

LAND LAWS

Time: 3 Hours

Maximum Marks: 50

PART-A

Answer ANY FOUR of the following. Each question carries TEN marks.

(4x 10 = 40)

1. Do you think legal right to property conferred under the Indian legal system accommodates the essential principles of fair property system?
2. Examine the extent of right of state over natural resources. In what way compulsory nature of acquisition affects one's right to property. Whether a writ petition stands against the state on the ground that compulsory acquisition of property violates the fundamental right under Art 21 of the Constitution.
3. Write short notes on any two:
 - a) Rights of Displaced
 - b) Persons entitled to compensation and other benefits under the Right to Fair Compensation Act 2013.
 - c) Tenants and Kudikidappukaran *case*
 - d) Authorities under Right to Fair Compensation Act, 2013.
4. Examine the constitutional validity of Kerala Forest (Vesting and Management of Ecologically Fragile Lands) Act 2003.
5. Examine the measures taken by the Government of Kerala for the conservation of paddy and wet lands in the State.
6. The element of compensation is not inherent in Art 300 A of the Constitution. Comment.
7. Right to fair compensation Act 2013 is qualified by a number of positive attributes. Enumerate the salient features of the Act. Cite case laws.

PART-B

Answer ANY ONE of the following. Each question carries TEN marks.

2013 (1x 10 = 10)

8. Land acquired by Govt. of Kerala under the Land Acquisition Act 1894 in the year 2010. Procedures for acquisition were complied with and award was passed in the year 2012. Though Award was passed, only a few land owners received the amount in the year 2012. A few owners who received the amount protested against the quantum of compensation and others remain silent. Neither the amount was deposited in the account nor handed over to the majority of the owners even in the year 2017. Discuss the remedies available to land owners who have accepted the compensation with or without protest. Examine the applicability of the repealed Act.
9. Forest land has been de-reserved by Government of Kerala without prior approval of the Central Government. The said land has been released by the Forest Department and acquired by the Government under the Land Acquisition Act 1894 in the year November 2010. The same land has been handed over to a Private Foundation for the purpose of constructing residential building for its employees in November 2012. Award has not been passed and no benefits were conferred to the village people who have been enjoying the land for common use. The construction was not undertaken even after five years of handing over possession. Discuss.