

**National Land Commission Secretariat**  
***Cadastral Surveyors Licensing Board***  
**Licensed Surveyor Examination**

**Paper II: Legal Framework**

**Date:** 14/06/2023      **Time:** 3 hours      **Total marks:**100      **Roll No:** 2 .....

**Read the following instructions carefully:**

1. Invigilator shall provide four digits roll no during the examination. Write it clearly on space provided in the question paper and answer sheet.
2. Question paper will be distributed 15 minutes prior to **10:00 AM**, which shall be commencement of 3 hrs. writing time. This time must be used to check number of pages, read instructions and clarify doubts.
3. Paper consists of 4 pages and 2 parts, A and B. Part A carries 30 marks with 3 sections and Part B carries 70 marks with 7 sections. Answer all questions.
4. Mark is given at the end of each question or section.
5. Specific instruction is given for each section under part A. Answer in question paper itself. Read general instruction which is meant for all sections under part B and answer in the answer sheet.
6. You must handover the papers to invigilator before leaving the examination hall.

\*\*\*Good Luck\*\*\*

**Part A**

**Section I-** Circle the correct answer. Each correct answer carries 1 mark. **(10 marks)**

1. What is the purpose of the Land Act 2007 (*LA*)?
  - a) To promote land development and uses
  - b) To establish a legal framework for land governance
  - c) To regulate agricultural practices
  - d) To protect natural resources
2. The *LA* prohibits the ownership of land by:
  - a) Government officials
  - b) Religious institutions
  - c) Non-Bhutanese citizens
  - d) Corporations and business entities
3. How is land redistribution addressed under the *LA*?
  - a) Land is redistributed based on family size
  - b) Land is redistributed based on income level
  - c) Land redistribution is not addressed in the act
  - d) Land is redistributed based on the landholding ceiling
4. What is the maximum landholding ceiling for a unique household number as per the *LA*?
  - a) 5 acres
  - b) 10 acres
  - c) 50 acres
  - d) 25 acres

5. What is the minimum age for land ownership as per the Land Act of 2007?
  - a) 18 years
  - b) 21 years
  - c) 25 years
  - d) 30 years
6. The LA of 2007 grants the government the power to acquire land for public purposes through a process known as:
  - a) Eminent domain
  - b) Expropriation
  - c) Land consolidation
  - d) Land acquisition
7. What is the maximum lease period as per the LA?
  - a) 25 years
  - b) 30 years
  - c) 50 years
  - d) 99 years
8. Which land category is not mentioned in the Land Act 2007?
  - a) Residential land
  - b) Recreational land
  - c) Commercial land
  - d) Zhungdrel Khochey Sacha
9. Under which circumstances is property transfer tax exempt?
  - a) Sale/purchase
  - b) Auctioned plot based on a court decision
  - c) Transaction to a registered religious organization
  - d) Transaction to relatives identified in a different census
10. What is the applicable transaction fee for Gasa town?
  - a) Nu. 700/-
  - b) Nu. 1000/-
  - c) Nu. 400/-
  - d) Not applicable

**Section II** -State whether the given statement is True or False. Write **T** for true and **F** for false. Each correct answer carries 1 mark. **(10 marks)**

1. The LA provides authority to the government to grant land to land less. (   )
2. The LA allows for the conversion of Chhuzhing to residential land upon approval from the relevant authorities. (   )
3. The LA stipulates that landowners have the right to be compensated at market value when their land is acquired by the government. (   )
4. The LA establishes a system of land taxation based on the land value. (   )
5. The LA prohibits the transfer of land to non-family members. (   )
6. The LA establishes a system of land registration and documentation to ensure transparency and security of land rights. (   )
7. It is allowed to register a plot in any administrative jurisdiction, regardless of its location. (   )
8. Failure to pay land taxes for three consecutive years can result in the cancellation of the Thram. (   )
9. The validity of multiple transactions depends on the most recent internal agreement. (   )
10. Contiguous plots of same land type belonging to a landowner can be consolidated. (   )

**Section III-** Fill in the blanks with missing word or words. Each correct answer carries 1 mark. **(10 marks)**

1. Thram must be transferred upon demise of thram holder within.....days.
2. Distance of ..... meters must be maintained by a Land owner to lay underground water pipe from his parcel boundary.
3. The Property Ownership Transfer Act was introduced on.....,2020.
4. Name of land owner in the thram can be corrected based on.....
5. Mortgaged plot can be transferred based on ..... as a result of default of mortgage.
6. Minimum plot size allowed by the LA is .....decimals.
7. Thram must contain identifications of the land and.....
8. The parties to a dispute may settle.....amicably before taking any legal recourse.
9. The land of a family shall be registered in the Thram in the name of the..... of the family.
10. Acquisition of the land occupied by .....shall be avoided.

## **Part B**

**Instruction-** write the section no and question no in the answer sheet before answering. Note that the Land Act of Bhutan 2007 is hereafter referred as the LA.

### **Section IV.**

1. What is Chhazhag Sathram? What are 2 main components of it? **(2 marks)**
2. List any six land categories for registration as given in the *section 19* of LA 2007. **(3 marks)**
3. Who can access to thram and map data? **(2 marks)**
4. Outline legal aspects to be considered while undertaking plot subdivision. **(3 marks)**

### **Section V.**

1. Discuss the entitlements of landowners regarding registered land, as specified in sections 86-88 of the Land Act 2007. **(3 marks)**
2. Outline the prescribed procedure for settling land disputes according to sections 56 and 57 of the Land Act 2007. **(2 marks)**
3. Define boundary discrepancy and provide examples of evidence that would be employed to investigate and resolve such disparities. Assess the importance and credibility of these pieces of evidence. **(5 marks)**

### **Section VI. Each question carries 2 marks.**

1. What is meant by "legal coordinated cadastre"? Provide an example of a country that implements it.
2. Define an arbitrary survey and determine whether it can be used for boundary surveying. Explain the reasoning behind your answer.
3. What are the three factors that should be taken into account when rectifying a cadastral map based on the occupied position?
4. A boundary has been shifted by 8 cm, and the owner has filed a complaint with your office. What decision will you make and why?

5. Why are coordinates included in the lag thram document? Which boundary points should be selected for coordinate printing, and what significant number is used? Explain the purpose behind this choice.

**Section VII. Each question carries 2 marks.**

1. What does the term "customary right of way" mean according to Section 268 of the Land Act 2007? How can an easement be recorded in the cadastral and thram databases?
2. Explain the concepts of dominant and servient lands.
3. Enumerate the limitations imposed on both dominant and servient landowners.
4. Explain the process by which a servient land can be released from an easement.
5. Describe how a servient landowner can transfer an easement to a different part of their land.

**Section VIII. Each question carries 2 marks.**

1. Describe the rights of landowners regarding the fruits obtained from trees grown along shared boundaries.
2. Provide an overview of the legal aspects that should be taken into account when adjusting a common boundary.
3. What offense is committed and what penalties are imposed when a surveyor unlawfully modifies a cadastral map?
4. If a survey peg is illegally removed, what kind of offense is committed, and what is the corresponding fine?
5. Explain the offense and penalty when a landowner obstructs a surveyor from entering their property.

**Section IX.**

1. Who is responsible for paying the transfer tax associated with property ownership? **(1 mark)**
2. Mr. X has declared a sale value of Nu. 2,00,000 for a 10-decimal land plot located in Khuruthang Thromde. The PAVA rate per decimal in that area is Nu. 20,000. Calculate the property ownership tax and determine the total amount to be paid for the transaction after obtaining the lagthram document. **(5 marks)**
3. On a 10-decimal plot, a five-story building is constructed, with each floor consisting of 4 units. Mr. X owns 7 units. What is his proportional land ownership? How can an additional floor be added? What will be the impact on Mr. X's land ownership rights? **(4 marks)**

**Section X. Each question carries 2 marks.**

1. What is a plot realignment? What factors need to be considered for plot realignment?
2. What is the process of realigning the shared boundary between registered parcels?
3. Can you describe the steps involved in removing a survey monument from a registered property?
4. Could you list responsibilities that landowners are expected to fulfill during a cadastral survey?
5. How can you guarantee the accuracy and reliability of measurements when using GNSS-RTK?