

Departmental Examination for Tehsildars/Naib-Tehsildars, H.P.

September, 2022

Paper-1

Revenue Law and Procedure

Time Allowed- 3 Hours

Maximum Marks- 100

Note:-

1. The candidate may answer the question either in Hindi or English.
2. Bare Acts/Rules can be consulted.
3. Answer any five questions; each question carry equal marks.

Que No. 1 Write Short Notes:-

(5*4=20 marks)

- (a) Cognates & Agnates
- (b) Section 5 of Limitation Act
- (c) Benami Transaction
- (d) Natural Guardian of a Hindu Minor

Que No. 2

(10*2=20 marks)

- (a) Define lease. Can it be termed as a transfer of property? Comment and justify your answer with the relevant legal provision.
- (b) Under what conditions gift (of property) can be revoked? Explain with examples.

Que No. 3

(10*2=20 marks)

- (a) Critically examine in detail the concept of "Agriculturist" as per H.P. Tenancy and Land Reforms Act.
- (b) The section 118(2) of the H.P. Tenancy and Land Reforms Act states -
"Nothing in sub-section (1) shall be deemed to prohibit the transfer of land by any person in favour of—

c) *a village artisan ; or*

(d) *a landless person carrying on an allied pursuit”.*

Please explain with examples as to who will be village artisan and what is meant by allied pursuit as mentioned in the provision above.

Que No. 4

(10*2=20 marks)

- (a) Critically examine the applicability of provisions of Code of Civil Procedure for service of summons for partition proceedings. Justify your answer with relevant legal provision of H.P. land Revenue Act.
- (b) What do you understand by Testamentary Guardians? Explain their Powers.

Que No. 5

(10*2=20 marks)

- (a) What are the necessary procedures which should be completed before making mode of partition during partition proceedings?
- (b) Give examples of any 2 circumstances where a revenue officer can exercise powers under section 37 or 38 of H.P. land Revenue Act.

Que No. 6

(10*2=20 marks)

- (a) Explain briefly the procedure that you will follow while dealing with a complaint of encroachment on Government land. Mention relevant legal provision also.
- (b) Discuss the various categories of land which are exempted from the applicability of H.P. Ceilings on land Holdings Act.

H.P.Board Of departmental examination for Tehsildars and Naib Tehsildars September 2022

Paper -2 Arithmetic and Patwari Mensuration.

Time Allowed: 3 hours.

Maximum Marks 100

- Note: 1. Attempt any 5 questions from each part. All questions carry equal marks.
2. The candidates may answer the question either in hindi or english

Part A: Arithmetic

Attempt any five questions:-

- Q.1 (I) Find the largest number which can exactly divide, 513,783 and 1107.
(5 marks)
(II) Find the smallest number exactly divisible by. 12, 15, 20 and 27.
(5 marks)

- Q.2. Find the square root of each of the following
(I) 961. (II) 1010025. (10 marks)
(5 each)

- Q.3. Divide Rs 747 into three parts such that 4 times the first is equal to 5 times the second and 7 times the third.
(10 marks)

- Q.4. If the cost of 34 bats is rupees 2533, how much do 25 such bats cost?
(10 marks)

- Q.5. 18% of the student in a school remained absent on a rainy day. If 1763 students attended the school on that day how many remained absent?
(10 marks)

- Q.6. A shopkeeper bought a sewing machine for ₹ 1250 after allowing a discount of 10% on its marked price, he gains 26% find the marked price of sewing machine?
(10 marks)

- Q.7. Find the time in which ₹1350 will amount to ₹1791 at 14 percent per annum?
(10 marks)

- Q.8. A Veranda 50 metre long and 12 metre broad is to be paved with tiles, each measuring 6 decimetre by 5 decimetre find the number of tiles needed?
(10 marks)

Part-B

Attempt any five questions.

- Q.9. (i) How are the forests created out of Charand land during settlement.
(ii) How are the errors in measurement and other mistakes corrected during settlement.

(iii) How Minahi Rakba (unassessable waste) recorded.

(iv) Can encroachment on government land and Beshi Rakba be regularised during settlement operation.

(2 and a half marks each)

Total 10 marks.

Q.10. The present system of the settlement is nothing but a framing of record of rights or its special revision, showing the class of land and its ownership and the incidence of land revenue which it is to bear. Comment.

(10 marks)

Q.11. (i) What is the procedure adopted for carrying out demarcation (Nishandehi) in context of disposing of a boundary disputes between the parties (landowners).

(6 marks)

(ii) What measure would you take where karukans are not readable or un-intelligible with reference to Tatimas during carrying out the demarcation.

(4 marks)

Q.12. How far the computerization of land records has helped the farming community to have an easy access and speedily to obtain the copies of their land records of ownership and find solution to their land disputes, comment.

(10 marks)

Q.13. Write Short Notes on:-

(i) Land Records management through modern record rooms.

(5 marks)

(ii) Complicated demarcation conducting through differential Global Positioning System (total station)

(5 marks)

Q.14. Explain the following terms:-

- (i) Bando Bast Jadid and Bandobast Tarmim.
- (ii) Chanda Bandi
- (iii) Shishti Paimaish
- (iv) Plain Table Survey
- (v) Shajrakishtwar

(2 marks each)

(Total 10 marks)

Q.15 Write Brief Notes on:-

- (i) Computerization of registration
- (ii) Wajib-ul-urj.
- (iii) ETS and G.P.S.
- (iv) Baseline

(2 and a half marks each.)

(Total 10 marks)

Q.16 what do you mean by the following revenue terms:-

- (i) Makbooza malik Bartandaran Mutabik Naksh Bartan
- (ii) Hasab Rasab Jarekhewat
- (iii) Tasdik Aakhir
- (iv) Abadi Deh
- (v) Biswa - Biswansi.

(2 marks each)

(Total 10 marks)

HP BOARD OF DEPARTMENTAL EXAMINATION

Departmental Examination for the Tehsildar and Naib Tehsildars

SEPTEMBER 2022

Paper 3: Minor Revenue Acts and Rules

Time Allowed: 3 Hours

Maximum Marks: 100

Note:-

1. Attempt any five questions. All questions carry equal Marks.
 2. Bare Acts, Rules and Manuals are allowed to be consulted.
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Question 1-

Write a brief note in 30 to 40 words of each on any five of the following:

- i. Farad Badar
- ii. Wajib-ul-arz
- iii. Assessment Report
- iv. Tarika Paimash
- v. Shajra Kishtwar
- vi. Arz Irsal
- vii. Takmina Pedawar
- viii. Rent, Rates and Cesses

(5x4=20 marks)

Question 2-

A. What are the powers of the Collector under the HP Public Premises and Land Eviction and Rent Recovery Act, 1972?

B. What is the procedure by which an eviction order of unauthorised occupation be enforced?

(10+10=20 marks)

Question 3-

A. What is the significance of Settlement of land in Himachal Pradesh?

B. Why Settlement operation is so delayed in Himachal Pradesh?

(10+10=20 marks)

Question 4-

- A. What are the powers and functions of the Inspector General of Registration in Himachal Pradesh?
- B. How he implements the Indian Stamp Act and Rules framed there under in Himachal Pradesh? (10+10=20 marks)

Question 5-

- A. What is the relevance of General Procedure of Revenue Officers and Revenue Courts in Himachal Pradesh?
- B. Give suggestions to improve the Revenue Court Procedure in Himachal Pradesh? (15+5=20 marks)

Question 6-

- A. Critically examine the impact of Himachal Pradesh Nautor Rules 1968.
- B. What is the relevance of Grant of Nautor to landless and eligible persons scheme, 1975? (10+10=20 marks)

Question 7-

- A. What are the salient features of the Redemption of Mortgages Act, 1971?
- B. Critically examine the role of Regulation of Land under the HP Transfer of Land (Regulation) Act, 1971 with special reference to decree of sale on account of recovery of Bank dues? (10+10=20 marks)

Question 8-

- A. What is the procedure laid down under the HP Village Common Lands vesting and utilization Act and Rules for effecting the mutation in favour of the State Government?
- B. What are the objectives of Inspections? Why today, it becomes redundant in Revenue Administration? (10+10=20 marks)

Question 9-

- A. What do you understand by Social Impact Assessment Study Report under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013?
- B. What are the reasons in lapse of Social Impact Assessment Report, the objections and Payment of Damages? (10+10=20 marks)

BOARD OF DEPARTMENTAL EXAMINATION

FOR TEHSILDARS/ NAIB TEHSILDARS

SEPTEMBER, 2022

Paper-5 (Criminal Law and 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. Bare Acts of I.P.C., Cr.P.C., Indian Evidence Act and C.P.C. are allowed.
4. Relevant provisions of law be quoted in support of answers.

**PART- A
SECTION-I**

- Q.I What is Robbery? Explain, when Theft is Robbery and when Extortion is Robbery? Also explain the difference between Robbery and Dacoity. (20)
- Q.II Write short notes on the following:-
- (a) Criminal breach of trust. (5)
 - (b) Public Nuisance. (5)
 - (c) Sedition (5)
 - (d) Stalking (5)

SECTION-II

- Q. III Explain the provisions regarding security for peace and good behaviour under the Code of Criminal Procedure. (20)
- Q.IV Write short notes on the following:-
- (a) Complaint (5)
 - (b) Cognizance of offences by Magistrates. (5)

P.T.O

(c) Examination of arrested person under Section 54 of Criminal Procedure Code. (5)

(d) Bar to taking cognizance after lapse of the period of limitation under Criminal Procedure Code. (5)

SECTION-III

Q.V Explain the various kinds of documentary evidence. Discuss under what circumstances secondary evidence relating to documents may be given. (20)

Q.VI Write short notes on the following:-

(a) Rule of Res-Gestae (5)

(b) Professional Communication. (5)

(c) Oral Evidence. (5)

(d) Hostile witness (5)

PART-B

SECTION-IV

Q.VII Discuss in detail the provisions relating to the suits by or against the Government or Public Officers in their official capacity. (20)

Q. VIII Discuss under the Code of Civil Procedure, when can a Revision be filed and in which Court and on what grounds and also distinguish between Reference and Review. (20)

Q. IX Write short notes on the following:-

(a) Interpleader suit. (5)

(b) Mode of execution of decree for immoveable property. (5)

(c) Counter Claim. (5)

(d) Set-off. (5)

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H.P. Board of Department Examination
Departmental Examination for Tehsildars
September, 2022.

Paper No.6.

Revenue Case

Time Allowed: 3 Hours

M. Marks-100

- Note: 1. Attempt all the questions. Marks are allocated to each question as shown with each question.
2. Only Bare Acts are allowed to be consulted.
3. Answers can be given in Hindi or English.

Q.No. I. Sh. Mathu Ram, Sh. Param Chand and Sh. Jagjeet Singh S/o Sh. Mola Ram S/o Sh. Sawanu residents of Mauja Sihardi Muslmana, Tehsil Kasauli and Distt. Solan, are recorded as non-occupancy tenants under land owner namely, Lehna, Fulnu, and Niku sons of Fittu son of Chiflu, in Jamabandi for the year 1997-98, of land, comprising Khatta No. 163 Khatauni No. 295, Kitta 6 area measuring 05 Bigha 14 Biswa, classified as "Kuhali Awal". In column of rent of the said jamabandi, there is an entry as "Galla Batai Chaharam". The land owners are also recorded owner in possession of 70 Bigha 15 Biswa land in Khata No. 64 in the same Mauza, up to the extent of equal share, out of which 25-16 bighas area is recorded as irrigated having two crops in a year, 7-14 bighas as un-irrigated giving one crop in a year and rest of the land is classified as "Ghasni".

Sh. Mathu Ram, Sh. Param Chand and Sh. Jagjeet Singh moved a joint application before the Ld. Land Reform Officer, Kasauli, District Solan, requesting for conferment of ownership rights over the land under tenancy as per Section 104 of the H.P. Tenancy & Land Reforms Act, 1972.

Owners, Lehna, Fulnu, and Niku contested the application taking the plea that the land in dispute was recorded in the ownership of their mother to the extent of 1/3rd share and she was a widow and as such was protected under the Act. They further contended that during her life time, she had bequeathed her share in favour of Niku by way of a registered "Will" and Niku was serving in Indian Army and is also protected under the Act. They further contended that are of the applicant. Sh. Jagjeet Singh is a minor and minors are protected under the Act. They further contended that one of the respondents being a member of the Armed forces, is entitled to resume land for his personal cultivation. They also contended that the land of their father

has also vested in the State Govt. under the provisions of the H.P. Ceiling & Land Holdings Act, 1972, as such they are entitled to retain land upto permissible area prescribed under Section 4 of the H.P. Ceiling Act, 1972.

(i) Keeping in view the aforesaid background write down a detailed order on the application discussing the possible arguments from the applicants side.

(30)

(ii) Presuming that the aforesaid application is allowed, write down a detailed mutation order conferring ownership rights on the applicants.

(20)

Q.No.II. Patwari halqua through Kanungo concerned, submitted a report dated 19/04/2007 to the Tehsildar, Dharamshala stating therein that Government land bearing Khasra No. 168/1 area measuring 1 bigha 2 biswa, situated at Mauja Mant, Tehsil Dharamshala & Distt. Kangra, H.P. has been encroached upon by one Shanti Swaroop S/o Sh. Miyan Ram, resident of Mauja Mant Tehsil Dharamshala & Distt. Kangra, by constructing a residential house, a Kitchen & a Septic Tank thereon. He submitted that the land has been recorded in ownership of the State Government and in the column of possession, there is an entry of "Kabza Swaym Tabe Haquook Bartan, Mutabik Naksha Bartandaran". He submitted two copies of tatimas & Jamabandis to the Tehsildar, Dharamshala for eviction of the encroacher from the Govt. land in accordance with the provision of Section 163 of the H.P. Land Revenue Act, 1954:

On receipt of this report, the Tehsildar Dharamshala issued a show cause notice dated 01/05/2017 to Shanti Swaroop under Section 163 of the Act, ibid, to vacate the suit land well before 15.5.2017. In compliance to notice Shanti Swaroop appeared before the Tehsildar Dharamshala, alongwith his counsel and requested for granting time to file reply. Tehsildar Dharamshala granted time of three weeks and fixed case for reply on 06/06/2017. On 06.06.2017 Shanti Swaroop appeared in person alongwith his counsel and filed detailed reply to the notice alleging therein as follows:-

(i) That the suit land belongs to the respondent being land recorded as "Hasab Rasad Mal Guzari" prior to 26 January, 1950 and same was in possession of the ancestors of the respondent. That keeping in view the amendments carried out in the H.P. Village Common Lands Vesting and Utilization Act, 1974 in the year 2001, this land has to be reverted to estate right holders and the State has no right over the land in dispute. Further citing various pronouncements of the Hon'ble High

Court, and Hon'ble Supreme Court, he claimed that the village common land belong to local people and the State Government has no right to such land.

- (ii) That the demarcation has not been done by the competent authority as Patwari is not competent to carry out demarcation and it is the AC 1st Grade, who can demarcate the Government land; that demarcation has not been carried out in presence of the respondent.
- (iii) That in case, it is presumed that the land belongs to State Government even in that case the suit land is in possession of the respondent since his ancestors and there was residential house on the suit land which was constructed way back in early nineteen fifties. He has only renovated the old existing house. That since the respondent is in possession of the land in dispute for last more than 60 years, his possession has matured into adverse possession and he has become owner of the suit land.

A. Considering the facts given above, you as Assistant Collector, 1st Grade, Dharamshala is convinced that prima facie question of title is involved, in that case convert yourself into a Civil Court and pass a judgement discussing all the possible arguments on behalf of both the parties and also draw a decree accordingly,

(25)

B. In rejoinder to aforesaid reply, the State of H.P. submitted that the encroachment of the respondent is fresh one as the respondent has raised fresh construction over the land in dispute and the Patwari had also directed the respondent to stop construction on the land in dispute, but the respondent failed to do so. The rejoinder further states that no doubt the land in dispute was village common land at one point of time, but the same has been vested in the State Government under the H.P. Village Common Lands Vesting and Utilization Act, 1974 and the petitioner has never challenged the vestment order. The further stand of the State is that the land in dispute was/is also not assessed to land revenue. The stand of the State is mere raising of question of title by Shanti Swaroop does not make it a title; Keeping in view the submissions on behalf of the State Government, pass an order based on facts and law as Revenue court.

(25)

HP Board of Departmental Examination
September-2022

Departmental Examination for Tehsildars

PAPER-7 : Special Acts (Criminal), Manuals and Rules.

NOTE:

Maximum Marks-100

Attempt any five questions. All questions carry equal marks.

Bare Acts and Rules and Manuals can be consulted

Q.No.1

Has the original intent of RTI Act to make Govt. transparent and accountable faltered? Discuss in detail with suitable examples and case law in support.

Q.NO.2

What is diversion of forest land under the Forest Conservation Law. What are Stage-1 and Stage-2 forest clearances and what is the procedure for obtaining those clearances. Discuss with statutory stipulations attached with these clearances.

Q.No.3

Failure to give correct demarcations of forest lands and failure to detect and report encroachments are offences punishable under the law. Discuss in detail.

Q.No.4

Distinguish between void and voidable marriages. What are the consequences on the legitimacy of children borne out of such marriages under the provisions of Marriage law?

Q.No.5

Which are various types of driving licences? Who can be disqualified from holding a driving licence under which conditions?

Q.No.6

Distinguish between

- (a) Reserved and Protected forests
- (b) Parole and Furlough
- (c) Forest village and Revenue village

BOARD OF DEPARTMENTAL EXAMINATION, HIMACHAL PRADESH
DEPARTMENTAL EXAMINATION, September, 2022.

Paper :- 8. Civil Services, Treasury and Financial Rules
(for Tehsildars and Naib Tehsildars)

Time Allowed : 3 Hours.

Maximum Marks -100

NOTE :-

- i. Attempt any five complete questions out of eight.
- ii. All questions carry equal marks.
- iii. Only Bare Acts, Rules, Notifications and Reference Books are allowed.
- iv. Mobile & PC are not allowed- only calculator can be used.
- v. Indicate the same question number and its part as assigned in the question paper while answering.

- Q.No.I:-**
- a) Explain the guidelines for sanctioning Honorarium.
 - b) Describe the treatment of license fee free concession during suspension.
 - c) Determine the period of ten months for average emoluments in r/o a Govt. servant who retires on 17th June, 2022.

(8+8+4=20 Marks)

- Q.No II:-**
- a) What are the provision regulating payment of share of death/Retirement gratuity when nominee dies or become disqualified.
 - b) Describe the procedure prescribed for framing of recruitment and promotion rules under Rules of Business of Govt. of HP.
 - c) State the date(s) from which the reduction in pension on a/c of additional commutation of pension will take effect.

(8+8+4=20 Marks)

- Q.No.III:-**
- a) Write down nature of disciplinary action and quantum of punishment to be commensurate with the gravity of offence committed and cases which may merit action for imposing one of the major penalties.
 - b) Explain provision regulating TA to Govt. servant when examinations are suddenly cancelled

(15+5=20 Marks)

- Q.No.IV:-**
- a) Discuss rule regarding conduct and etiquettes to be observed by witnesses appearing before the legislative committees.
 - b) No Govt. can claim to be a citizen friendly unless it has established an efficient grievances redressal mechanism. In the light of above, explain **E-SAMADHAN and PRASHASHAN JANTA KE DWAR PAR .**
 - c) State Bid validity in GeM.

(8+8+4=20 Marks)

- Q.No.V:-**
- a) State the provision of new leave named work related illness and injury leave.(WRIL)
 - b) Explain the aim and objectives of the Competition Act, 2002.
 - c) A govt. servant who was granted commuted leave resigned from service at his own. The authority permitted him to retiree without returning to duty. Describe provisions regulating the leave and amount thereof.

(8+8+4=20 Marks)

- Q.No.VI:-**
- a) State the main Divisions and Structure of Govt. accounts alongwith Sectors and Sub Sectors.
 - b) Describe the amount of subscription and condition attached with subscription towards GPF.

(12+8=20 Marks)

- Q.No.VII:-**
- a) Explain the provisions under HP Treasury Rules regarding Passing of bills and instructions for e-payments.
 - b) Write down short notes on:-
 - i. **Emergency treatment** in a non-empanelled instructions under HP Medical reimbursement policy.
 - ii. **"Financial Establishment"** under the protection of interest of Depositors (in Financial Establishment Act, 1999).
 - iii. **Tier-II** account under NPS.
 - iv. **Guarantee fee and commitment charges.**

(10+10=20 Marks)

Q.No.VIII:- Comment, elaborate and discuss the followings:-

- i. A woman employee proceed on maternity leave on 16-06-2022. She was promoted to higher post/grade w.e.f 1-7-2022 and resumed charge of promoted post on 1-8-2022. Again proceeded on Maternity leave for the balance period.
- ii. Overburdened with work of land record and other revenue work, a Tehsildar hired a local resident for the work on payment of Rs.3000/- p.m from his own pocket.
- iii. How do I contact PFRDA (National Pension Scheme)? Mention Toll free Nos.
- iv. What is SANKALAP an initiative of DOP & PW, Govt. of India?
- v. Prefixing holidays with joining time.
- vi. Substantive Pay.
- vii. Buffer Stock.
- viii. Shortest Route for travelling allowance purposes.
- ix. "Goods" under HP Financial Rule.
- x. Vigilance awareness week (VAW)

(2X10=20 Marks)