



BRAINWARE UNIVERSITY

Term End Examination 2023
Programme – LL.B.-2019/LL.B.-2020
Course Name – Land Laws
Course Code - LLB604
(Semester VI)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. *Choose the correct alternative from the following :*

- (i) Identify the concessions and facilities which a Co-operative Farming shall be entitled from the State Government.
- | | |
|-------------------------------------|---|
| a) Reduction of revenue | b) Free technical advice by the experts |
| c) Arrangement for better marketing | d) All of the mentioned |
- (ii) indicate: Landlord may evict tenant if he reasonably requires premises for own occupation and he is not in possession of any suitable accomadation ____.
- | | |
|--|---|
| a) within the same Municipal Corporation | b) any other area within 10 km from such premises |
| c) Either a or b | d) Both a and b |
- (iii) Locate the purpose of holding land by a raiyat under the West Bengal Land Reforms Act, 1955.
- | | |
|-----------------------|---------------------------|
| a) Commercial purpose | b) Agriculture purpose |
| c) Resdential purpose | d) Any purpose whatsoever |
- (iv) Name the person who under the system generally known as adhi, barga or bhag cultivates the land of another person on condition of delivering a share of the produce of the land.
- | | |
|--------------------------|-------------|
| a) Raiyat | b) Bargadar |
| c) Co-sharer of a raiyat | d) Barga |
- (v) Tell the proportion of division of the produce of land between the bargadar and the person whose land he cultivates when the necessary supplies are not provided by the owner of the land.
- | | |
|------------|-------------------------------|
| a) 1/2:1/2 | b) 1/4:3/4 |
| c) 3/4:1/4 | d) According to the agreement |
- (vi) Identify the section of the West Bengal Land Reforms Act, 1955 which lays down restrictions upon raiyat to hold land in excess of the ceiling area.
- | | |
|----------------|-----------------|
| a) Section 14P | b) Section 14L |
| c) Section 14K | d) Section 14 G |

- (vii) Indicate: The Owners of any residential building can come under the Act of 1972 by duly executing and registering a _____ setting out the particulars referred to in Section 10 of the Act.
- a) document
b) covenant
c) declaration
d) notice
- (viii) Identify the punishment for failure to vacate unauthorised occupation at the disposal of the State government even after notice has been served.
- a) One year imprisonment
b) Fine of maximum two thousand rupees
c) Neither a nor b
d) Both a and b
- (ix) Give example of people who are permitted to represent any party to a dispute under Chapter III of the WBLR Act, 1955.
- a) Any relative of the party
b) A representative of the association to which the party belongs
c) Advocate or legal practitioner who is a party to the dispute
d) All of the mentioned
- (x) Associate the WBLR Act, 1955 with the appropriate Article of the Indian Constitution.
- a) Article 39 (b)
b) Article 39(c)
c) Both a and b
d) Neither a nor b
- (xi) Choose the section of the West Bengal Premises Tenancy Act, 1997 which provides for creation and termination of sub-tenancies.
- a) Section 25
b) Section 23
c) Section 26
d) Section 30
- (xii) Choose: A premises let out for ___ and carrying more than ___ as monthly rent within the limits of the Calcutta or Howrah Municipal Corporation does not come under the ambit of West Bengal Tenancy Act, 1997.
- a) residential, five thousand
b) Non-residential, ten thousand
c) residential, ten thousand
d) non-residential, five thousand
- (xiii) Predict the compensation landlord has to pay tenant for cutting of Essential Supply and service.
- a) Rs. 5000
b) Rs, 6000
c) Rs. 8000
d) Rs. 10000
- (xiv) Choose the Chapter of the Premises Tenancy Act, 1997 which shall have overriding effect on provisions in the Act.
- a) Chapter II
b) Chapter III
c) Chapter IV
d) Chapter I
- (xv) Choose: Section ___ deals with maintenance and preservation of land.
- a) Section 4B
b) Section 4A
c) Section 4E
d) Section 4D

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Discuss the ground for alteration of revenue payable on the land held by a raiyat. (3)
3. Illustrate the premises (any four) to which the provisions of the West Bengal Premises Tenancy Act, 1997 do not apply. (3)
4. Determine whether the following are sub-letting or not: i. A tenant permanently shifted his residence elsewhere leaving the premises to be occupied by his brother exclusively. ii. Tenant has taken the tenancy to carry on personal business of shop. Subsequently, a society has been formed to carry on diverse activities from the said premises, iii. A tenant keeps paying guests in the residential premises. (3)
5. Define the term "bargadar" under the West Bengal Land Reforms Act, 1955. (3)
6. Evaluate a 'Benami Transaction' through the aid of an illustration. (3)

OR

Operation Barga was an exercise in legal empowerment. Support the statement. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Explain the procedure for change of area, character or use of land under the West Bengal Land Reforms Act, 1955. (5)
8. Write the obligations of tenants under the West Bengal Premises Tenancy Act, 1997. (5)
9. Illustrate the contents of Declaration as referred to in Section 2 of the West Bengal Apartment Ownership Act, 1972. (5)
10. Infer the instances as to when a tenant is not bound to follow the procedure of repair as mentioned in Section 35 of the West Bengal Premises Tenancy Act, 1997. (5)
11. Editorialize the following: i. An apartment is heritable ii. An apartment is transferable (5)
12. Assess the significance of Dipak Banerjee v. Lilabati Chakraborty in terms of tenancy. (5)

OR

Benamdar of an apartment owner is deemed to be the real owner thereof. Evaluate. (5)
