

TRIPURA



GAZETTE

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## EXTRAORDINARY ISSUE

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

Government of Tripura  
Revenue Department

No.F.8(4)-REV/2008(P-3)

Dated, Agartala, the 8<sup>th</sup> October, 2013.**Notification**

In view of order passed by the Hon'ble Supreme Court in S.L.P.(c) No. 8519 of 2006 ( Union of India v/s State of Gujarat and others) , and in exercise of the powers conferred by the Article 166 of the Constitution of India; the Governor of Tripura hereby makes the following Rules for removal/relocation and regularization of the unauthorized religious structures constructed on public places in the state:-

1. **Short title, extent and commencement :-** (1) These Rules may be called "The Tripura unauthorized religious structures construction survey and its regularization, relocation and removal Rules, 2013."  
(2) It shall extend to the whole of the State of Tripura. It shall come into force with immediate effect.
2. **Definitions :-** In these Rules, unless the context otherwise requires:-
  - (a) "Fixed date" means the date of commencement of these Rules;
  - (b) "Unauthorized religious structures" mean those religious structures such as temple, church, mosque, Gurudwara, Bodhbihar, Mazar etc. constructed on public places;
  - (c) "Public places" mean public park, road, lane, Government land and any building or land which is not a private property.
3. **Survey of the religious structures constructed on public places :-** (1) In future, no construction on any public place in the name of religious institutions shall be made or allowed to be made.  
(2) The unauthorized structures of religious institutions already constructed shall separately be taken into consideration on case-to-case basis for their removal. For this purpose, by reviewing all the religious places separately on ground of the previous survey of the religious structures already constructed and after those having been identified, a committee shall be constituted at the district level for further appropriate action. The Chairman of the Committee will be the District Magistrate & Collector. The Superintendent of Police, the CEO, AMC (in respect of Agartala), the Executive Engineer, PWD, concerned Sub-divisional Magistrate , Executive Officer ,Nagar Panchayat and the DFO concerned will be the Members and Sub-Divisional Magistrate will be the Member-Secretary.

(3) *The DM & Collector shall himself / herself be competent for the removal of such unauthorized structures on ground of the recommendations made, after separately reviewing such unauthorized structures constructed on public places on case-to-case basis, by the committee regarding removal/relocation/regularization of such structures.*

4. **Regularization of unauthorized religious structures :-** *Such religious institutions constructed on public places, which are much older structures than 30 years from the above said fixed date shall be regularized:*

*Provided that no case relating to their removal is pending in any court and no interruption in the maintenance of easy traffic should be caused due to their regularization. The proposal for regularization shall have to be sent to the Revenue Department with relevant details by the DM & Collector .*

5. **Removal/Relocation of the unauthorized religious structures:-** (1) *After the religious structures constructed on the public places having been identified, and on the basis of the discussion and consent with the foremost co-operation of the local communities there shall be made an attempt for their removal/relocation to other places or to find out a solution regarding those structures peacefully or in any other manner alike whatsoever.*


*(2) In case no final solution comes out by way of consent, actions shall be taken on case-to-case basis in each and every such cases, by following the procedures prescribed in the Tripura Land Revenue and Land Reforms Act, 1960 and/or The Tripura Municipal Act, 1994 and/or The Tripura Public Premises (Eviction of Unauthorized Occupants) Act, 1983 and other relevant laws, if any.*

*(3) The actions shall be taken as early as possible under the Tripura Land Revenue and Land Reforms Act, 1960 and/or The Tripura Municipal Act, 1994 and/or The Tripura Public Premises (Eviction of Unauthorized Occupants) Act, 1983 for removal of such structures of the religious institutions which are on public places for the period less than thirty years. In case the possibility of the law and order problem arises seriously due to prevailing tension in society during such actions being taken for removal of the unauthorized structures, such cases may be forwarded by the DM & Collector concerned to the Government for decision and with the approval of the Government an appropriate action may be taken. In case no decision is taken on part of the Government for immediate removal of any unauthorized structure, there shall be made an attempt to reduce those structures to that extent that there may not be any interruption in the easy and safe traffic system for common public.*

(4) It shall be imperative for the DM & Collector concerned to obtain requisition / consent / opinion of the competent officer of the Central / State Government or Central / State public undertaking before removal / relocation / regularization of the unauthorized religious structures constructed on the land under the ownership of the Central / State Government or Central / State public undertaking.

6. **Reporting on the unauthorized religious structures :-** The DM & Collector concerned shall submit an annual report at the end of every calendar year indicating action taken .
7. **Miscellaneous :-** It shall be on part of the State Government to ensure that in future there may not be any construction of any unauthorized structure of any religious institutions on public places.
8. **Interpretation: -** In case any doubt arises out in interpretation of any provision of these rules, such matters shall be referred to the Revenue Department, Tripura; and its decision shall be final upon that.

By order of the Governor of Tripura

  
8/10/13  
( Swapan Saha )  
Secretary,  
Revenue Department  
Government of Tripura