

**DEPARTMENTAL EXAMINATION OF TEHSILDARS AND NAIB
TEHSILDARS
HIMACHAL PRADESH**

APRIL 2010

PAPER No-1

LAND REVENUE ACT AND RULES

Time Allowed: 3 Hours

Maximum Marks: 100

Note :-

1. Attempt any five questions in all.
2. All questions carry equal marks.
3. Credit will be given for writing updated relevant provisions of statute Rules.
4. Only bare act/rules are allowed to be consulted.

- Q. No-1 Write short note on:
- (i) Leases (4)
 - (ii) Summoning process under HP Land Revenue Act. (4)
 - (iii) Record of Rights and documents included therein (4)
 - (iv) Judgment and Decree (4)
 - (v) Agnate and Cognate (4)
- Q. No.-2 (a) What do you understand by a question of title in a partition case? Can a Revenue Officer proceed with partition proceeding even though question of title has not been determined. Is it necessary to refer the matter to Civil Court of Revenue officer can determine the title himself? Can there be an absolute disallowance of partition? If so on what grounds? (10)
- (b) What do you understand by the following terms:-
- (i) Appeal and reversion
 - (ii) Facts proved and presumption of truth
 - (iii) Khasra Girdawari and Jamabandi (6)
- (c) What do you understand by arbitration? Can AC I Grade refer any dispute before him for arbitration without consent of the consenting parties? (4)
- Q.No-3 (a) What are the restrictions on variation of entries in record? What type of entries in record can be effected by the Revenue official and when? (8)
- (b) What are the essential of tenancy? Who is competent to order the incorporation of the entry in the revenue record and under what circumstances? (6)
- (c) What is adverse possession? How do you differentiate between adverse possession and tenant? (6)
- Q. No-4 (a) What do you understand by permissible area in relation to HP Ceiling and Land Holding Act, 1972 ? Whether the land

- irrigated by private kuhals be considered as assured irrigated? (10)
- (b) In case a person on a appointed day having the land exceeding the permissible area fails to sealed the permissible area, how the Collector will proceed his case? (5)
- (c) Describe in brief the procedure to be followed by the collection for determining surplus area.. (5)
- Q.No-5 (a) What are the general rules of succession in case of male and female Hindu? (15)
- (b) What are the provisions of succession through wills? (5)
- Q. No-6 (a) What are the powers of the appellate Court? Under what circumstances , the production of additional evidence in appellate court in admissible? (12)
- (b) Neither the issue framed nor evidence led in trial court in respect of mixed question of fact and law. Is new plea raised before appellate court admissible ? (4)
- (c) Can a person claim right to hear before court in an application he expects to be lodged in future and what are the provisions? (4)
- Q. No-7 (a) Are the terms" Landowner" and " Owner of the land" the same ? If yes, how ? If not how these are distinguishable? Does any of these include the word " tenant" or " mortgagee with possession? (8)
- (b) Land revenue is not a "tax" Comment. If it is not a "tax", why should it not be abolished? (8)
- (c) Can a village headman file an appeal on behalf of all right holders of an estate against the announcement of new assessment (4)
- Q. No-8 (a) While deciding mutation a "will" executed by "X" on 13-2-2006 and registered on 15-2-2006 is presented before AC-II Grade. Another unregistered "will" executed by "X" on 25-3-2009 duly proved is also presented before AC -II Grade. How will he decide. (8)
- (b) An order of partition of AC-I Grade is modified by the Sub Divisional Collector on the appeal of "x". On further appeal Commissioner has restored the order of AC Ist Grade. Can "X" make an appeal to the Financial Commissioner against the order of Divisional Commissioner, discuss. (8)
- (c) Can a non agriculturist purchase land/ building or shop within urban area without permission or not? (4)