

R.M.M. Law College, Saharsa

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L.L.B Part- 3rd

Subject- Bihar Tenancy Act

Paper- 4th

Date- 10/10/2020

Topic- Write short notes on the following-

(1) . Estate, (2). Proprietor, (3). Land Lord, (4). Tenant, (5). Rent, (6). Tenure, (7).Permanent Tenure

Estate-

An estate is everything comprising the net worth of an individual, including all land and real estate, possessions, financial securities, cash, and other assets that the individual owns or has a controlling interest in.

The word *estate* is colloquially used to refer to all of the land and improvements on a vast property, often some farm or homestead, or the historic home of a prominent family. However, in the financial and legal sense of the term, an estate refers to everything of value that an individual owns—real estate, art collections, antique items, investments, insurance, and any other assets and entitlements—and is also used as an overarching way to refer to a person's net worth. Legally, a person's estate refers to an individual's total assets, minus any liabilities.

The value of a personal estate is of particular relevance in two cases: if the individual declares bankruptcy, and if the individual dies. When an individual debtor declares bankruptcy, their estate is assessed to determine which of their debts they can be reasonably expected to pay. Bankruptcy proceedings involve the same rigorous legal assessment of an estate that also occurs upon an individual's death.

Estates are most relevant upon the death of an individual. Estate planning is the act of managing the division and inheritance of your personal estate, and arguably represents the most important financial planning of an individual's life. Generally, an individual draws up a will which explains the testator's intentions for the distribution of their estate upon their death. A person who receives assets through inheritance is called a beneficiary.

Proprietor-

A proprietor is an individual who owns a business establishment or sole proprietorship. This person has legal use of the assets and their operations.

In business, the term proprietor comes from the sole proprietorship business entity type. This form of company is unincorporated and only has one owner, the sole proprietor.

Although this type of entity is easy to setup and operate, it isn't preferred for most businesses because it doesn't provide any liability protection. All of the income and losses are attached to the owner, personally. Thus, if a customer sues the company, he can affectively sue the owner for his personal assets.

This term is also used when it comes to technology, processes, and software. If a company develops a patented process to produce its goods more efficiently than its competitors, its process is considered proprietary because no other company can use it. The originating company is the owner of this process.

Land Lord-

A landlord is the owner of a piece of real estate who rents the real estate to a tenant

Individuals who own real estate, such as an apartment complex, and rent the real estate to tenants, are commonly known as landlords. While it's typical that a lessor owns and maintains residential property, the term can also be applied to owner of commercial real estate.

What are the responsibilities of a landlord? Given that the relationship between a lessor and tenant is often governed by state law and a lease contract, the specific responsibilities of the lessor can differ greatly. Regardless of the state, the lessor has basic legal responsibilities associated with the ownership of leased real estate. Generally speaking, the lessor is responsible for repairs and maintenance associated with the real estate, and the tenant is responsible for the overall cleanliness and safety of the property.

Tenant-

A tenant is a person who occupies the property of another person by signing a lease or rental agreement. Even though tenants do not own the property, by signing a rental or lease agreement, they have certain rights over the property they occupy.

A tenant is a person who occupies the property of another person by signing a lease or rental agreement. Even though tenants do not own the property, by signing a rental or lease agreement, they have certain rights over the property they occupy. Tenants are granted possession because they pay a certain amount of money as the annual or monthly rent. The legal agreement the tenant signs is called a rental agreement or a lease. If a property is under lease or rented out to a tenant, the sale of the property should be subject to the terms of the lease or the rental agreement. The new owner would be expected to honor the terms of the lease too. In cities like Mumbai, owners are allowed to sell the property, while tenants can sell the right to occupy the property, if the property is under rent control laws. In some countries, tenants cease to have rights over the property when they stop making the monthly or annual payment. But, in India, it is more difficult to evict tenants. The Housing and Urban Poverty Alleviation Ministry's draft of the Model Tenancy Bill, 2015, was written to ensure that the law is not biased in favor of tenants,

hampering the development of residential real estate in India. According to the draft of the Model Tenancy Bill, landlords will be able to evict a tenant on one month's notice if he does not pay the rent or misuses property.

Rent-

"Rent" means whatever is lawfully payable or deliverable in money or kind by a tenant to his landlord on account of the use or occupation of the land held by the tenant :

In sections 53 to 68, both inclusive, sections 72 to 75, both inclusive, Chapter XIV and Schedule III of this Act, "rent" includes also money recoverable under any enactment for the time being in force as if it was rent;

Tenure-

"Tenure" means the interest of a tenure-holder or an under tenure-holder and include. - (i) a ghatwali tenure, (ii) a tenure created for the maintenance of any person and commonly known as kharposh, babuana, etc., and (iii) a share in or of a tenure but does not include a Mundari Khunt Kattidari Tenancy

Permanent Tenure-

"Permanent tenure" means a tenure which is heritable and which is not held for a limited time;

A holder of a permanent tenure shall not be ejected by his landlord except on the ground that he has broken a condition on breach of which he is, under the terms of a contract between him and his landlord, liable to be ejected :

Provided that where the contract is made after the commencement of this Act, the condition is consistent with the provisions of this Act.

The End