Divisional Magistrate 2. Settlement officer(during revision)
3.	15	Summary eviction of unauthorized occupation	1. Deputy Collector 2. Settlement officer (during revision)
4.	18	Remission of revenue in respect of land lost by diluvium	1. Deputy Collector 2. Settlement officer
5.	20	Permission of diversion of land	Deputy Collector
6.	38	Assessment of revenue payable on each holding	Settlement officer
7.	45	Revision of entries in the finally published RoR within one year from the date of final publication of records	Settlement officer
8.	46	To decide the disputed case of mutation	1. Deputy Collector 2. Revenue inspector 3. Asstt. survey officer 4. Kanungo(during revisional survey)
9.	46(A)	Disposal of objections against the entries in the register of bargadars and to certify the transfer of entries in the RoR	1. Deputy Collector 2. Revenue Inspector 3. Asstt. Survey Officer 4. Kanungo(during revisional survey)
10.	52	Demarcation of village boundaries	1. Deputy Collector 2. Asstt. Survey Officer(during revisional survey)
11.	53(2)	Eviction of unauthorized occupiers after fixing of boundary	1. Sub-Divisional Magistrate 2. Settlement Officer (during Revenue Survey)
12.	57	Measuring for construction , laying out, maintenance and repair of boundary marks	1. Collector 2. Settlement officer (during Revenue Survey)
13.	61(2)	Certification of the correctness of the accounts of arrears of land revenue	Deputy Collector
14.	63,64,65,66,75&79	Realization of land revenue and other public demands through certificate proceeding	Deputy Collector
15.	74	Confirmation of sale	Sub-divisional Magistrate

16.	76	Certificate of purchase	1.Sub-divisional Magistrate 2. Deputy Collector
17.	84	Power to transfer cases from one revenue officer to another revenue officer competent to deal with it.	1. Secretary /Commissioner, revenue from any revenue officer to another revenue officer competent to hear the case. 2. Director land records from any revenue officer of the directorate of settlement to another revenue officer of the directorate competent to hear the case. 3. Collector to another officer exercising the power of collector in the same district and from any revenue officer in the district to another revenue officer competent to hear the case. 4. Sub-divisional officer from any revenue officer in the sub-division to another revenue officer in the sub-division competent to hear the case.
18.	85	Power to take eviction, summoned witness etc.	All revenue officers not lower in rank than a circle officer are empowered.
19.	93(1)	Hearing of appeals against order passed by subordinate officer.	Appeal will lie do:- 1. Commissioner/Secretary, revenue order if passed by Collector 2. Collector, if the order passed by the SDM 3. SDM, if the order passed by an officer subordinate to him. 4. Settlement officer, if order passed by the A.S.O 5. Director of Land Records and Settlement against order passed by settlement officer including orders passed in cases under sec-11(3) in exercise of the power of collector.
20.	93(2)	Hearing of second appeal	1.Commissioner/Secretary, revenue against order passed by the Collector/director of land records and settlement. 2.Director of land records and settlement against order passed by settlement officer. 3.Collector against order passed

			by SDO and other subordinate officers.
21.	95	Revision of orders passed by other subordinate officers	<ol style="list-style-type: none"> 1. settlement officer(during revisional survey and before final publication) 2. director of land records and settlement (after final publication and before consignment of records to sub-divisional megistrate) 3. collector(for cases arising after consignment of record toSub-divisional megistrate) <p>N.B:- Settlement officer and director land records & settlement will dispose of cases pending with them at the time of final publication and consignment of records respectively)</p>
22.	96	Review of order	<p>Revenue officer before reviewing any order will take permission from:-</p> <ol style="list-style-type: none"> 1. Commissioner / secretary, revenue for any order passed by collector. 2. Collector for any order passed by a revenue officer subordinate to him 3. Director of land records and settlement for any order passed by officer of the settlement directorate.
23.	107	Relinquishment of rights in respect of any land in favour of the government	<ol style="list-style-type: none"> 1.Sub-divisional magistrate 2.Deputy collector
24.	107(D)(1)	Transfer of land within the second schedule area	<ol style="list-style-type: none"> 1.Sub-Divisional Magistrate 2.Deputy Collector
25.	110	Permission to make improvement	<ol style="list-style-type: none"> 1.Deputy Collector 2.Assistant Survey Officer(during revision survey)
26.	111A	To determine the fixed produced rent	<ol style="list-style-type: none"> 1.Deputy Collector 2.Assistant Survey Officer(during revision survey)
27.	113	Determination of reasonable rent	<ol style="list-style-type: none"> 1.Deputy Collector 2.Assistant Survey Officer(during revision survey)
28.	114	Communication of rent payable in kind	<ol style="list-style-type: none"> 1.Deputy Collector 2.Assistant Survey Officer(during revision survey)
29.	116A	To receive rent from under raiyat of refusal by the raiyats	<ol style="list-style-type: none"> 1.Deputy Collector 2.Assistant Survey Officer(

			during revision survey)
30.	118	Eviction of under raiyat	1.Sub- Divisional Magistrate 2.Settlement Officer(during revision survey)
31.	120	Declaration of under raiyat as raiyat of the land	1.Sub- divisional magistrate 2.Settlement Officer(during revision survey)
32.	121 & 122	Determination of compensation for improvement	1.Deputy Collector 2.Assistant Survey Officer
33.	123	Restoration of possession of land of bargadar(under raiyat)	Settlement Officer (during revision survey)
34.	127	Determination of compensation to raiyat	1.Deputy Collector 2.Assistant Survey Officer
35.	130	Issue of certificate of ownership to under raiyat	1.Deputy Collector 2.Assistant Survey Officer
36.	131	Determination of reasonable price and issue of certificate of purchase to under raiyat	Deputy Collector 2.Assistant Survey Officer
37.	143-146	Assessment of compensation payable to intermediaries	Collector
38.	165	To receive return under section 165	1. Sub-Divisional Magistrate 2. Deputy Collector 3. Settlement Officer (during revision survey)
39.	166	Penalty for non submission of returns	1. Sub-Divisional Magistrate 2. Deputy Collector 3. Settlement Officer (during revisional survey)
40.	167	To determine excess land and publish the list of excess land u/s 167	1.Sub-Divisional Magistrate 2.Deputy Collector 3.Settlement Officer (during revisional survey)
41.	169	Excess land to vest in Government	1.Sub-Divisional Magistrate 2.Deputy Collector 3.Settlement Officer (during revisional survey)
42.	170	Hearing of objection against determination of excess land	Collector Director Land Records and Settlement (during revisional survey)
43.	171	To determine compensation for excess land	1.Sub-Divisional Magistrate 2.Settlement Officer (during revisional survey)
44.	175	Taking over possession of excess land	1.Sub-Divisional Magistrate 2.Deputy Collector 3.Settlement Officer (during revisional survey)
45.	187(3)	Restoration of alienated land to tribals	1.Sub-Divisional Magistrate 2.Addl.Sub-Divisional Magistrate

