



TOUJI Regulation

2007

Agartala Municipal Council

Agartala Municipal Touji Regulation-2007

From time to time Agartala Municipal Council issues touji of viti, shops, stalls, vacant spaces etc. to traders, commercial establishments, Professionals or other organisations to conduct their business under prevalent regulations in various markets & trade Centres in Agartala. It was a long felt need to make a comprehensive Regulation of prevalent regulations to conduct touji related matters smoothly.

Considering the necessity of simplifying existing touji related Regulations & based on Section 275 of the Tripura Municipal Act 1994 and in consonance with various Sections & Sub-sections of Chapter 12 of the Act, Agartala Municipal Council made "Agartala Municipal Touji Regulation – 2007". This Regulation shall come into effect from 1st day of the month of its approval by the Municipal Council.

[Signed]

Date, Agartala

Chief Executive Officer

25/08/2007

Chapter – 1

1. a) These Regulations shall be called Agartala Municipali Touji Regulations (Touji Bidhi), 2007.
- b) These Regulations are applicable to the Agartala Municipal Council area.
- c) These Regulations shall be deemed to be come under force on the 1st day of English month of notification of these Regulations

2. a) According to these Regulations, save as otherwise stated, various definitions, meaning etc. shall be guided by the Municipal Act and
 - (i) Municipal Act means Tripura Municipal Act, 1994 and other prevalent Rules & Regulations under this Act.
 - (ii) Irrespective of name of market as Bazar as slaughter house, the description narrated in Municipal Act shall apply..
 - (iii) Touji means Municipal Council's owned / acquired or occupied land/viti/stall/pond etc. which is allotted with terms & conditions for conducting business / trade with prescribed rent/fees.
 - (iv) Municipal Council means Agartala Municipal Council for all its meaning.
 - (v) Municipal Tax Payer means those who pay any type of tax / Municipal Collections etc. to Municipal Council according to this Rule or compulsorily payable under Municipal Rules/Regulations.
 - (vi) Municipal drain / naala means all drains & outlets which exist in Municipal area and entrusted to Municipal Council and all government drains / outlets.
 - (vii) Public building means as is described in Municipal Act and all markets including its drainage system.
- b) All Words/definitions which are not defined in this Regulation or Municipal Act shall be authenticated by the meaning of such related words / definitions contained in the Municipal Act or any prevailing standard Dictionary.

Chapter – 2

3. a) According to necessity, Agartala Municipality shall establish, take care, supervise, develop & collect taxes from municipal markets(Bazar), markets conducted under the management of Municipality other permanent / temporary market, business area, slaughter house, stock-yard etc. time to time.
- b) Agartala Municipality shall be empowered to acquire land according to Municipal Land Acquisition Act, for development, renovation, maintenance, extension of Municipal Markets & markets conducted under the management of Municipality as shown in Section (a)..

c) Agartala Municipal Council shall give permanent or temporary Touji for conducting business / trade & commerce, profession in Municipal Market, markets managed by municipality & municipality's own acquired business area,

d) AMC shall give Touji for five years for viti, room, stall, open land, Slaughter House, Stock Yard etc. in Municipal Market areas. Touji will be given for twenty five year in the Modern Markets conducted by Municipal Council. But Municipal Council may take decision to increase or decrease this tenure.

4. a) Any adult person of Indian Nationality, Indian partnership organization/ company, joint family, Govt. Deptt./company, Govt. undertaking, NGO, Hawker, Co-operative society and Government/private organization shall be eligible to get Touji. But qualified unemployed person/hawker/BPL family member/Self Help Group and persons belong to other disadvantaged categories shall get priority to have Touji.

b) Central/State Govt. employee / employee belong to Central/state Govt. aided organizations, employee of Central/State Govt. undertakings shall not be eligible to get Touji. Whatever is stated in Subsection (a) & (b), decision of the Municipal Authority shall be final.

(c) A contract agreement shall have be made with Municipal Council for giving of permanent or temporary Touji in each case. But contract agreement for 25 years or above shall have to be registered.

5. a) No Touji holder of any room, stall, land can use it for the purpose of go-down unless specifically recorded and without the permission of Municipal Council, & no construction, change, renovation and extension of land are permissible without permission of Municipal Council.

b) Municipal Council shall issue separate Pass Book for each Touji. Rent for Touji room, stall, vacant plots, Slaughter House, Stock Yard etc. shall be payable by the first week of each month. 6.25% rebate shall be allowed in case of advance payment of Annual Rent. It is compulsory to record the payment of Rent in the touji Pass Book. Advance payment shall mean payment of Rent for the whole year in the first month of the Year. If payment is not made within the financial year, as per existing Rules, compound interest of penalty @ 6.25% will be levied.

c) The ownership of Touji Room, stall, vacant land, Slaughter House, Stock Yard etc. in no way shall devolve upon the Toujidar.

d) In the touji room, stall, vacant land, slaughter house, stock yard etc. no transaction of prohibited commodities shall be allowed. Only Govt. permitted commodities can be transacted and stored in the rented room, stall, vacant land, stock yard etc.

e) It is illegal to transfer the touji room, stall, vacant land, Slaughter House, Stock Yard etc. partly or wholly without the prior permission of the Municipal Council. In such illegal transfer both the purchaser & the seller shall be responsible.

f) Mutation & premium fees shall be levied as per quantum of touji land in the ground floor,. In case of mutation, mutation fee will be levied on the actual quantum of land & premium fee shall be levied for the additional quantum of land.. In case of construction of 1st floor, permission from the Municipal Council shall have to be taken. In that case 50% of the assigned premium for the ground floor shall be paid by the touji holder.

6. a) In case of any violation, non-acceptance, non-compliance of this Regulation, concerned officer after taking a personal hearing giving 15 days time and after approval of Chairperson/Mayor/Administrator may order any of the following.

- (i) Cancellation of the touji.
- (ii) Taking possession of the concerned place.
- (iii) Temporary cancellation of the Touji
- (iv) Financial penalty of the touji holder subject to maximum of Rs. 50,000/- excluding other dues. In case of non-payment of penalty, additional penalty amounting to Rs. 50/- per day shall be imposed and concerned place shall be locked till complete payment of penalty.

b) The concerned touji holder at his own responsibility shall remove his properties/goods from his shop, stall, stock yard at the time of or before putting lock on the shop, stall, stockyard. If the touji holder declines to remove his property/goods or is incapable of doing so, list of all goods/properties shall be made in the presence of Executive Magistrate and seized, which will be handed over to the touji holder in the presence of Executive Magistrate. In this matter, necessary expenditure will be borne by the touji holder. If the touji holder declines to receive such goods Municipal Council shall sell on Auction and the sale proceeds will be deposited in the Municipal fund.

7.a) Rent of touji room, stall, vacant land, slaughter house, stock yard etc. can be re-assessed / re-viewed at the interval of every five years. Rent so reviewed /re-fixed shall be considered to be payable from the 1st day of the financial year.

b) While issuing touji to the illegal occupants in the municipal land, fees/charge stated below shall have to be given.

i) premium

ii) outstanding rent (from the 1st day of the month of construction of room).

iii) penalty – with compound interest @6.25%.

8.a) In any activities of the touji holder in the bazaar, commercial place or any other place are considered to be dangerous, harmful, objectionable & illegal, in that case concerned touji holder shall be given 15 days notice for hearing & if the complaint is proved then touji will be cancelled & the touji holder will be expelled from the market.

b) Within the 7 days of receipt of such cancellation order of touji, appeal may be made to the chairperson/Municipal Administrator for reviewing the cancellation order of the said touji. In such case order of the chairperson/ Municipal Administrator shall be treated as final.

c) In the public interest or for own requirement of Municipal Council if a complete or part of touji stall, shop, land, slaughter house, stock yard etc. are required, Municipal Council may cancel such touji fully or partly and utilize such stall, shop, land, slaughter house, stock yard etc. for specified purpose. In such case 15 days notice in advance shall be considered as sufficient. If there is any opportunity to rehabilitate the shopkeepers / organisations evicted by the Municipal Council or there remains any opportunity to rehabilitate in other places, the concerned shopkeeper / trader may get required land or stall. In such case, the decision of the Municipal Council shall be treated as final.

d) The trader shall himself take necessary steps for shifting of business because of the above reasons.

9.a) Rent fee of the touji etc., if remains outstanding or if touji holder fails to pay the outstanding dues, according to this Regulation, provision of touji is treated as cancelled or if touji tax remains outstanding for long duration, according to this Regulation beside taking other steps, and in accordance with other Rules & Regulations under Tripura Municipal Act, 1994, Agartala Municipal Council may take necessary action & continue the process for recovery of the outstanding dues.

b) In the case of outstanding touji Rent , fee etc. Municipal authority may waive the penalty on outstanding rent, fee etc. partially or fully, after making necessary enquiry. / (but in each case reasons for taking such decision shall be documented in a separate Register for recording the list of waived person/persons).

10.a) (i) for any greater public interest or for purpose of overall planning or to increase of municipal revenue or for smooth conduct & control, Municipal Council may give lease to interested traders to conduct business on long-term basis in market or place owned by municipality or in any land, room, shop, stall etc. under Municipal Act, (Section 94 & others). Leased land, room, building, stall etc. shall not be utilised as go-down. The trader who get the lease shall have to be Indian citizen.

ii) The said long term lease shall be treated as touji. At the end of its lease period renewal shall have to be made and, all taxes/fees shall have to be deposited at the prescribed rate. But in this case, fees for renewal shall be recoverable at the rate of Rs. 20/- per sq. ft.

iii) The traders who got the lease cannot transfer the said land/room etc. without the permission of the municipal council. However, the survivors being the legal heirs of touji may record their name. If transfer is made with the permission of the Municipal council, new trader who is availing the possession under this Regulation may record the new touji in his name after depositing all fees etc.

iv) The rate of rent of touji from time to time shall be generally applicable in such case of touji.

b) i) At the time of giving touji for any room/land etc. at the own markets constructed by municipal council or at places owned by municipality, premium at the rate fixed being the cost of said land/room/stall shall be collected in advance at a time from the concerned person or trader which is non-refundable.

ii) On getting touji concerned person/trader shall deposit mutation fee at the rate fixed in advance for recording his /her own name. At the time of mutation of the said touji it is to be ensured that there is no outstanding dues for any kind of tax/rent.

iii) In the matter of any newly constructed business place, Municipal Council may recover one time fixed amount in advance from persons willing to get touji which will be determined from the cost of the construction work at that time and that will be considered as premium of touji. Other fees, tax etc. shall be applicable.

c) At the time of getting touji for any room/ stall constructed by Municipal Council a fixed amount of fees shall have to be deposited as surety or security. During the period of touji, if any touji is cancelled due to fault of the touji holder that amount of money shall be forfeited by the Municipal Council. But if that touji is cancelled due to own purpose of municipality or in the public interest, that forfeited amount shall be refundable in full. Municipal Council may adjust any amount of outstanding tax of that concerned trader against such refund.

d) i) In case of giving touji in the market /commercial area, the amount of fixed monthly rent as depicted in this Regulation shall be recoverable which can be changed from time to time.

ii) Monthly rent of touji is payable within every month. But the willing trader may deposit the rent in advance for the whole year and for which 6.25% rebate shall be given as per the Municipal Act.

Chapter – 3

11. a) Touji holder shall return the touji hold room, stall, land, slaughter house, stock yard etc. to Agartala Municipal Council if he no more needs it.

b) Instead of returning the touji, if any touji holder wants to transfer the right of touji in favour of any person, touji holder before transferring the touji right & the next occupier before occupying the room, stall, viti, vacant place, slaughter house, stock yard etc. shall have to apply for permission of Municipal Council in advance. The next occupier shall be considered as illegal without mutation of touji.

c) After receiving the application municipal council shall make proper enquiry for transfer of possession and if there appears no inconsistency, it shall approve or refuse the mutation in case of inconsistency. In the case of transfer of touji without permission, mutation fee may be changed at double the normal rate.

d) In case of giving approval to mutation, Municipal Council shall recover ascertained fees, outstanding rent etc. At the time of giving approval to mutation, on enquiry, if any excess area is found to be in possession and that excess area is not required in near future by the municipal council, Municipal Council shall recover penalty on premium, any outstanding fee/rent on the excess area by increasing the actual touji area but mutation fee shall not be changed.

e) Mutation fees is payable at the assessed rate of Agartala Municipal Council. But in case of division touji & in case of inhaled mutation, mutation fees shall be at half of the rate.

12 If any construction is made by any person holding touji in the market conducted by municipal council without permission of the municipal authority, the Municipal Council:

- i) shall straightway cancel the issued touji or
 - ii) May levy penalty at the maximum rate of Rs. 100/- per month per sq. mtr. of the said construction (According to Section – 120 of Municipal Act). The period will be determined from the date / month of illegal construction and till regularization of the same by municipal authority.
 - iii) After regularization of the construction of the construction works the concerned person may apply for fresh touji provision, however the decision of the Municipal council in this matter shall be final.
- e) All kinds of fees/tax depicted in this Regulation, if not prescribed otherwise, then the rates defined in the Chapter – IV shall be applicable. Municipal Council shall individually determine the amount of tax, fees rent etc. for the specially constructed markets by the Municipal Council.
- f) In the case of awarding lease for short or long term period for the ponds, parking place, fields, chandinamahal etc. managed by the municipality the lease amount shall be determined through bidding and will be given to the highest bidder. However, in special cases municipal council may take a different decision.
- g) In all such dispute under this Regulation, the decision of the chairperson/ administrator shall be treated as final.

Chapter – 4

Rates of various Rent / Fees / Tax etc.

A. Monthly Rent (Per sq. ft.)

Sl. No.	Market / space	Only land	Kuccha land (Bhiti) tin roof	Pucca room tin roof	Pucca room blank roof
1.	Maharajganj Bazar & area	0.05 paisa	1.50 paisa	2.00 paisa	2.50 paisa
2.	Battala Bazar & area	0.50 paisa	1.30 paisa	1.60 paisa	2.00 paisa
3.	Lake Chowmuhani Bazar & area	0.45 paisa	1.00 paisa	1.40 paisa	1.90 paisa
4.	Durga Chowmuhani Bazar, Ker Chowmuhani and Ramnagar Road No. 9 & area	0.45 paisa	0.90 paisa	1.50 paisa	2.00 paisa
5.	G B Bazar & area	0.45 paisa	0.80 paisa	1.40 paisa	2.00 paisa
6.	Dhaleswar Bazar & Kamar Pukur Par area	0.50 paisa	1.00 paisa	1.50 paisa	2.00 paisa
7.	Chandrapur Bazar & area	0.25 paisa	0.70 paisa	0.70 paisa	1.00 paisa
8.	M.B. Tilla Bazar & area	0.25 paisa	0.80 paisa	0.80 paisa	1.00 paisa
9.	Abhoynagar Bazar & area	0.25 paisa	0.60 paisa	0.90 paisa	1.10 paisa
10.	Akhaura Gol Chakkar & area	0.30 paisa	0.50 paisa	1.00 paisa	1.50 paisa
11.	Vidyasagar Bazar & Bankumari Bazar area	0.40 paisa	0.80 paisa	1.00 paisa	1.30 paisa
12.	Pratapgarh Bazar & area	0.40 paisa	0.80 paisa	1.00 paisa	1.30 paisa
13.	Siddhi Ashram & area	0.20 paisa	0.50 paisa	0.80 paisa	1.00 paisa
14.	Lichu Bagan & area	0.40 paisa	0.70 paisa	0.90 paisa	1.00 paisa
15.	Kashipur & area	0.45 paisa	0.70 paisa	1.00 paisa	1.30 paisa
16.	Rent-roll (touji) those are in different road of main city	0.50 paisa	1.50 paisa	2.00 paisa	2.50 paisa
17.	Other places / roads	0.20 paisa	0.40 paisa	0.70 paisa	1.00 paisa
18.	Ishanganj Bazar & Lenin Sarani Elaka, Central Road	0.50 paisa	1.50 paisa	2.00 paisa	2.50 paisa
19.	Nagerjala/ Howrah Market	0.25 paisa	0.80 paisa	1.00 paisa	1.50 paisa
20.	H.G.B. Road	0.50 paisa	1.50 paisa	2.00 paisa	2.50 paisa
Hawkers' Market		Monthly rent Rs. 30/- (Rupees Thirty)			
Hawkers' Corner 1 st floor Building		Monthly rent Rs. 50/- (Rupees five), rent assessed after 31/03/2009 as per decision of the Municipal Council			
Hawkers' Corner Ground floor		Monthly rent per square foot Rs. 2/- (Rupees two)			

B. Other fees/ tax (Per sq. ft.)

Sl. No.	Market	Premium	Mutation	Long-term lease
1.	Maharajganj Bazar	200	150	Assessed at the time of accomplishing the agreement
2.	Battala Bazar & area	200	150	do
3.	Lake Chowmuhani Bazar	200	150	do
4.	Durga Chowmuhani Bazar	150	150	do
5.	G B Bazar	150	150	do
6.	Dhaleswar Bazar	150	150	do
7.	Chandrapur Bazar	150	150	do
8.	M.B. Tilla Bazar	100	125	do
9.	Abhoynagar Bazar	100	125	do
10.	Akhaura Gol Chakkar	125	125	do
11.	Vidyasagar & Bankumari Bazar	100	125	do
12.	Pratapgarh Bazar	100	125	do
13.	Siddhi Ashram	100	100	do
14.	Lichu Bagan	125	125	do
15.	Kashipur	120	125	do
16.	Howrah Market / Nagerjala	100	125	do
17.	Hawkers Corner Ground Floor	200	125	do
18.	Hawkers Market			do
19.	Different roads & area adjacent to the market of main city	200	125	do
20.	Other places / roads	100	100	do
21.	Ishanganj Bazar Lenin Sarani	200	150	do
22.	Various markets constructed by Municipality	Municipality shall assess individually		
23.	Pond, Parking Zone, Field, Chandinamahar, Fish-Meat Market etc.	Shall be decided by inviting tender , in special cases municipality may assess in another way		

The markets which are not yet under the control of municipal council, at the time of issuing touji, subsequently touji fee will be fixed as per decision of the municipal council.

Monthly rent for the stall in 1st floor shall be determined @ 80% as that of ground floor so to say 20% rebate.

Monthly rent for the stall in 2nd floor shall be determined @60% as that of ground floor so to say 40% rebate shall be allowed. Rent shall be assessed according to structure

Renewal of Touji – at the interval of every five years per sq. ft. @ 5/- shall be levied & in case of long term lease per sq. ft. @.20/-

c) Touji Pass Book / Renewal etc.

1.a) Pass Book (in each case) Rs. 50/-

b) Duplicate Book Rs. 70/-

d) Rebate of rent & penalty for outstanding rent

1. For advance payment for the whole year, within the month of April of the year, rebate @ 6.25% of the total amount of rent will be given.

2. Monthly rent of touji shall be payable by the 1st week of each month. If the fixed amount of present rent is not paid within the respective financial year, as per existing rule in force, penalty shall be imposed @ 6.25 % as compound interest.

e) Rent will be collected for the land in the premises of Children's' Park or other places per day for per sq. ft. @ 0.25 paisa.

This Regulation has come into force from today, the with the approval of Municipal Council and remain valid till further review or reorder.

Ordered by

Chef Executive Officer

Agartala Municipal Council