

PARLIAMENT OF CEYLON

2nd Session 1966-67



Paddy Lands (Amendment) Act, No. 25 of 1966

Date of Assent : October 11, 1966

Printed on the Orders of Government

Printed at the GOVERNMENT PRESS, CEYLON. To be purchased at the GOVERNMENT PUBLICATIONS BUREAU, COLOMBO

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Postage : 10 cents

*Paddy Lands (Amendment) Act,
No. 25 of 1966*

L. D.—O. 57/64.

AN ACT TO AMEND THE PADDY LANDS ACT,
No. 1 OF 1958.

[Date of Assent: October 11, 1966]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Paddy Lands (Amendment) Act, No. 25 of 1966.

Short title.

2. Section 4 of the Paddy Lands Act, No. 1 of 1958, hereinafter referred to as the "principal Act", as amended by Act No. 61 of 1961, is hereby further amended in sub-section (1A) of that section, by the substitution, for paragraph (c) of that sub-section, of the following new paragraph:—

Amendment of
section 4 of
Act No. 1 of
1958.

"(c) The landlord of such extent and the person evicted shall be given an opportunity of being heard in person or through a representative at such inquiry. The Commissioner's decision on such question shall be communicated in writing to such landlord and the person evicted. If such landlord or the person evicted is aggrieved by such decision, he may, within thirty days of the communication of such decision to him, make a written appeal from such decision to the Board of Review. Every such appeal shall state the grounds of appeal. Where no appeal is made from the Commissioner's decision within the time allowed therefor, such decision shall be final and conclusive and shall not be called in question in any legal proceedings in any court."

3. (1) Notwithstanding anything to the contrary in the principal Act, where any person who was a tenant cultivator of any extent of paddy land has been aggrieved by a decision of the Commissioner under the provisions of section 4 of that Act, as amended by Act No. 61 of 1961, or under section 4 of the Paddy Lands (Amendment) Act, No. 61 of 1961, the Commissioner may, upon application made to him by such person within six months after the date of commencement of this Act, grant him an opportunity of adducing either

Power of
Commissioner
to affirm or
vary certain
decisions already
made by him.

in person or through a representative grounds as to why that decision should not have been made, and the Commissioner, after considering the grounds so adduced, may either affirm or vary that decision. The Commissioner's decision under this section shall be communicated in writing to the tenant cultivator and the landlord of such extent.

(2) Any person aggrieved by a decision of the Commissioner under sub-section (1) may within thirty days, after the communication of such decision to him, make a written appeal from such decision to the Board of Review established under the principal Act and the appeal shall state the grounds of appeal.

(3) The Board of Review may, on any appeal made under this section, confirm or vary the decision from which such appeal is made and the decision of such Board on such appeal shall be final and conclusive and shall not be called in question in any legal proceedings in any court.

(4) Where the decision under sub-section (1) is to the effect that the eviction has been made and no appeal is made from such decision within the time allowed therefor or the Board of Review has on such appeal confirmed such decision of the Commissioner or where the decision of the Commissioner is to the effect that no eviction has been made and the Board of Review has varied that decision of the Commissioner in appeal, then,—

(i) the person evicted shall be entitled to have the use and occupation of the extent of paddy land referred to in sub-section (1) restored to him, and

(ii) the Commissioner shall in writing order every person in occupation of such extent to vacate such extent on or before such date as shall be specified in the order, and if any such person fails to comply with the order, he shall be evicted from such extent in accordance with the provisions of section 21 of the principal Act.