



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**LAND SETTLEMENT
(AMENDMENT)
ACT, No. 23 OF 1996**

[Certified on 22nd August, 1996]

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Land Settlement (Amendment)

Act, No. 23 of 1996

[Certified on 22nd August, 1996]

L.D.—O. 30/95

AN ACT TO AMEND THE LAND SETTLEMENT ORDINANCE, TO PROVIDE FOR REVISION OR CANCELLATION OF SETTLEMENT ORDERS; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Land Settlement (Amendment) Act, No. 23 of 1996.

2. The Land Settlement Ordinance (hereinafter referred to as "the principal enactment") is hereby amended by the insertion, immediately after subsection (7) of section 5 thereof, of the following new subsection:—

"(8) Where—

(a) a person makes a claim to any land specified in a settlement notice or to a share of, or interest in, any such land, at any time after the expiration of the period of three months specified in such notice and the further period, if any, prescribed by the proviso to subsection (1) of section 5, but prior to the publication under section 8, of the Order prescribed by subsection (5) of section 5, embodying the settlement of the land specified in the settlement notice or any share of, or interest in, such land; and

(b) the settlement officer is satisfied that the claimant had reasonable grounds for failing to make such claim within such period of three months and such further period if any,

the settlement officer may, notwithstanding anything in this Ordinance, entertain, and deal with such claim as though it had been made within time, and in such case, it shall be lawful for the settlement officer for the purpose of dealing with such claim to declare, after hearing the other claimants, any declaration made by him under subsection (1) or (4) of section 5 or any agreement entered into by him under subsection (4) of section 5 to be null and void.”.

Short title.

**Amendment
of section
5 in
Chapter 46.**

Insertion
of section
5A in the
principal
enactment

3. The following new section is inserted immediately after section 5 of the principal enactment, and shall have effect as section 5A thereof :—

"Power of
settlement
officer to
declare
declaration
or agreement
null and
void.

5A. Where a settlement officer who has made a declaration under subsection (1) or (4) of section 5, or entered into an agreement under subsection (4) of section 5, in respect of a land specified in a settlement notice or to any share of, or interest in, any such land, has reasonable grounds to doubt the authenticity of any document, or the veracity of any evidence, produced before him at any inquiry preceding the making of such declaration or the entering into of such agreement, he may, at any time prior to the publication under section 8, of the Order prescribed by subsection (5) of section 5, summon every claimant to the land specified in such settlement notice or to any share of, or interest in, such land to appear before him and to produce the evidence upon which such claimant relies in proof of his claim and shall make fresh inquiry into such claims; and after such inquiry it shall be lawful for the settlement officer for the purpose of dealing with such claims, to declare the declaration made by him under subsection (1) or subsection (4) of section 5 or the agreement entered into by him under subsection (4) of section 5, as the case may be to be null and void."

Sinhala
text to
prevail in
case of
inconsistency

4. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail