

Total number of printed pages-7

21 (Sem-5) LDLW 5.4

2016

**LAND LAWS OF ASSAM**

Paper : 5.4

Full Marks : 80

Time : Three hours

***The figures in the margin indicate full marks for the questions.***

1. Fill in the blanks with suitable words as given in brackets :  $1 \times 10 = 10$

(a) The \_\_\_\_\_ Government in Assam welcomed the theory of absolute state ownership of lands. (British, Ahom)

(b) The Ahom King regarded himself as the absolute \_\_\_\_\_ of all lands in the Ahom Kingdom. (proprietor, landholder)

Contd.

- (c) Settlementholder is defined under \_\_\_\_\_ of the Assam Land and Revenue Regulation, 1886. [section 3(h), section 3(f)]
- (d) For the recovery of an arrear the order for the attachment and sale of defaulter's movable property can be given by \_\_\_\_\_. (The Court, The Deputy Commissioner)
- (e) The Assam (Temporarily Settled Area) Tenancy Act 1971 applies only to agricultural tenants and their \_\_\_\_\_. (landlords in rural areas, tenant in rural areas)
- (f) The three 'F's of all tenancy laws are to secure namely \_\_\_\_\_, freedom from arbitrary ejection and fixity of tenure. (fair rent, fair right)
- (g) Tenant is defined under \_\_\_\_\_ of the Assam Non-Agricultural Urban Areas Tenancy Act, 1955. [section 3(g), section 3(f)]

- (h) \_\_\_\_\_ of the Assam Non-Agricultural Urban Areas Tenancy Act, 1955 can be applied retrospectively. (Section 5, Section 6)
- (i) Standard rent is rent fixed by \_\_\_\_\_ (proper authority, the parties)
- (j) In \_\_\_\_\_ the Hon'ble Gauhati High Court held that the Assam Urban Areas Rent Control Act, 1972 is a social legislation governing the relationship of landlords and tenants. (Surajmal V. Kanaklata, Ramesh Chandra Basak V. Deonarayan Prasad)

2. Write short notes on **any five** of the following : 2×5=10

- (a) Eminent domain.
- (b) Brahmottor lands.
- (c) Under-Tenant.
- (d) Permanent Structure.
- (e) Objectives of the Assam Urban Areas Rent Control Act, 1972.
- (f) Annual lease.

3. What is the theory of absolute state ownership of land in Assam ? Discuss with reference to the Assam Land and Revenue Regulation Act, 1886. 12

Or

Write brief notes on : 6+6=12

- (a) Property as legal right.  
(b) Original history of land rights in Assam.
4. "The Assam Land and Revenue Regulation 1886 is the Magna Carta of Land Rights in Assam." — Discuss.

What are the important land reforms measures taken by the Government of Assam ? Can you suggest some new measures for reformation of Land Laws in Assam ? 6+3+3=12

Or

What is 'Registration' ? Who can apply for registration of name and what is the procedure for Registration under the Assam Land and Revenue Regulation, 1886 ? Is there any provision for penalty for non-registration ? 2+8+2=12

5. State the important changes brought about by the Assam (Temporarily Settled Areas) Tenancy Act, 1971, in the field of agrarian reforms in Assam. What are the salient features of the Act and what is tenancy as laid down in the Act ? 6+4+2=12

Or

Write notes on : 4×3=12

- (a) Personal cultivation under Assam (Temporary Settled Areas) Tenancy Act.  
(b) Occupancy Tenant and Non-Occupancy Tenant.  
(c) Procedure for payment of compensation with reference to Assam (Temporarily Settled Areas) Tenancy Act 1971.

6. "The Assam Non-Agricultural Urban Areas Tenancy Act 1955 is an Act to regulate in certain respects the relationship between landlord and tenant in respect of non-agricultural lands in the urban areas of the State of Assam." — Discuss. 12

Or

Write notes on : 3+3+6=12

- (a) 'Rent' under the Assam Non-Agricultural Urban Areas Tenancy Act 1955.
- (b) 'Fair Rent' under the Assam Non-Agricultural Urban Areas Tenancy Act 1955.
- (c) Procedure for ejection of a tenant under the Assam Non-Agriculture Urban Areas Tenancy Act, 1955.
7. What are the obligations of a landlord under the Assam Urban Areas Rent Control Act, 1972? What are the remedies opened to a tenant to compel enforcement of the obligations of the landlord? 7+5=12

Or

What are the differences between standard rent and contractual rent? Explain about the grounds of enhancement of standard rent and their limitations. 6+6=12