



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester II, 2022/2023 Academic Session

Final Examination Question Paper

Course Code : LB3302
Course Name : Land Law II
**Course Level : Bachelor of Laws (LL.B) & Bachelor of
Shariah Law (BSL)**
Time : 3 hours

Reference allowed:

Islamic Family Law (Cap 217).
Land Law (Cap 40).

Notes:

1. Answer any **four** of the following questions.
2. All answers, wherever relevant, must be supported by statutory provisions and case law.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

QUESTION 1 (15 Marks)

Explain the following concepts:

(a) *Iqta'*.

(7.5 marks)

(b) *Ihya' al-mawat* and *tahjir*.

(7.5 marks)

QUESTION 2 (15 Marks)

“Every individual, man, and woman, Muslim and non-Muslim are entitled under the Shari'ah law to the ownership, possession, enjoyment and transfer of property, a right which must be respected and safeguarded by his fellowmen and the State. In other words, ownership of property is a right recognized in Islam and ought to be enjoyed by every sector of the society.”

In the light of the above statement, discuss ‘concept of land ownership’ in Islam.’

QUESTION 3 (15 Marks)

“The State Authority reserves the right to take or repossess land or anybody's land for that matter and alienate it to another who would use it better and bring benefit to the community at large.”

In the light of the above statement, discuss the ‘concept of land acquisition’ in Islam.’

QUESTION 4 (15 Marks)

The concept of land reservation (*al-hima*) is not new to Islam. It has been in existence since the time of the Prophet (SAW) and the righteous caliphate after him and continues until today.

In the light of the above statement, discuss the ‘concept of land reservation (*al-hima*)’ in Islam.

QUESTION 5 (15 Marks)

A *waqf* is an inalienable charitable endowment under Islamic law. It typically involves donating a building, plot of land or other assets for Muslim religious or charitable purposes with no intention of reclaiming the assets.

In the light of the above, discuss the 'concept of *waqf* land.'

QUESTION 6 (15 Marks)

With reference to **three (3)** decided cases, discuss the 'concept of *harta sepencarian*'.

بالتوفيق والنجاح