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Walawe Lands Act, No. 11 of 1958

Date of Assent : March 12, 1958

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L. D.—O. 72/57.

AN ACT TO MODIFY THE LAND ACQUISITION ACT, NO. 9 OF 1950, IN ITS APPLICATION FOR THE PURPOSE OF THE ACQUISITION OF ANY UNCULTIVATED LAND IN THE AREA SPECIFIED IN THE SCHEDULE TO THIS ACT.

[Date of Assent: March 12, 1958]

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 Walawe Lands Act, No. 11 of 1958.

Short title.

2. The Land Acquisition Act, No. 9 of 1950, shall, in its application for the purpose of the acquisition of any uncultivated land in the area specified in the Schedule to this Act, have effect as if—

Modification of Land Acquisition Act, No. 9 of 1950, in its application to acquisition of any uncultivated land in the area specified in the Schedule to this Act.

(a) in section 42 of that Act,—

(i) for the words “market value of that land,”, occurring in paragraph (a) of sub-section (1) of that section, there were substituted the words “market value of that land on the day immediately preceding October 1, 1957, being the date of the commencement of the Walawe Ganga Irrigation Development Scheme,”, and

(ii) for the words “market value of that servitude,”, occurring in paragraph (b) of sub-section (1) of that section, there were substituted the words “market value of that servitude on the day specified in paragraph (a) of this sub-section,”; and

(b) in section 44 of that Act, for the words and figure “after the notice under section 4 in respect of the land was given or exhibited”, occurring in paragraph (f) of that section, there were substituted the words and figures “on or after October 1, 1957,”.

Interpretation.

3. (1) In this Act unless the context otherwise requires—

“ land ” includes land covered with water; and
 “ uncultivated land ” means any forest, waste land or chena land.

(2) Any land in the area specified in the Schedule to this Act which was a forest, waste land or chena land on October 1, 1957, shall, for the purposes of this Act, be deemed to be an uncultivated land notwithstanding that such land may have ceased after such date to be a forest, waste land or chena land.

(3) The Government Agent of the Administrative District in which any land in the area specified in the Schedule to this Act wholly or mainly lies shall determine the question whether that land is an uncultivated land within the meaning of this Act, and his determination of that question shall be final and conclusive and shall not be called in question in any court.

SCHEDULE.

All that area of land and water comprising parts of the Divisional Revenue Officers' Divisions of Kadawata and Meda Korales, Atakalan Korale and Kolonna Korale in the Ratnapura District, Province of Sabaragamuwa, part of the Divisional Revenue Officer's Division of Wellawaya Division in the District of Badulla, Province of Uva, and parts of the Divisional Revenue Officers' Divisions of Magam Pattuwa, Giruwa Pattu East and Giruwa Pattu West in the Hambantota District, Southern Province, and bounded as follows:—

North— By a line drawn from the northern boundary of the Denegama Estate Factory north-eastwards and north-westwards along the centre line of the footpath till it meets the Peak Wilderness Sanctuary boundary, thence along the said boundary south-eastwards and north-eastwards to the centre line of Belihul Oya, thence south-eastwards along the said centre line to the centre line of the Public Works Department Road from Colombo to Wellawaya, thence along the centre line of the said road, north-eastwards, eastwards, south-eastwards, north-eastwards and south-eastwards to a point on the centre line of the Punagala Oya.

East:—By a line drawn from the last-mentioned point along the centre lines of Punagala Oya and Kuda Oya south-westwards, south-eastwards, southwards, eastwards,

southwards and south-eastwards till it meets the centre line of the Public Works Department Road from Hambantota to Wellawaya, thence southwards, south-eastwards, and south-westwards along the centre line of the said road continued to a point on the low-water-mark of the sea at Hambantota.

South:—By a line drawn from the last-mentioned point south-westwards along the low-water-mark of the sea to the point of confluence of the Kahanda Kalapuwa with the sea.

West:—By a line drawn from the last-mentioned point north-westwards, north-eastwards, north-westwards, and southwards along the low-water-mark of the Kahanda Kalapuwa to the centre of confluence of Ranna Oya with the said Kalapuwa, thence north-westwards and northwards along the said Ranna Oya till it merges into Urubokka Oya, thence north-westwards, northwards, westwards, north-westwards and westwards along the centre line of Urubokka Oya to a point due west of the centre of the junction of the roads at Julampitiya and thence eastwards in a straight line to the centre of the said junction, thence north-eastwards, and eastwards along the centre line of the road to Galpotayaya to the centre of its junction with the Wiraketiya-Middeniya road, thence north-eastwards to Punchiridigoda Trig point, thence north-westwards to Bandarahinne Trig point, thence north-westwards to Wawulpane Trig point, thence north-westwards to Geekiyanakanda Trig point, thence north-westwards to Kebilitelanda Trig point, thence north-eastwards to Yatipasgamuwa Trig point, thence north-eastwards to the centre line of the road from Balangoda to Uggalkaltota at the 6th milepost, thence north-westwards along the centre line of the said road to the second milepost on the said road, and thence northwards to the starting point of the northern limit of the area.