

CHAPTER 294

STATE LAND (CLAIMS)

Ordinance
No. 21 of 1931.

AN ORDINANCE TO PROVIDE FOR THE CONSIDERATION AND DECISION OF APPLICATIONS IN RESPECT OF CLAIMS TO LANDS AT THE DISPOSAL OF THE STATE.

[1st July, 1931.]

Short title. 1. This Ordinance may be cited as the State Land (Claims) Ordinance.

Interpretation. 2. In this Ordinance, unless the context otherwise requires—

“claim” means any claim made otherwise than under the Land Settlement Ordinance, to land which may lawfully be granted or disposed of by the State, and “claimant” means any person making a claim;

“interest”, in relation to any land, means an interest less than the full ownership of the land;

“Settlement Officer” means the Settlement Officer and any Assistant Settlement Officer appointed under the Land Settlement Ordinance, and any Government Agent or Assistant Government Agent;

“share”, in relation to any land, means an undivided share of the land.

Application to the board established by the Land Settlement Ordinance, for the revision of orders.

3. (1) Where the Settlement Officer, in pursuance of the authority of the President, investigates any claim and makes an order in relation thereto, he shall communicate such order to the claimant in writing.

(2) Any offer made under this section shall be assessed in accordance with the rules in force for the time being under section 6 of the Land Settlement Ordinance.

(3) Any claimant who is dissatisfied with any such order made by the Settlement Officer may, within a period of one month

from the day on which the order was communicated to him, apply to the board established by section 11 of the Land Settlement Ordinance, (hereinafter referred to as “the board”), to revise the order. Such application shall be made by petition addressed to the board and delivered to the Settlement Officer, who shall forward the petition to the chairman of the board.

4. (1) Stamp duty shall be chargeable in respect of petitions addressed to the board under section 3 at the rates specified in the Schedule.

Stamp duty on petitions.

(2) Every claimant to land or to a share of land who makes an application to the board under section 3 shall declare in his petition the aggregate extent of land or of the share of land in respect of which the application is made; and stamp duty shall be chargeable in respect of such petition in accordance with the extent so declared.

(3) For the purposes of subsection (2), the extent of a share of land shall be deemed to be the equivalent divided extent of land.

(4) It shall be lawful for the board, if it thinks proper to do so, to waive the stamp duty chargeable in respect of any petition or to accept, upon such terms and conditions as it thinks fit, any petition which has not been duly stamped or to order that the whole or any part of the stamp duty paid in respect of any petition be refunded.

5. (1) The board may, after considering any application made under section 3 and after holding or making or ordering to be held or made any inquiry or

Powers of the board and procedure in respect of applications.

inspection that it may think fit, confirm or revise any order made by the Settlement Officer in respect of the claim to which such application relates.

(2) The provisions of any rules made under section 11 (2) (a) of the Land Settlement Ordinance, so far as such rules are applicable, and the provisions of sections 11 (2) (c), 11 (4), 27 and 28 of the said Ordinance, shall apply to the holding or making of any inquiry or inspection by or by order of the board under this section and to the consideration and decision of every application made to the board under section 3 of this Ordinance, as though references to the Land Settlement Ordinance, in the said rules and sections were references to this Ordinance.

6. The chairman of the board shall inform the Settlement Officer of the decision of the board in respect of every such application, and the Settlement Officer shall thereupon communicate such decision to the claimant by writing under his hand; and if upon such decision being communicated to him the claimant signifies to the Settlement Officer that he accepts such decision, the Settlement Officer shall take such steps to give effect thereto as may be necessary.

Effect to be given to decision of the board, if accepted.

7. No order made by the Settlement Officer under this Ordinance, and no decision or proceedings of the board in relation thereto, shall be considered or adjudicated upon by any court; but the court shall make order according to law as if no such order or decision had been made and no such proceedings taken.

Orders of Settlement Officer and decisions of the board not to be considered by courts.

[Section 4 (1).]

SCHEDULE

STATE LAND (CLAIMS) ORDINANCE

RATES OF STAMP DUTY CHARGEABLE IN RESPECT OF PETITIONS

1. If the claim is to the full ownership of any land or of any share of any land and the aggregate extent of land or of the share of land declared in the petition—

	Rs.	c.
Does not exceed 2 acres	..	1 0
Exceeds 2 acres, but does not exceed 5 acres	..	1 50
Exceeds 5 do. 10 acres	..	3 50
Exceeds 10 do. 20 acres	..	6 0
Exceeds 20 do. 40 acres	..	12 00
Exceeds 40 do. 60 acres	..	25 0
Exceeds 60 do. 80 acres	..	50 0
Exceeds 80 do. 100 acres	..	75 0
Exceeds 100 acres	..	100 0

2. If the claim is to an interest .. 5 0