

THE TRIPURA BILL NO. 6 OF 2025

**THE TRIPURA MUNICIPAL
(NINTH AMENDMENT) BILL, 2025**

[AS INTRODUCED IN THE TRIPURA LEGISLATIVE ASSEMBLY]

THE TRIPURA MUNICIPAL (NINTH AMENDMENT) BILL, 2025

A

BILL

To further amend the Tripura Municipal Act, 1994

WHEREAS, to adhere the Action Point emanating from the 9th Meeting of the Governing Council of NITI Aayog for Special drives are to be initiated by States to decriminalize all possible laws within a defined time frame and likewise to reduce compliance and redundant laws;

AND WHEREAS, it is felt expedient to amend the selected provisions of Tripura Municipal Act, 1994 for the purpose of decriminalization and reforms;

BE it enacted by the Tripura Legislative Assembly in the seventy sixth year of the Republic of India, as follows:

1.Short title and commencement:

(1) This may be called the "Tripura Municipal (Ninth Amendment) Act, 2025.

(2) It shall come into force on the date of its publication in the Tripura Gazette.

2. Substitution of section 109:

Section 109 of the Tripura Municipal Act, 1994 (hereinafter referred to as the Principal Act) shall be substituted with the following –

"109. Protection of Municipal Property:

(1) No person shall, without the permission of the Municipality, displace, dig up, alter, or damage the pavement, gutter, flagstones, street furniture (such as posts, fences, walls, lamp-posts, lamps, brackets, water posts, hydrants, and accessories), or any other municipal property.

(2) If any person damages municipal property as described in sub-section (1), the Municipality may impose a fine ranging from **INR 20,000** to **INR 1,00,000**, depending on the nature and severity of the damage. The fine amount shall be determined by the Municipality in consultation with relevant experts and taking into consideration current market costs for repair or restoration.

(3) In addition to the fine, the Municipality may require the person to repair or restore the damaged property at their own cost, subject to the Municipality's approval of the repairs.

(4) In cases where the fine is not paid, or where the person is unable to pay the fine, the Municipality may take corrective actions to address the damage, including but not limited to repairs, replacements, or other remedial measures. The costs of these corrective actions may be recovered through one or more of the following methods:

- a) Recovery as arrears of tax under this Act,
- b) Seizure of personal assets or property (where legally permissible) to recover the cost,
- c) Imposition of community service, where applicable, to compensate for the damage,
- d) Court-ordered compensation, if the matter escalates legally.

(5) In cases of intentional or malicious damage, the Municipality may seek legal action, and the person responsible may be liable for imprisonment, which may extend to one year, in addition to the fine and reparations stipulated above."

3.Substitution of section 114:

Section 114 of the Principal Act shall be substituted with the following –

"Section 114. Regulation and Approval of New Private Streets :

- (1) Any person intending to lay out or construct a new street within a private municipal area must obtain permission from the Municipality. The process for applying for and granting such permission shall be prescribed by the Municipality through regulations, and applications can be submitted through an **online portal** for efficiency;
- (2) If a person lays out or constructs a new street without the necessary permission, the Municipality may issue a **stop-work order**. In case of non-compliance with the order, the Municipality may take corrective action, including engaging the police or other authorized personnel, to halt the construction and prevent further violations;
- (3) A person who constructs a street or builds in violation of this section, or the relevant regulations, shall be required to:
 - a) Pay a fine ranging from **INR 25,000** to **INR 1,00,000**, depending on the nature, scale, and impact of the violation,
 - b) Rectify the work at their own cost, including altering or removing any building constructed on the street, as directed by the Municipality,
 - c) The Municipality may recover the costs of alterations, removals, or other corrective measures incurred in this process from the offender. These costs shall be recoverable as **arrears of tax** under this Act.

4. Substitution of section 166 :

Section 166 of the Principal Act shall be substituted with the following –

“ Section 166. Regulation and Enforcement of Encroachments on Municipal Drains

(1) No person shall encroach upon the drainage and sewerage system within the municipal area. However, the Municipality may permit such encroachments for the purpose of securing access to adjoining land or buildings, subject to conditions set by the Municipality;

(2) In cases where unauthorized encroachments or constructions are found, the Chairperson may, without prior notice, order the removal or alteration of any building, well, fence, or structure. Such actions will be taken **immediately** for reasons to be recorded in writing;

(3) The Chairperson may issue a **written notice** to the responsible party, requiring the removal, alteration, or correction of any unauthorized construction or encroachment. The costs incurred by the Municipality for this action will be borne by the person who initiated the encroachment or construction. The costs will be recoverable as **arrears of tax**;

(4) Any person who violates the provisions of this section will be required to:

- a) Pay a fine ranging from INR 10,000 to INR 50,000 for the first offense, depending on the severity and impact of the encroachment,
- b) In the case of a continuing offense, an additional fine of INR 1,000 to INR 5,000 per day will be imposed, depending on the duration and persistence of the violation.

The fines will be determined by the Municipality, taking into account the factors such as the extent of the encroachment, the impact on public drainage systems, and the costs involved in addressing the issue;

(5) If the fine is not paid or the person responsible is unable to pay, the Municipality may pursue corrective actions, including:

- (a) Seizing personal property or assets to recover the costs of penalties and corrective measures,
- (b) Imposing additional fines for continued non-compliance,
- (c) Mandating community service or labor to offset the financial penalty, as per applicable regulations,
- (d) Seeking legal action, including court-ordered compensation, for the costs incurred in removing the encroachment;

(6) In cases of intentional or repeated encroachments, the Municipality may initiate legal action, and the responsible party may be liable for imprisonment, which may extend to one year, in addition to the fine and corrective measures specified above.”

5. **Substitution of section 189 :**

Section 189 of the Principal Act shall be substituted with the following –

“Section 189: Regulation of Animal Slaughter and Sale of Flesh:

- (1) If the Municipality has reasonable grounds to believe that any animal intended for human consumption is being slaughtered or that its flesh is being sold or exposed for sale in an unauthorized manner, the Municipality may authorize an officer to inspect the premises at any time, day or night, without prior notice. The officer may seize the animal, carcass, or any related flesh found in contravention of the law;
- (2) The Municipality may dispose of any seized animal, carcass, or flesh through **auction or other methods**. The proceeds from such disposal, after covering any associated costs, shall be credited to the **Municipal Fund**;
- (3) Any person found slaughtering an animal or selling or exposing its flesh for sale in violation of this section will be liable to a **fine** ranging from INR 20,000 to INR 75,000, depending on the severity of the violation. Arrest without a warrant by the police will be applicable only in cases of **continuing offenses** or **serious violations**, ensuring that minor infractions are handled through **fines and corrective measures**.”

6. **Substitution of section 237 :**

Section 237 of the Principal Act shall be substituted with the following –

“Section 237: Prohibition against Defiling Water Sources

- (1) The Municipality shall issue necessary directions for the proper preservation of drinking water sources and prohibit any activities that may defile, pollute, or otherwise harm the water quality;
- (2) Any person who fails to comply with such directions shall be liable to:
 - a) Pay an administrative fine ranging from INR 10,000 to INR 50,000, depending on the severity of the violation or depending upon the cost to revert the water source to its original condition,
 - b) In cases of intentional defilement or significant harm to the water source, stricter penalties may apply, including a fine of INR 50,000 to INR 2,00,000 and participation to revert the water source to its original condition or imprisonment for up to one year, or both;

The fine will be determined based on the extent of damage caused to the water source, and the Municipality may take factors such as the potential public health risk and cost of remediation into account;

- (3) In instances of disobedience or where urgent action is required to prevent contamination, the Municipality may take immediate corrective measures, including but not limited to:
 - a) Temporary closure of the affected water sources,
 - b) Immediate clean-up and water purification efforts,
 - c) Public health interventions to mitigate any risks posed to the community.

The costs of such corrective actions will be borne by the person responsible for the violation, and may be recovered as **arrears of tax** under this Act.

(4) If the imposed fine is not paid or the person responsible is unable to pay, the Municipality may pursue one or more of the following actions:

- a) Seize personal assets or property to recover the costs of penalties and corrective measures,
- b) Apply additional fines for continued non-compliance,
- c) Mandate community service to offset the financial penalty,
- d) Seek legal action, including court-ordered compensation for the costs incurred in remedying the situation;

(5) In cases of intentional or repeated defilement of water sources, the Municipality may initiate legal proceedings, and the responsible party may face imprisonment for up to one year, in addition to the fine and corrective measures outlined above."

STATEMENT OF OBJECTS AND REASONS

To adhere the Action Point emanating from the 9th Meeting of the Governing Council of NITI Aayog for Special drives are to be initiated by States to decriminalize all possible laws within a defined time frame and likewise to reduce compliance and redundant laws.

To implement different Centrally Sponsored Schemes, reforms have been made mandatory by the NITI Aayog. One of the reforms under this is to decriminalize all possible laws within a defined time frame and likewise to reduce compliance and redundant laws. Moreover, the implementation of the Bill shall allow financial assistance to the State Government for implementation of different Centrally Sponsored Schemes.

Further amendment of the provision of Tripura Municipal Act, 1994 shall allow to avail further sanction of new projects from NITI Aayog. The said amendment is proposed in order to:

- (a) to make every Municipality as vibrant organization.
- (b) to abolish the system of decriminalization.
- (c) to reduce the compliance burden of different provisions of the said act.

With this background, it is proposed to introduce the Tripura Municipal (Ninth Amendment) Bill, 2025.

This Bill seeks to achieve the aforesaid purpose.

(Prof. Dr. MANIK SAHA)
Chief Minister, Tripura

TECHNICAL MEMORANDUM

The subject matter of Tripura Municipal (Ninth Amendment) Bill, 2025 is related to entry 5,18,35 of State List (List- II.) of Seventh Schedule to the Constitution of India and therefore the State Legislature is competent to make a law on this subject.

2. No provision of the Bill is not repugnant to any provision of the Constitution of India or any existing Central Law on the subject and therefore assent of the President of India, according to the Article 254(2) of the Constitution of India will not be required to make it operational.

3. The Bill does not attract the proviso to clause(b) of Article 304 of the Constitution of India and therefore previous sanction of the President of India is not required for introducing or moving the Bill.

4. There is no additional investment of expenditure from the consolidated fund of the State, if this Law enacted.

(Sanjoy Bhattacharjee)
LR & Secretary, Law
Government of Tripura

FINANCIAL MEMORANDUM

The Tripura Municipal (Ninth Amendment) Bill, 2025, if introduced and brought into operation, shall not involve any additional expenditure from the consolidated fund of the State.

**(Abhishek Singh)
Secretary to the
Government of Tripura**

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