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THE GAZETTE OF THE REPUBLIC OF SRI LANKA (CEYLON)

EXTRAORDINARY

අංක 243/41 — 1976 දෙසැම්බර් 17 වැනි සිකුරාදා — 1976.12.17

No. 243/41 — FRIDAY, DECEMBER 17, 1976

(Published by Authority)

PART I: SECTION (I) — GENERAL

Government Notifications

P. O. No. W. 68 (70)/76.

THE PUBLIC SECURITY ORDINANCE (CHAPTER 40)

REGULATIONS made by the President under section 5 of the Public Security Ordinance, upon the recommendation of the Prime Minister.

W. GOPALLAWA,
President.

President's Office,
Colombo, December 17, 1976

Regulations

1. These regulations may be cited as the Emergency (Pasture Lands) Regulations.
2. The Competent Authority may from time to time declare by Order published in the *Gazette*, any State land in Sri Lanka, to be reserved as pasture land. Such land is hereafter in these regulations referred to as "pasture land".
3. No person other than a person authorized in writing in that behalf by the Competent Authority, shall use or occupy or cause to be used or occupied any pasture land.
4. (1) Where the Competent Authority is of the opinion that any person is in occupation of any pasture land in contravention of regulation 3, he may issue a certificate to that effect to a police officer not below the rank of an Inspector of Police.
(2) The person in respect of whom the Competent Authority issues a certificate under paragraph (1), is hereafter in these regulations referred to as "unlawful occupier".
(3) Before the Competent Authority issues the certificate referred to in paragraph (1), he shall hold such inquiry as he may deem necessary for the purpose of giving the unlawful occupier an opportunity of being heard in his defence.
(4) For the purpose of holding an inquiry under paragraph (3), the Competent Authority shall serve or cause to be served a notice on the unlawful occupier. Where the Competent Authority is unable to serve or cause to be served the notice on the unlawful occupier personally, a notice affixed in a conspicuous place on the land in question shall be deemed to be adequate notice served on the unlawful occupier.
5. (1) It shall be the duty of the police officer who receives the certificate from the Competent Authority under regulation 4, to eject the unlawful occupier from the pasture land in question and to demolish any fence, building or other structure on such pasture land and to seize any tools, implements, livestock or the produce of any cultivation found on such pasture land ;

Provided, however, that any such unlawful occupier who is aggrieved by the ejection of the seizure of the property in derogation of the lawful rights may institute civil proceedings in an appropriate court praying for restoration of possession or damages against the State.

(2) The police officer referred to in paragraph (1) may, in the performance of his duties under this regulation use such amount of force as he may deem reasonably necessary and may call for and obtain the assistance of any other members of the police force.

6. The preceding provisions of these regulations shall not be construed to prohibit the institution or continuation of any proceedings against the unlawful occupier under any other written law.

7. (1) Where any person contravenes the provisions of these regulations, he shall be guilty of an offence and shall upon conviction after trial before a Magistrate be liable to a fine not less than rupees five hundred and not exceeding rupees five thousand.

(2) Upon the conviction of any person under these regulations, the Magistrate may in addition to any punishment imposed under paragraph (1) order the forfeiture of any tools, implements, livestock or produce of any cultivation seized under regulation 5.

In these regulations—

“Competent Authority” in relation to any State land means the Government Agent of the Administrative District in which the State land is situated or any person authorised in writing by such Government Agent.