



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

B.A./BBA/B.Com. LL.B. Honours 8th Semester Examination, 2022

LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM

PAPER CODE: CC25 / CC27

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

The students are advised to follow the word limit mentioned below strictly while answering questions. The marks will be deducted if answers exceed word limit. 20 marks- not more than 2000 words / 15 marks- not more than 1500 words / 10 marks- not more than 1000 words / 5 marks- not more than 500 words

Answer Question No. 7 and any four from the rest

1. Discuss the provisions relating to Pre-emption. Discuss elaborately with the help of decided cases. 20
2. (a) Is a Bargadar's right inheritable? Discuss the rights and obligations of the Bargadar under the WBLR Act, 1955. 10+10
(b) State the provisions of protection against illegal termination of Bargadar under the WBLR Act, 1955 with the help of judicial decisions.
3. Define the term Raiyat under the WBLR Act, 1955. With respect to the rights of Raiyat answer the following: 2+8+10
(a) What are the various restrictions inserted on the rights of Raiyats in Sadar Kalimpong and Kurseong sub-division of Darjeeling District?
(b) A, an owner of a land in Kurseong is an environmentalist. He has been growing trees as a land is kept by him under personal cultivation. A wishes to use remaining portion of his land for producing silk through cultivation of silk worms. For this purpose character of the land is required to be changed to suit for silk cultivation. Analyze the above problem in the light of relevant provisions of WBLR Act, 1955 and state whether:
(i) A is a raiyat or not?
(ii) A's act of growing trees on the said land is lawful or not?
(iii) A is entitled to change the character of land for production of silk?
4. (a) Discuss the provision under Section 8 of the WBLR Act, 1955 regarding right of purchase by co-sharers or contiguous tenant or Bargadar with the help of case laws. 10+10

(b) Rima and Seema are sisters and are co-sharer of a plot of land located in Darjeeling West Bengal. Chandan is Bargadar of the same land. Rima transferred the portion of the plot of land by way of sale to her friend Meena in Delhi. Chandan claims pre-emption right over the land and demands the land to be transferred to him. On the other hand, Seema also claims pre-emption right over the same land. Analyze whether:

- (i) Rima is entitled to transfer the said portion of land to Meena.
- (ii) Chandan is entitled to claim the pre-emption right over the said land and if the land can be transferred in his favour.
- (iii) Seema is entitled to exercise pre-emption right over the land and if the land can be transferred in her favour.

5. (a) Elucidate the objectives and significance of land reform. 5+5+10
(b) Explain the features of the Permanent Settlement Regulation, 1793.
(c) Discuss the various land reform measures or land reform policies of Government of India.

6. (a) Discuss the grounds for ejection of a tenant under West Bengal Premises Tenancy Act, 1997. 10+10
(b) Explain the condition precedent and procedure for deposit of rent with controller by a tenant.

7. Answer any *four* from the following: 5×4 = 20
(a) Premises under the West Bengal Premises Tenancy Act, 1997
(b) Rehabilitation and Resettlement Award
(c) Alienation of land by Scheduled tribes
(d) Ceiling area
(e) Affected family
(f) Fair rent.

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