

**Departmental Examination for Tehsildars/Naib Tehsildars of Himachal Pradesh.**

**March, 2022**

**Paper-1: Revenue Law and Procedure.**

**Time allowed: 3 Hours.**

**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/referred.**
- (4) Answers any five questions, each question carry equal marks.**

- I. Define the following in 80 to 100 words:
  - (a) Transfer of Property.
  - (b) Areas to be treated as sub-servient to tea plantation.
  - (c) "Full Blood", "Half Blood" and "Uterine Blood".
  - (d) Guardian.

(5x4=20)
- II. (a) Now a days, land revenue has become almost redundant being very meagre amount. Discuss as to whether it should be assessed or not, with reasons.  
(b) Discuss the provisions of H.P. Land Revenue Act, 1954 viz-a-viz section 5 of the Limitation Act, 1963, on limitation for appeal, review and revision.

(10+10=20)
- III. (a) Critically examine the provisions of Section 45 of the H.P Tenancy and Land Reforms Act, 1972. Is this Section causing gender bias?  
(b) Can ownership rights be conferred upon tenants recorded as "Gair Maurusi" under the ownership of State. Discuss alongwith relevant provisions of law reasons.

(10x2=20)
- IV. What is benami transaction? Discuss with reference to Benami Transaction (Prohibition) Act, 1988 and Section 118 of the H.P Tenancy and Land Reforms Act, 1972.

(20)

- V. (a) The Hindu Succession (Amendment) Act, 2005 has removed the discrimination towards Hindu Females on the ground of gender; elaborate.  
(b) Discuss the powers of natural guardian. (10+10=20)
- VI. (a) Briefly, discuss the rights and liabilities of a lessor and lessee.  
(b) What is "actionable claim"? Discuss the relevant provisions of law to transfer such claim. (10+10=20)
- VII. (a) What is "permissible area" under the H.P. Ceiling on Land Holdings Act, 1972?  
(b) Discuss bonafide transfers under the Act with its relevance. (10+10=20)
- VIII. A Hindu agriculturist female marries a person, who have no agricultural land in the State. Keeping in view the relevant provisions of the H.P Tenancy and Land Reforms Act, 1972 and Hindu Succession Act, 1956, discuss as to whether such person (married to Hindu agriculturist female) will be agriculturist of the State? (20)

**H.P. Board of Departmental Examination**

**For Tehsildar & Naib Tehsildar 2022**

**Paper-2, Arithmetic & Patwari Mensuration**

**Time Allowed: 3 Hours**

**Maximum marks: 100**

**Note:-**

1. Attempt any five questions from each part (A& B). All questions carry equal marks.
2. The candidate may answer the question in either English or Hindi.

**Part-A (Arithmetic)**

1. Rama bought a dozen pens at the rate of Rs. 80 and sold them at Rs. 10 per piece. Find out profit and loss and its percentage. 10 Marks
2. A and B can finish their job in 12 days while B can finish the job in 30 days. In how many days A can finish the job. 10 Marks
3. The sum of ages of 5 children A, B, C, D and E born at intervals of 3 years is 50 years. What are their ages? 10 Marks
4. Parminder is a farmer and has a big farm of  $300 \times 120$  m, in which he plans to have a path of 3 meters wide on all inner sides. The rate of making the path is Rs. 10 per sq. Feet. Calculate the cultivable land left and the cost for making the path around the farm. 10 Marks
5. Vikas gets Rs. 350 per day that he works. If he earns Rs. 9800 in a month of 31 days. How many days he was absent from work? 10 Marks
6. The total production of 10 ginger farms is 550 tonnes. By opening two new farms of same size the average increases by 3 tonnes. What would be the average production of the two new ginger farms? 10 Marks

**Part-B (Mensuration)**

7. Comment on the following in 30 to 40 words.

- i. Triangular system
- ii. Mapping sheet
- iii. Plane table
- iv. Sighting Rod
- v. Drone Survey

5x2= 10 Marks

8. Critically examine the traditional settlement system with modern techniques like ETS/GPS system for preparation and updation of Record of Rights in H.P.

10 Marks

9. Critically examine the role of computerisation of Land Record Management Centres in H.P.

10 Marks

10. What are the reasons for delay in survey and updating of settlement of ROR in District Kullu which takes about 40 years for completion?

10 Marks

11. What are the reasons for non implementation of NDGRS in H.P., as the dire need arises to have "One Nation One Software"?

10 Marks

12. What is Svamitva Yojana and how it can be implemented to measure the Abadideh area in H.P.?

10 Marks

~~TEHSILDAR~~ | ~~NT~~TEHSILDAR  
DEPARTMENTAL EXAMINATION FOR \_\_\_\_\_ OF HIMACHAL PRADESH  
PAPER III Minor Revenue Acts and Rules  
MARCH-2022

Time Allowed : 3 hours.

Maximum marks: 100.

**Note:**

(i) Question no 1 is compulsory. Candidates may attempt any four out of the remaining questions.

(ii) All questions carry equal marks as specified at the end of each question.

(iii) Bare Acts and Rules can be consulted.

Question No. 1. While bringing out the distinction between the following terms(with illustrations), write short notes on any four:

- (i) Bakhali Avval and Barani Avval land and their respective assessment
- (ii) Rights of non-occupancy tenants and occupancy tenants.
- (iii) Wajib-ul-urz and Riwas-e-aam
- iv) Respective procedures for carrying out changes in Jamabandi and khasra Girdawri entries.
- (vi) Escheat of property and seizure of property for compelling payment of arrears of land revenue.

5+5+5+5

Question No. 2. Explain and illustrate the following:

- (i) Procedure for recording of possession, especially on Government land, during settlement.
- (ii) Process for recording of changes in Wajib-ul-urz in between two land settlements.

10+10 marks

Question no. 3:

(a) Briefly specify the steps to be followed for calculation and payment of compensation for the land acquired by Government under the right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(b) Discuss the steps which a collector should take in recovery of money which is due but which otherwise remain unrecovered by the bank, with special reference to the provisions contained in HP Land Revenue Act 1954.

10+10 marks

Question no 4:

(i) H.P. NAUTORE RULES, 1968 have now outlived their utility. Comment on this statement with special reference to provisions for transfer of land in favour of houseless persons for construction of houses.

(ii) Which are the properties exempt from partition. Explain how these properties are dealt with in partition cases?

10+10 marks

Question no. 5:

Explain how the land vested in government under HP Village Common Lands, Vesting and Utilisation scheme, 1995 is to be disposed. How does this differ from the provisions contained in HP Utilisation of Surplus Area Scheme, 1974.

20 marks

Question no. 6:

"Despite bar imposed by the provisions of section 163 of HP Land Revenue Act, in relation to cases of encroachment on government land, as decided by revenue courts, the Civil Courts may interfere under their inherent powers". Comment on this statement while citing the relevant provisions of law and latest judicial pronouncements. Also cite provisions/ grounds on which the Civil Courts would normally consider conferring title by adverse possession in such cases.

20 marks

Question No. 7:



BOARD OF DEPARTMENTAL EXAMINATION  
FOR TEHSILDARS/NAIB TEHSILDARS

MARCH, 2022

Paper: 5 (Criminal Law & Procedure & Code of Civil Procedure)

Time Allowed: 3 hours

Maximum Marks: 100

Note:

1. Attempt any five questions and at least one question from each Section.
2. Questions carry the marks indicated against them.
3. Only Bare Acts of I.P.C, Cr.P.C, C.P.C. & Indian Evidence Act are allowed.
4. Relevant provisions of Law be quoted in support of answers.

**PART – A**

**SECTION-I**

- Q. NO. I Discuss the right of private defence of a person. When does it extent to causing death? When does it cease to exist? (20)
- Q.NO. II Write short notes on the following:-
- (a) Robbery (5)
  - (b) Theft (5)
  - (C) Cheating (5)
  - (d) Criminal Conspiracy (5)

**SECTION-II**

- Q.NO.III Explain which kind of order can be passed by Magistrate under Section 133 of the Code of Criminal Procedure and also discuss the difference between Section 133 and 144 of the Code. (20)
- Q.NO. IV Write short notes on the following:-
- (a) Withdrawal from prosecution (5)
  - (b) Dispersal of assembly by use of civil force under Section 129 Cr.P.C.(5)
  - (c) Warrant of arrest (5)
  - (d) Anticipatory bail (5)

P.T.O.

**SECTION-III**

**Q.NO. V** (a) What do you understand by confession? Can a confession made to a Police Officer be proved against an accused person? (10)

(b) Who is an expert? In which matters opinion of an expert is relevant? (10)

**Q.NO. VI** Write short notes on the following:-

(a) Estoppel (5)

(b) Cross examination (5)

(c) Refreshing memory (5)

(d) Facts judicially noticeable need not to be proved (5)

**PART-B**

**SECTION-IV**

**Q.NO. VII** State general conditions of doctrine of Res-judicata. Does a compromise decree operate as res-judicata? Differentiate between Res-judicata and res-subjudice. (20)

**Q.No. VIII** Who is an indigent person? Is there any special procedure applicable to such persons? Explain with reference to order XXXIII of CPC. (20)

**Q.NO.IX** Write short notes on the following:-

(a) Mode of execution of decree for specific moveable property (5)

(b) Plaint (5)

(c) Revision (5)

(d) Written statement (5)

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**H.P. BOARD OF DEPARTMENTAL EXAMINATION**  
**SESSION FEBRUARY, 2022**

Time allowed: 3 hours

Maximum Marks: 100

**Paper 6: REVENUE CASE FOR TEHSILDARS**

Note:

1. Attempt both questions.
2. Only Bare Acts, Rules and Manuals are allowed to be consulted.
3. Answers can be given in Hindi or English.

Q. No. 1: One Smt. Lachhmi Devi W/o Moryan Dutt R/o Village Mandomat Kanda, Tehsil Kasauli, District Solan, purchased 1/4<sup>th</sup> share in the land comprising Kh. Nos. 82, 100, 101, 161 and 209 measuring 7-7 Bighas situated in Mauza Sanwara, Tehsil Kasauli, District Solan through a registered Sale Deed dated 19/03/2002 from one Smt. Nirmala Devi D/o Beli Ram and the Sale Deed was given to the Halqua Patwari well in time for entering mutation. Following facts and arguments have been brought before you in the capacity of Assistant Collector 1<sup>st</sup> Grade for decision:

1. Lachhmi Devi, submitted the sale deed dated 19/03/2002 with Halqua Patwari well in time for entering the mutation which was assigned No. 761 but A.C. 2<sup>nd</sup> Grade kept the mutation No. 761 pending and ultimately rejected the same on 04/09/2002.
2. It was also brought to the notice of the applicant, Lachhmi Devi that the order on mutation No. 761 had not been written by the A.C. 2<sup>nd</sup> Grade. Subsequently, when the matter was brought to the notice of Tehsildar, Kasauli, he ordered the Halqua Patwari to enter the mutation No. 776 but the A.C. 2<sup>nd</sup> Grade Kasauli without holding an inquiry rejected the above mutation on the ground that possession of the land had not been transferred to the applicant.
3. The applicant had purchased 1/4<sup>th</sup> share in joint Khewat and moreover the seller and purchaser i.e. present applicant belonged to the same family having common ancestors. She has also stated that one Sh. Chander Mohan with whom the dispute has arisen has purchased 3/4<sup>th</sup> share in the joint land only few years ago and the entire land is still joint amongst the co-sharers, Smt. Nirmala, Chander Mohan and Lachhmi Devi.

4. Averments made by the applicant;

- i. That Patwari Halqua has neither visited the spot nor held any inquiry on the spot about Kh. No. 82, 100, 101 which were in possession of Smt. Lachhmi Devi, the applicant and even otherwise the possession of one co-owner or co-sharer is the possession of all.
- ii. In view of the above, the averment, that possession has not been transferred, does not hold good.
- iii. Applicant has submitted that co-sharers have sold their respective share in joint holding and possession is not a pre-requisite for sanctioning the mutation as all the co-sharers are deemed to be in possession.
- iv. It is the basic law that if stranger purchaser gets actual possession in the joint land when the land would be partitioned amongst the co-sharer but the symbolic possession is to be reflected in the revenue record as up-to-date and as per this, A.C. 2<sup>nd</sup> Grade, is legally bound to sanction the mutation under dispute.
- v. The classification of the land in question is that of Ghasni.

5. The averments made by the respondent:

- i. That without the transfer of possession of land no mutation could be attested.
- ii. Execution of sale deed does not give a right to the purchaser to become the owner of the land or attest the mutation on the basis of the registered documents of Sale Deed.
- iii. That delivery of possession is pre-condition and the revenue officer under the provisions contained in Land Administration manual has to satisfy himself that the possession has been delivered and if he is not satisfied regarding the delivery of possession under sale, the mutation qua the land in favour of the purchaser cannot be attested.
- iv. That the respondent is in possession of the land comprising Kh. No. 82, 100, 101, 161 and 209 measuring 7-7 Bighas situated in Mauza Sanwara, Tehsil Kasauli, District Solan, from the very beginning and the other co-sharers have remained in possession

6.

- i. Keeping in view the aforesaid facts and averments made by the parties, write a detailed order in context of Mutation No. 776. (40 marks)
- ii. Write order sheet of the day. (10 marks)

NEVER

NEVER

RTO

versus

Beli Ram S/o Bhudu R/o Village  
 Dhanauri, Pargana Haripur, Tehsil &  
 District Solan H.P.

.....Respondent

1. The encroachment proceedings in this case were initiated against the respondent Sh. Beli Ram S/o Bhudu R/o Village Dhanauri on the basis of report made by the Patwari Halqua on 28/09/1994. On receipt of this report, show-cause notice under section 163 of H.P. Land Revenue Act was issued to the respondent by the Assistant Collector 1<sup>st</sup> Grade, Solan. In response to the show-cause notice, the respondent Beli Ram, made the following averments in the reply:
  2.
    - i. That the respondent is in possession of the land in dispute comprised in Kh. No. 285/1 measuring one bigha situated in Village Dhanauri since the time of his father prior to the vestment in the name of Gram Panchayat and thereafter in the name of State of H.P. and there was a Katcha House built-up by his forefathers which has been renovated by him.
    - ii. Respondent has also pleaded that no inquiry is required under section 3 of the H.P. Village Common Land Vesting and Utilisation Act, 1974 was ever made and the land in dispute should not have vested either in the name of the Panchayat or State of H.P.
    - iii. The respondent has produced two witnesses including himself and Halqua Patwari (RW-1). Halqua Patwari stated that as per revenue record prior to the vestment in the name of Gram Panchayat and thereafter in the name of State of H.P., the land in question was SHAMLAT LAND and no inquiry under section 3 of the H.P. Village Common Land Vesting and Utilisation Act, 1974 seems to have been conducted at the time of the vestment. Beli Ram, Respondent (RW-2), reiterated his statement as given in para (i).
    - iv. Respondent also produced certified copies of Jamabandi for the year 1966-67 and copy of Jamabandi for the year Sambat 2002-03 showing the land in possession of Kalia S/o Bararu, Rup Ram and Beli Ram, sons of Budhu as GAIR-MAURUSI.
    - v. Respondent also cited the provisions of sub-section 2(c) of the Section 3 of H.P. Village

Common Lands Vesting and Utilisation Act,  
1974, support his averments.

3. The State of H.P. on the other hand failed to prove its contention as reported by the Patwari Halqua on 28/09/1994. It had also been submitted that it is not possible that house in question existed over entire One Bigha of land comprised in Kh. No. 285/1

MUTATING

4. Which fact should have been verified on the spot before muting in the name of the respondent?

i. In context of the above, write a detailed order of deciding the case.

(35 marks)

ii. Draft the issuing of the show-cause notice in this case.

(10 marks)

iii. Write order sheet of the day.

(5 marks)

**HP BOARD OF DEPARTMENTAL EXAMINATION**  
**Departmental Examination of Tehsildars/Naib Tehsildars**  
**February 2022**

**Paper No. 7 Special Acts:**  
**Time 3 Hours**

**Maximum Marks 100**

**Attempt any 5 questions.**  
**Bare Acts/ rules are allowed.**

**Question No.1 (a) What are the social responsibilities of the Police? (10Marks)**

**(b) What are the responsibilities of the Beat Police Officer? (10 Marks)**

**Question No.2 (a) What are the provisions for treatment of claims relating to practice of shifting cultivation under the Indian Forest Act 1927? (10 Marks)**

**(b) What kind of Acts are specifically prohibited I Reserve Forests? (10 Marks)**

**Question No.3 (a) What is the punishment for wrong demarcation of forest land? (10marks)**

**(b) What are the responsibilities of a public servant in case he detects encroachment over Government land? What are the consequences of failing to do so? (10 Marks)**

**Question No.4(a) What is the definition of "dependent" under the HP Maintenance of Parents and Dependents Act, 2001? (10 Marks)**

**(b) What is the duration of an order of maintenance under the said Act? (10 Marks)**

**Question No. 5(a) What are the Conditions relating to solemnization of special marriages under the Special Marriage Act? (10 Marks)**

**(b) What are voidable marriages under the Act? (10 Marks)**

**Question No. 6. What information can be denied by a Public Information Officer under the Right to Information Act, 2005? (20 Marks)**

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**BOARD OF DEPARTMENTAL EXAMINATION, HIMACHAL PRADESH**  
**DEPARTMENTAL EXAMINATION-FEBRUARY, 2022**  
**PAPER: 8 -Civil Services, Treasury and Financial Rules (for Tehsildars/Naib Tehsildars).**

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**Time Allowed: 3 Hours.**

**Maximum marks: 100**

**Note:** 1. Attempt any Five questions in all.

2. All questions carry equal marks.

3. Attempt all parts (where given) of the question consecutively.

4. Only Bare Acts, Rules, Notifications and Reference Books are allowed.

5. Use of calculator is allowed.

6. Indicate the same question number and its part as assigned in the Question Paper while answering the same.

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**Question No. I:**

"The Government functions for public good. Therefore, it has to be in a position to justify every action in the light of public interest". In view of this statement elaborate the importance and utility of Files and Noting in the government offices.

(20)

**Question No. II:**

Discuss various provisions of CCS(Conduct) Rules in respect of acquisition of movable and immovable property by a government servant. What are the restrictions in relation to acquisition and disposal of movable and immovable property outside India and transactions with foreigners?

(20)

**Question No. III:**

(a) A government servant while on vacation in Mumbai had to undergo heart surgery at a Private Hospital which is not empanelled by the State government. How would you regulate his medical reimbursement claim under the relevant rules and policy?

(b) Write a short note on the role and duties of a Supervisory Officer.

(10+10)

**Question No. IV:**

What are the fundamental principles of public buying? Describe the measures provided in HPFR for achieving transparency, fair competition and elimination of arbitrariness in procurement process.

(20)

**Question No. V:**

"Placing an employee under suspension equally hurts the employer, who not only loses the services of the employee during the period of suspension but also has to pay him his emoluments (subsistence allowance)". In view of this statement, explain the guiding principles in placing a government servant under suspension and keep the number of officials under suspension to the barest minimum and also to reduce the period of suspension to the minimum possible extent.

(20)

**Question No. VI:**

a) What are the entitlements of a government servant and his family members under Travelling Allowance rules when he is transferred from one station to other in public interest?

b) Mention the period within which LTC claim has to be preferred in the following cases;

i) When the government servant has received the advance.

ii) If no advance paid to him.

iii) In case of family member who has travelled separately.

(15+5)

**Question No. VII:**

Define and distinguish: -

i) 'Dismissal' and 'Removal' from service.

ii) 'Consolidated Fund' and 'Public Account'.

iii) 'Censure' and 'Warning'.

iv) 'Reduction in lower stage in Time Scale of pay' and 'Reduction to a Lower Time Scale of pay'.

(5\*4)

**Question No. VIII:**

(a) A government servant drawing Basic Pay of Rs.25400 (20400+5000 GP) w.e.f., 1<sup>st</sup> August,2020 in the Pay Band and Grade Pay of Rs.10300-34800+5000 was promoted to the higher post in the same Pay Band with Grade Pay Rs.5400 on 15-03-2021. He exercised option for fixation of pay after earning annual increment in the lower post. Fix his pay and state DNI quoting relevant rules.

(b) Define the penal provisions for default in repayment of deposits and interest honoring under HP Protection of interest of Depositors in Financial Establishment Act, 1999.

(15+5)

**Question No. IX:**

A government servant retired from service on 31.01.2020 on superannuation. He rendered total service of 34 years 3 months and 28 days. The last pay drawn by him was Rs.36050 (30650+5400) and rate of DA was 153%. He was having a credit balance of 290 days of Earned Leave in his leave account on the day of his superannuation. Calculate the following; -

(i) Pension (ii) Family Pension, (iii) Retirement Gratuity, (iv) Commutation value of 40% of pension.(v) Leave Encashment.

(20)