

CHAPTER 582

RESUMPTION OF STATE LAND
(ANURADHAPURA PRESERVATION BOARD)

LAW
No. 3 of 1975.

A LAW TO ENABLE THE RESUMPTION BY THE STATE IN CERTAIN CIRCUMSTANCES OF
LANDS ALIENATED BY THE ANURADHAPURA PRESERVATION BOARD, AND FOR
MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[4th February, 1975.]

Short title.

1. This Law may be cited as the Resumption of State Land (Anuradhapura Preservation Board) Law.

Vesting in the State in certain circumstances of land alienated by the Anuradhapura Preservation Board.

2. (1) Where any land within the Area of Authority of the Anuradhapura Preservation Board, hereinafter referred to as the "Board", had been alienated by the Board before July 17, 1973, to any person for the purpose of industrial, business, residential or commercial development, and the Government Agent is satisfied that no construction of a permanent building has been commenced on that land on or before July 17, 1974, in accordance with a plan approved by the Board, the Government Agent shall by a vesting Order published in the Gazette vest such land in the State with effect from such date as may be specified therein.

(2) Where any land within the Area of Authority of the Board had been alienated by the Board, on or after July 17, 1973, to any person for any industrial, business, residential or commercial development, and the Government Agent is satisfied that no construction of a permanent building has been commenced on that land in accordance with the plan approved by the Board, before the lapse of one year from the date of such alienation, the Government Agent shall by a vesting Order published in the Gazette vest such land in the State with effect from such date as may be specified therein.

Legal effect of vesting Order.

3. (1) A vesting Order made under section 2 shall have the effect of vesting such land in the State free of all encumbrances.

(2) Where any land is vested in the State by virtue of a vesting Order made under section 2, no person having any interest in such land shall be entitled to enforce his rights in respect of such interest against the State or against any person to whom such land is subsequently alienated by the State.

(3) A vesting Order made under section 2 shall not be called in question in any court of law.

4. (1) A copy of the vesting Order made under section 2 shall be served on the person to whom the land had been alienated by the Board or where he cannot be found on the person who is in occupation of such land or where there is no person in occupation, by affixing such copy in a conspicuous place on such land.

Serving of vesting Order and taking possession of land alienated.

(2) Upon the copy of a vesting Order being served as required under this Law, the person to whom the land was alienated by the Board or where any other person is in occupation of such land, such other person shall, within a period of thirty days from the date of such service, remove any temporary structure erected on such land and vacate such land.

(3) Where the person to whom the land had been alienated by the Board or the person in occupation of such land fails to vacate the land within the aforesaid period of thirty days, the Government Agent may

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by himself or through any officers authorized by him, enter such land and take possession of such land. The Government Agent or such officers may, if they consider it necessary to do so, call upon the assistance of the members of the police force for the purpose of taking possession of such land.

Obstruction to be an offence.

5. Any person who in any manner obstructs the Government Agent or any officers in their attempt to take possession of such land shall be guilty of an offence and shall, upon conviction after trial by a Magistrate, be liable to a fine not exceeding five hundred rupees or to a term of imprisonment of either description not exceeding six months or to both such fine and imprisonment.

This Law not to apply to associations or bodies.

6. The provisions of this Law shall not apply where land had been alienated by the Board to any association or body of persons, whether corporate or unincorporate.

This Law to prevail over other laws.

7. Where the provisions of this Law are in conflict or inconsistent with the provisions of any other law, the provisions of this Law shall prevail.

8. In this Law, unless the context otherwise requires- Interpretation.

“ alienate ” with its grammatical variations and cognate expressions includes-

- (i) any conveyance, transfer, grant, lease or any other disposition whatsoever, and
- (ii) the transfer of possession under any purported, proposed or intended conveyance, transfer, grant, lease, or any other disposition whatsoever ;

“ Anuradhapura Preservation Board ” means the Anuradhapura Preservation Board established by the Anuradhapura Preservation Board Act, No. 32 of 1961 ;*

“ building ” includes any foundation or structure of a permanent nature constructed in accordance with any plan approved by the Board ;

“ Government Agent ” means the Government Agent of the Anuradhapura District, and includes an Additional or Assistant Government Agent of that District.

* Repealed by Law No. 25 of 1974.