

No.F.34 (06) REV/2019/P-II
GOVERNMENT OF TRIPURA
REVENUE DEPARTMENT
(L.R.CELL)

Dated, Agartala, the 27 April, 2022.

NOTIFICATION

Subject:- Guidelines on Diversion of Water Bodies in private/Jote land in Tripura.

1. Water bodies like ponds are an essential part of the Village / City landscape and ecosystem. They absorb flood water, store water for dry month, replenish ground water, enhance the water quality and support biodiverse habitats and they can also open up a new avenue in economy mainly through fisheries and irrigation
2. TLR & LR Act, 1960 and Rules, 1961 prescribed certain guidelines, eligibility criteria to be followed in case of diversion of Agriculture land to non-agriculture purpose. But there are no specific guidelines in the TLR & LR Act & Rules in respect of diversion of water bodies (Lake, Pond & other water bodies).
3. As per section 20 (2) of the TLR & LR Act, 1960, Permission to divert may be refused by the competent authority only on the ground that the diversion is likely to cause a public nuisance or that it is not in the interest of the general public or that the holder is unable or unwilling to comply with the conditions that may be imposed under sub-section (3).
4. As per section 20 (3) of the TLR & LR Act, 1960, Conditions may be imposed on diversion for the following objects and no others, namely, in order to secure the public health, safety and convenience, and in the case of land which is to be used as building sites, in order to secure in addition that the dimensions, arrangement and accessibility of the sites are adequate for the health and convenience of occupiers or are suitable to the locality.
5. In pursuance of the section 20 (2) & section 20 (3) of the TRL & LR Act, 1960, it has been considered appropriate by the Government to impose reasonable terms & conditions before allowing or rejecting any application for Diversion of water bodies.
6. It has, therefore, been decided that the following guidelines should be followed by the competent authority while disposing application for diversion of water bodies :-
 - (a) The competent authority should examine the diversion application in respect of following:-
 - (i) Whether the diversion of water bodies is not in the interest of general public.
 - (ii) Whether the diversion shall cause any public nuisance in respect of public health, safety and convenience
 - (iii) Views of the Tripura State Pollution Control Board may be obtained.
 - (iv) Views of the Department of Fire & Emergency Services shall be obtained. Without No objection of this department, no diversion permission shall be accorded.
 - (v) All the diversion proposals will have to be approved by the District/Sub-Division wise committee constituted by Department of Science, Technology & Environment vide memorandum No.F.8 (21)-DSTE/ENV/Pt-I/L/1810-18 dated 05/04/2013.
 - (vi) If the diversion of water body is for the purpose of construction of dwelling house and the applicant does not have any other alternative land for construction of dwelling house, then diversion permission shall be accorded for maximum 0.04 acre in Urban area and 0.06 acre in Rural area based on merit of each case subject to the fulfillment of the condition in point No- (i), (ii), (iii), (iv) & (v) and the remaining area, if any, of the water body shall be retained in its original condition.

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- (vii) If the water body is found to be already diverted, penalty should be imposed provision of the TLR & LR Act, 1960.
7. In case of diversion of water bodies, power shall be vested to all DM & Collector diversion permission for pond/tank and other water bodes etc in place of Deputy C Magistrate.
 8. This is in suppression of all earlier issued notification/memorandum in connection w bodies diversion.

A.K. Bhattacharyya
(A.K. Bhattacharyya)
Addl. Secretary to the
Government of Tripura

To:

1. The Secretary to Chief Minister for kind information of the Hon'ble Chief Minister, Tri
2. The P.S to Minister, _____ for kind information.
3. The P.S to Chief Secretary for kind information of the Chief Secretary, Tripura.
4. All Principal Secretaries _____
5. All PS to Commissioner & Secretaries _____
6. The Principal Secretary, Revenue _____
7. All DM & Collector _____
8. All Sub-Divisional Magistrate _____
9. All Members _____
10. The Manager Govt. Press, Tripura, Agartala for information. He is also requested to publ the above Notification in next issue of the Tripura Gazette immediately.

A.K. Bhattacharyya
(A.K. Bhattacharyya)
Addl. Secretary to the
Government of Tripura

No.F.34(06)REV/2019/P-II
GOVERNMENT OF TRIPURA
REVENUE DEPARTMENT
(LR CELL)

Dated; Agartala, the 13th May, 2022

NOTIFICATION

In continuation to this Department's Notification of even number dated 27th April, 2022, a line is added after paragraph 7 as under:-

"DM & Collectors need not send proposal on diversion of water bodies on private/jote land to the State Government. DM & Collectors will have to dispose of cases on merit."

2. This should be treated to have been inserted ab initio.

A.K. Bhattacharya
(A.K. Bhattacharya)
Additional Secretary to the
Government of Tripura.

To

1. All DM & Collectors, West Tripura/Sepahijala/ Gomati/South Tripura/ Khowai/ Dhalai/ Unakoti/North Tripura.
2. All SDMs
3. Manager, Tripura Government Press, Agartala for publication of this Notification in Tripura Gazette in the next issue.

Copy to:-

1. The Secretary to the Hon'ble Chief Minister, Tripura
2. PS/PA to all Hon'ble Ministers for kind information of the Minister.
3. PS to Chief Secretary, Tripura for kind information of the Chief Secretary
4. All Principal Secretaries/Secretaries/Special Secretaries, Tripura

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GOVERNMENT OF TRIPURA
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2. PS/PA to all Hon'ble Ministers for kind information of the Minister.
3. PS to Chief Secretary, Tripura for kind information of the Chief Secretary
4. All Principal Secretaries/Secretaries/Special Secretaries, Tripura

No.F.34 (153) REV/2014
GOVERNMENT OF TRIPURA
REVENUE DEPARTMENT
(L.R.CELL)

Dated, Agartala, the 7 October, 2018.

NOTIFICATION

Subject:- Constitution of State Level Advisory Committee to consider Alienation of allotted land under Rule 12(1) of TLR & LR (Allotment of Land) Rules 1980 & also to consider proposal of diversion of pond/tank and other water bodes etc. under the jurisdiction of Agartala Municipal Corporation and other Urban local bodies.

A State level advisory committee is formed with the following members to consider Alienation of allotted land under Rule 12(1) of TLR & LR (Allotment of Land) Rules 1980 & also to consider proposal of diversion of pond/tank and other water bodes etc. under the jurisdiction of Agartala Municipal Corporation and other Urban local bodies.

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| 1. Hon'ble Minister, Revenue | : | Chairman |
| 2. Principal Secretary/ Secretary, Revenue | : | Member |
| 3. Principal Secretary/ Secretary, Urban Dev. | : | Member |
| 4. Principal Secretary/ Secretary, Tribal Welfare | : | Member |
| 5. Additional/Joint Secretary, Revenue | : | Member Secretary |

As per provision of Rule 12(1) of TLR & LR (Allotment of Land) Rules 1980, for transfer of ownership by way of sale deed/ gift deed/ will deed/ mortgage etc. of the allotte land, written consent from Collector's will be needed with prior concurrence of the State Level Advisory Committee.

In case of diversion of land under jurisdiction of Agartala Municipal Corporation and other Urban local bodies areas, power shall be vested to all DM & Collectors to issue diversion permission pond/tank and other water bodes etc in place of Deputy Collector & Magistrate. However approval of the State Level Advisory Committee will be necessary.

The above committee shall start functioning from the date of publication of this notification.

(A. Debnath)
Joint Secretary to the
Government of Tripura.

To:

1. The Secretary to Chief Minister for kind information of the Hon'ble Chief Minister, Tripura
2. The P.S to Minister, _____ for kind information.
3. The P.S to Chief Secretary for kind information of the Chief Secretary, Tripura.
4. All Principal Secretaries _____
5. All PS to Commissioner & Secretaries _____
6. The Principal Secretary, Revenue
7. All DM & Collector _____
8. All Sub-Divisional Magistrate _____
9. All Members _____
10. The Manager Govt. Press, Tripura, Agartala for information. He is also requested to publish the above Notification in next issue of the Tripura Gazette immediately.

(A. Debnath)
Joint Secretary to the
Government of Tripura.

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