

Total number of printed pages-12

2 SEM LLB (OP) I/II 4 (N)

2016

(June)

LAW

(Optional)

Paper : 2·4

(New Course)

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

OPTION I

(Land Laws of Assam)

1. Choose the correct answers from the following : 1×10=10

(a) “Occupant of land is not acquiring any right of proprietor, land-holder or settlement-holder, D.C. has right to eject occupant and make fresh settlement of

the land if needed.” Under which case it was decided by the Gauhati High Court —

- (i) Krishanlal Agarwalla *v.* State of Assam
 - (ii) Nandeswar Chakravorty *v.* Government
 - (iii) Kamala Kanta Deka *v.* State of Assam
 - (iv) None of the above.
- (b) Under the tender system, the fishery lease is given for _____ years.
- (i) 2 years
 - (ii) One year
 - (iii) 4 years
 - (iv) 3 years.
- (c) Under the Assam Land and Revenue Regulation Act, 1881 the hoe tax has been mentioned in —
- (i) Sec. 46
 - (ii) Sec. 43

(iii) Sec. 47

(iv) Sec. 44

(d) Which of the following is the mode of recovering arrears of land revenue by coercive measures ?

(i) Attachment of defaulting estate

(ii) Sale of defaulting estate

(iii) Only (ii) is correct

(iv) Both (i) and (ii) are correct

(e) Who is Ex-officio Revenue Officer under the 1886 Regulation ?

(i) Deputy Commissioner

(ii) Tahsildars

(iii) Extra Assistant Commissioner

(iv) Only (i) and (iii) are correct.

(f) How many tribals belts are in Assam at present ?

(i) 30 belts

(ii) 20 belts

(iii) 17 belts

(iv) 19 belts

(g) Which of the following rights is not exercised by the occupancy tenant under the Assam (Temporarily Settled Areas Tenancy) Act ?

(i) Right to inheritance

(ii) Right to sublet

(iii) Right to Sale

(iv) Only (i) is correct.

(h) Which of the following tenants is known as statutory tenant ?

(i) A person who holds land under another person and who is liable to pay rent for that land to that another person.

(ii) A person who derives title from a tenant.

(iii) A person who continues in possession of any land after the termination of the tenancy in respect of that land.

(iv) None of the above.

(i) "The nature of standard rent is the rent fixed by the Court on procedural calculation under the Assam Urban Areas Rent Control Act and not as agreed between the parties." Under which case it was decided —

(i) Arun Chandra Sarma *v.* Janardan Prasad Verma.

(ii) Jhumarmal *v.* Kamakhya Temple.

(iii) Surajmal *v.* Kanaklata.

(iv) None of the above.

(j) The Fair Rent is defined under _____ section of the Assam Urban Areas Rent Control Act.

(i) Sec. 3(2)

(ii) Sec. 3(1)

(iii) Sec. 3(3)

(iv) None of the above.

2. Write short note of the following : $2 \times 5 = 10$

(a) Ten 20's of Sivsagar

(b) Records of right

(c) Imperfect partition

(d) Distinguish between occupancy and non occupancy tenant.

(e) Requisition of land.

3. Discuss in detail the origin of land rights in Assam. 12

Or

Discuss in detail the allotment of grazing land as laid down under the Assam Land and Revenue Regulation. 12

4. Write an exhaustive note on the various stages of settlement operation. 12

Or

Explain the various modes of recovering the arrears of revenue. 12

5. Critically examine the protection of backward classes as provided by the Assam Land & Revenue Regulation. 12

Or

Why do we need partition ? State the procedure for partition under the 1886 Regulation. 4+8=12

6. Discuss the protection against arbitrary ejection under the Assam Urban Areas Rent Control Act with the help of case laws.

Or

What is acquisition of land ? State the special procedure for acquisition of land for the purpose of flood control and anti-erosion measures under the Assam Land (Requisition & Acquisition) Act. 4+8=12

7. What is fair rent under the Assam Non-Agricultural Urban Areas Tenancy Act ? State the procedure for enhancement of rent under the said Act. 4+8=12

Or

Under what circumstances an occupancy and non-occupancy tenant may be ejected ? State the procedure for such ejection under the Assam (Temporarily Settled Areas) Tenancy Act. 5+7=12
