



## BRAINWARE UNIVERSITY

**Term End Examination 2023-2024**

**Programme – BBA LL.B.-2020**

**Course Name – Land Laws**

**Course Code - BBALLB802**

**( Semester VIII )**

**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) Choose the correct primary objective of the West Bengal Land Reforms Act:

- |                                    |                                    |
|------------------------------------|------------------------------------|
| a) To regulate agricultural prices | b) To reform land tenure laws      |
| c) To promote industrial growth    | d) To facilitate urban development |

(ii) Choose the appropriate condition attached to 'personal cultivation' under the West Bengal Land Reforms Act:

- |  |  |
|--|--|
| a) The person must reside outside the locality where the land is situated. | b) The person or a member of his family should reside for the greater part of the year in the locality where the land is situated. |
| c) There is no condition attached to personal cultivation.                 | d) The person must not reside in West Bengal.  |

(iii) Identify the types of encumbrance included in the definition under the West Bengal Land Reforms Act:

- |                                |  |
|--------------------------------|--|
| a) Rights to neighboring lands | b) Lien, easement, and other rights or interests |
| c) Rights to water bodies      | d) Rights to airspace                            |

(iv) Identify the authority responsible for granting written permission for land transfers as per Section 4E:

- |                         |                     |
|-------------------------|---------------------|
| a) The State Government | b) The Commissioner |
| c) The Collector        | d) The President    |

(v) Identify the priority in case of multiple applications for transfer under the West Bengal Land Reforms Act, 1955:

- |   |  |
|---|--|
| a) The contiguous tenant has the prior right to transfer. | b) The bargadar has the prior right to transfer.               |
| c) The co-sharer has the prior right to transfer.         | d) The raiyat possessing land has the prior right to transfer. |

- (vi) Choose the correct characteristic that distinguishes an 'orchard' according to Section 14K(e) of the West Bengal Land Reforms Act, 1955:
- a) Large land area with fruit-bearing trees
  - b) Compact land area with fruit-bearing trees
  - c) Land used for livestock grazing
  - d) Area with mixed vegetation
- (vii) Infer the correct significance of the term 'project report' in Section 14K(ee) of the West Bengal Land Reforms Act, 1955:
- a) Report submitted by NGOs
  - b) Report reviewed by local authorities
  - c) Report associated with purposes mentioned in Section 14Y
  - d) Report mandated by international treaties
- (viii) Choose the appropriate condition stated in Section 16 regarding the default proportion of produce division between bargadars and landowners:
- a) Landowner provides necessary resources
  - b) Bargadar is a tribal
  - c) Landowner provides no resources
  - d) Bargadar has personal cultivation
- (ix) Choose the correct conditions under which a person may be considered a tenant:
- a) Anyone occupying a building
  - b) Anyone paying rent for a premises
  - c) Anyone who owns the premises
  - d) Anyone working for the landlord
- (x) What action from the following must a tenant take if there is a dispute regarding the amount of rent payable?
- a) Pay the amount to the landlord directly
  - b) Deposit the disputed amount with the Controller
  - c) Seek legal advice without depositing any amount
  - d) Ignore the dispute and continue regular payments
- (xi) Choose the appropriate consequence if the landlord fails to comply with the specified timeline for restoring possession:
- a) The Controller issues a warning letter.
  - b) The tenant is exempt from paying rent.
  - c) The Controller executes the order and places the tenant in possession.
  - d) The landlord is entitled to additional compensation.
- (xii) Recall the penalty from the given options for a landlord who refuses to provide a receipt for rent payment:
- a) Fine up to twice the rent amount
  - b) Compensation equal to three times the rent paid by the tenant
  - c) Fine equal to two months' rent
  - d) Fine up to five times the rent amount
- (xiii) Identify the effect of the repeal of the West Bengal Premises Tenancy Act, 1956:
- a) All ongoing cases discontinued
  - b) Pending cases continued under old Act
  - c) All cases transferred to new Act
  - d) Cases nullified
- (xiv) Choose the correct meaning of 'common expenses' as defined by the West Bengal Apartment Ownership Act, 1972:
- a) Expenses incurred solely by individual apartment owners
  - b) Expenses shared by all apartment owners
  - c) Expenses covered by the building owner only
  - d) Expenses not related to the building
- (xv) Select the action prohibited for apartment owners:
- a) Executing and registering instrument for compliance
  - b) Bringing action for partition or division of common areas
  - c) Creating encumbrance against individual apartments
  - d) Doing work affecting property's soundness or safety

### Group-B

(Short Answer Type Questions)

3 x 5=15

2. Identify the constitutional reference mentioned under Section 1A of the West Bengal Land Reforms Act with its significance. (3)

3. Define the term 'bargadar' as per Section 2(2) of the West Bengal Land Reforms Act. (3)
4. Compare the rights of landlords and tenants as outlined in the West Bengal Premises Tenancy Act, 1997. (3)
5. List the elements included in the definition of 'common areas and facilities.' (3)
6. Explain briefly the grounds for eviction specified under Chapter III of the West Bengal Premises Tenancy Act, 1997. (3)

**OR**

Explain the significance of fair rent regulations outlined in Chapter VI of the West Bengal Premises Tenancy Act, 1997. (3)

### **Group-C**

(Long Answer Type Questions)

5 x 6=30

7. Define the term 'ceiling area' as per Section 14M of the West Bengal Land Reforms Act. Explain its significance in regulating land ownership. (5)
8. Illustrate the implications of subletting without consent under the West Bengal Premises Tenancy Act, 1997. (5)
9. Interpret the role of the "Association of Apartment Owners" as defined in the West Bengal Apartment Ownership Act, 1972. (5)
10. Analyze the provisions regarding the obligations of landlords and tenants as outlined in Chapter II of the West Bengal Premises Tenancy Act, 1997. (5)
11. Assess the role of the Controller in facilitating the resolution of disputes related to rent determination under the West Bengal Premises Tenancy Act, 1997. (5)
12. Interpret the provisions regarding property submission and exemptions under the West Bengal Apartment Ownership Act, 1972. (5)

**OR**

Determine the implications of the provisions regarding benamidar in the West Bengal Apartment Ownership Act, 1972. (5)

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