

Departmental Examination for Tehsildars/Naib Tehsildars of Himachal Pradesh

April-2016.

Paper-1-Land Revenue Acts and Rules.

Time Allowed:-3 Hours

Maximum Marks-100

Note:-

- (1) The Candidate may answer the question either in Hindi or English.
- (2) Quote Relevant Law, Rules and case Laws.
- (3) Bare Act and Rules can be consulted.
- (4) Answers any five questions, each question carry equal marks.

**Q.1. (a).** What is the procedure for correction of a clerical mistake in an order passed by a Revenue Officer in mutation proceedings before and after the mutation is incorporated in the Jamabandi?

(10 Marks).

(b). What point should a Revenue Officers bear in mind while taking up a mutation case for decision.

(10 Marks).

**Q.2. (a)** What are the powers of a Collector, a Commissioner and the Financial Commissioner, respectively to call for, examine and revise the proceedings of a Revenue Officer?

(10 Marks).

(b) Is it open to the Financial Commissioner to pass an order reversing the order passed by an Assistant Collector in a partition case sanctioning the mode of partition without hearing the respondents?

(5 Marks).

(c) Why does the Law provide that an order passed by a Revenue Officer shall not be reviewed if an appeal is preferred against it?

(5 Marks).

**Q.3.** Can the Surplus Areas under H.P. Ceiling on Land Holdings Act be utilized for the following purposes. Explain with reference to the provisions of the relevant law;

- (1) To build a school building. (4 Marks).
- (2) To be given in lease to set up a fertilizer Factory. (4 Marks).
- (3) For rehabilitation of Bhakra Dam or Pong dam oustees. (4 Marks).
- (4) To a non agriculturist having no land. (4 Marks).
- (5) For setting up of an Industrial area. (4 Marks).

**Q.4. Define the following;**

- (i) Agnate.
- (ii) Congnate.
- (iii) Full Blood.
- (iv) Intestate.
- (v) Heir.
- (vi) Escheat.
- (vii) Related.

(14 Marks).

- (b) Comment on the principal law that the property of a female Hindu is her absolute property.

(6 Marks).

**Q.5. Define Following;**

- (i) Writ of Demand.
- (ii) Net Assets.
- (iii) Allied Pursuit.
- (iv) Relinquishment.
- (v) Permissible area.
- (vi) Agriculture year.
- (vii) To cultivate personally.
- (viii) Exclusion of jurisdiction of Civil Court.
- (ix) Special Assessment.
- (x) Private forests.

(20 Marks).

- Q.6. (i) What do you understand by non-joinder of parties, mis-joinder of Parties and Multifariousness?

(10 Marks).

- (ii) Explain the objects and essentials Rule of Res Judicata?

(10 Marks).

**Q.7.(1) What order will court pass if after the service of summons in the court;**

- (i) Plaintiff fails to appear.
- (ii) Defendant does not appear.
- (iii) Both the plaintiff and defendant does not appear.
- (iv) The recognized agent of the defendant does not appear but re-appear on a subsequent date of hearing.

(8 Marks).

(2) Explain the following;

- (i) Time barred case.
- (ii) Exparte.
- (iii) Interlocutory order.
- (iv) Mesne Profits.
- (v) Decree Holder.
- (vi) Judgment debtor

(12 Marks).

**Q.8.** What is the procedure for preventing encroachment on Govt. land. How would you deal with the case of encroachment when a plea of adverse possession is taken by the encroacher?

(20 Marks).