

## No. 1 of 1958

## PADDY LANDS

Acts  
Nos. 1 of 1958.  
30 of 1958.  
61 of 1961.  
11 of 1964.  
25 of 1966.

AN ACT TO PROVIDE SECURITY OF TENURE TO TENANT CULTIVATORS OF PADDY LANDS ; TO SPECIFY THE RENT PAYABLE BY TENANT CULTIVATORS TO LANDLORDS ; TO ENABLE THE WAGES OF AGRICULTURAL LABOURERS TO BE FIXED BY CULTIVATION COMMITTEES AND AGRICULTURAL LABOURERS TO BE APPOINTED AS TENANT CULTIVATORS AND COLLECTIVE FARMERS ; TO PROVIDE FOR THE CONSOLIDATION OF HOLDINGS OF PADDY LANDS, THE ESTABLISHMENT OF COLLECTIVE FARMS FOR PADDY CULTIVATION, AND THE REGULATION OF THE INTEREST ON LOANS TO PADDY CULTIVATORS AND THE CHARGES MADE FOR THE HIRE BY PADDY CULTIVATORS OF IMPLEMENTS AND BUFFALOES ; TO MAKE PROVISION FOR THE ESTABLISHMENT OF CULTIVATION COMMITTEES ; TO SPECIFY THE POWERS AND DUTIES OF SUCH COMMITTEES ; TO CONFER AND IMPOSE CERTAIN POWERS AND DUTIES ON THE COMMISSIONER OF AGRARIAN SERVICES ; TO ABOLISH THE LIABILITY OF PROPRIETORS WITHIN THE MEANING OF THE IRRIGATION ORDINANCE (CHAPTER 453) TO PAY REMUNERATION TO IRRIGATION HEADMAN ; TO CONTROL THE ALIENATION OF PADDY LANDS TO PERSONS WHO ARE NOT CITIZENS OF CEYLON ; TO REPEAL THE PADDY LANDS ACT (CHAPTER 444) ; AND TO PROVIDE FOR MATTERS CONNECTED WITH OR INCIDENTAL TO THE MATTERS AFORESAID.

[Act No. 1 of 1958—1st February, 1958]

[Act No. 30 of 1958—16th September, 1958]

[Act No. 61 of 1961—23rd June, 1961]

[Act No. 11 of 1964—24th August, 1964]

[Act No. 25 of 1966—11th October, 1966]

Short title.

1. This Act may be cited as the Paddy Lands Act, No. 1 of 1958.

Operation of  
this Act.

2. (1) The provisions of section 1, this section, subsections (5), (6), (7), (8) and (9) of section 4, section 21, section 59, section 60, section 61 and section 63 shall come into operation on the date of enactment of this

Act, and the other provisions of this Act shall come into operation in each Administrative District in their entirety on such date, or in parts on such different dates, as may be appointed by the Minister by Order published in the Gazette. Different dates may be appointed under this subsection for different Administrative Districts.

[§ 2, 30 of 1958.]

(2) Where the provisions of this Act that come into operation on a date appointed under subsection (1) are not brought into operation on one date in all the Administrative Districts, the Minister shall so exercise his powers under that subsection as to cause those provisions to come into operation throughout Ceylon within five years after the earliest of the dates appointed under that subsection.

## PART I

### TENANT CULTIVATORS AND AGRICULTURAL LABOURERS

3. (1) Where any person is the cultivator of any extent of paddy land let to him under any oral or written agreement made before or after the coming into operation of this Act in the Administrative District in which that extent wholly or mainly lies, then, if he is a citizen of Ceylon, he shall, subject to the provisions of this Act, be the tenant cultivator of that extent.

Circumstances in which tenant of paddy land is regarded as its tenant cultivator, and provision in regard to certain evicted tenants of paddy lands.

[§ 2, 11 of 1964.]

(1A) Where two or more persons are the cultivators either jointly or in rotation of any extent of paddy land let to them under any oral or written agreement made before or after the coming into operation of this Act in the Administrative District in which that extent wholly or mainly lies, then, subject to the provisions of this Act, each such person shall, if he is a citizen of Ceylon, be a tenant cultivator of that extent for the season or seasons in which he is a cultivator of that extent.

(2) Where any person, who is a tenant cultivator of any extent of paddy land under subsection (1) or who is an agricultural labourer of any extent of paddy land in respect of which there is no owner cultivator,

[§ 2, 11 of 1964.] has entered into occupation of such extent after any other person, who is a citizen of Ceylon and who was a tenant and a cultivator of such extent, has, at any time after April 12, 1956, and before the coming into operation of this Act in the Administrative District in which such extent wholly or mainly lies, been evicted from such extent otherwise than by an order of a court, the Commissioner may hold an inquiry for the purpose of deciding the question whether or not such eviction had been made bona fide for any such cause as may be prescribed, and 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 to the person evicted. If such landlord or the person evicted is aggrieved by such decision, he may, within thirty days after the communication of such decision to him, make a written appeal from such decision to the Board of Review, and the 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 court.

[§ 2, 11 of 1964.] (3) Where, in the case referred to in subsection (2), the Commissioner decides that the eviction had not been made bona fide for any such cause as may be prescribed and no appeal is made from such decision within the time allowed therefor, or the Board of Review has confirmed such decision of the Commissioner in appeal or where, in the case referred to in that subsection, the Commissioner decides that the eviction had been made bona fide for any such cause as may be prescribed and the Board of Review has varied such decision of the Commissioner in appeal, then—

(a) the person evicted shall be entitled to have the occupation and use of the extent of paddy land referred to in subsection (2) for cultivation in accordance with the provisions of this Act restored to him ;

(b) the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies or the Commissioner shall in writing order the person mentioned first in subsection (2) that he shall, on such date as shall be specified in the order, vacate such extent and deliver possession thereof to the person mentioned in paragraph (a) of this subsection, and if he fails to comply with the order, he shall be evicted from such extent in accordance with the provisions of section 21 ; and the landlord of such extent shall, for each day during which the person in respect of whom an order under this paragraph has been made continues to occupy such extent after the date specified in that order, pay to the person mentioned in paragraph (a) of this subsection damages at such rate as may be prescribed unless such landlord satisfies the Commissioner that such person was evicted without the knowledge, consent or connivance of such landlord ; and

[§ 2, 61 of 1961.]

[§ 2, 2 of 1964.]

(c) the person mentioned in paragraph (a) of this subsection shall, subject to the provisions of this Act, be the tenant cultivator of such extent from the date on which the person mentioned first in subsection (2) vacates it or is evicted therefrom.

[§ 2, 11 of 1964.]

(4) Where the landlord of an extent of paddy land fails or refuses to pay, within fourteen days after demand, any sum which he is required to pay as damages under this section to any person, such sum may, on application made by that person to the Magistrate's Court having jurisdiction over the place where such extent is situate, be recovered in like manner as a fine imposed by such Court notwithstanding that such sum may exceed the amount of the fine which that Court may in the exercise of its ordinary jurisdiction impose.

[§ 2, 11 of 1964.]

Rights of  
tenant  
cultivators;  
provision in  
regard to  
certain  
evicted  
tenants of  
paddy lands;  
and restric-  
tion of  
eviction of  
tenants of  
paddy lands.  
[§ 3, 11 of 1964.]

4. (1) A tenant cultivator of any extent of paddy land shall have the right to occupy and use such extent in accordance with the provisions of this Act and shall not be evicted from such extent notwithstanding anything to the contrary in any oral or written agreement by which such extent has been let to such tenant cultivator and no person shall interfere in the occupation and use of such extent by the tenant cultivator and the landlord shall not demand or receive from the tenant cultivator any rent in excess of the rent required by this Act to be paid in respect of such extent to the landlord.

[§ 3, 61 of 1961.]

(1A) (a) Where a tenant cultivator of any extent of paddy land notifies the Commissioner that he has been evicted from such extent, the Commissioner may hold an inquiry for the purpose of deciding the question whether or not such person had been evicted.

(b) If at such inquiry it is proved to the satisfaction of the Commissioner that such person had been evicted, it shall be presumed, unless the contrary is proved, that such eviction had been made by or at the instance of the landlord of such extent.

[§ 2, 25 of 1966.]

(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.

(d) Where, in the case referred to in paragraph (a), the Commissioner decides that the eviction had been made and no appeal is made from such decision within

the time allowed therefor, or the Board of Review has, on any such appeal, confirmed the decision of the Commissioner, then,—

- (i) the person evicted shall be entitled to have the use and occupation of such extent restored to him, and
- (ii) the Commissioner shall in writing order that every person in occupation of such extent shall vacate it on or before such date as shall be specified in that order, and if such person fails to comply with the order, he shall be evicted from such extent in accordance with the provisions of section 21, and the landlord of such extent shall, for each day during which a person in respect of whom an order under this paragraph has been made continues to occupy such extent after the date specified in that order, pay to the person mentioned in subparagraph (i) of this paragraph damages at such rate as may be prescribed unless such landlord satisfies the Commissioner that such person was evicted without the knowledge, consent or connivance of such landlord.

[§ 3, 11 of 1964.]

(2) Where a person (hereafter in this subsection referred to as the lessor) lets any extent of paddy land to any other person (hereafter in this subsection referred to as the lessee) and the lessee does not become the tenant cultivator of such extent by reason of the fact that he is not the cultivator thereof, then, if the lessee lets such extent to any person (hereafter in this subsection referred to as the subtenant) and the subtenant becomes the tenant cultivator of such extent by reason of his being the cultivator thereof, the subtenant's rights as the tenant cultivator of such extent shall not be affected in any manner by the termination of the lease granted by the lessor to the lessee.

(3) The rights of a tenant cultivator of any extent of paddy land shall not be affected in any manner by the sale (whether voluntary or in execution of the decree of a court), the transfer by gift, testamentary disposition or otherwise, the assignment or disposal

otherwise, or the devolution under the law of inheritance of the right, title and interest of the landlord of such extent.

(4) The rights of a tenant cultivator of any extent of paddy land shall not be sequestered, seized or sold in execution of the decree or process of any court.

[§ 3, 11 of 1964.]

(5) Where the provisions of this Act that come into operation on a date appointed under subsection (1) of section 2 are not brought into operation in any Administrative District, no person shall evict from any extent of paddy land which wholly or mainly lies within that Administrative District the person who, if those provisions were in operation in that Administrative District, would be the tenant cultivator of such extent except with the written sanction of the Commissioner granted on his being satisfied that the eviction is to be made bona fide for any such cause as may be prescribed.

[§ 3, 11 of 1964.]

(6) Where any extent of paddy land wholly or mainly lies in an Administrative District in which the provisions of this Act that come into operation on a date appointed under subsection (1) of section 2 have not been brought into operation and the person occupying and using such extent has entered into occupation thereof after any other person who is a citizen of Ceylon and who was a tenant and a cultivator of such extent was evicted therefrom at any time after April 12, 1956, otherwise than by an order of a court, the Commissioner may hold an inquiry for the purpose of deciding the question whether or not such eviction had been made bona fide for any such cause as may be prescribed and 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 to such person. If such landlord or the person evicted is aggrieved by such decision, he may, within thirty days after the communication of such decision to him, make a written appeal from such decision to the Board of Review, and the appeal shall state the grounds of appeal. Where

[§ 3, 11 of 1964.]

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 court.

(7) Where, in the case referred to in subsection (6), the Commissioner decides that the eviction had not been made bona fide for any such cause as may be prescribed and no appeal is made from such decision within the time allowed therefor or the Board of Review has, on any such appeal, confirmed the decision of the Commissioner or where, in the case referred to in that subsection, the Commissioner decides that the eviction had been made bona fide for any such cause as may be prescribed and the Board of Review has varied that decision of the Commissioner in appeal, then,—

[§ 3, 11 of 1964.]

(a) the person evicted shall be entitled to have the occupation and use of the extent of paddy land referred to in subsection (6) restored to him ;

(b) the Commissioner shall in writing order the person mentioned first in subsection (6) that he shall, on such date as shall be specified in the order, vacate such extent and deliver possession thereof to the person mentioned in paragraph (a) of this subsection, and if he fails to comply with the order, he shall be evicted from such extent in accordance with the provisions of section 21 ; and the landlord of such extent shall, for each day during which the person in respect of whom an order under this paragraph has been made continues to occupy such extent after the date specified in that order, pay to the person mentioned in paragraph (a) of this subsection damages at such rate as may be prescribed unless such landlord satisfies the Commissioner that such person was evicted without the knowledge, consent or connivance of such landlord ; and

[§ 3, 11 of 1964.]

(c) after the occupation and use of such extent are restored to the person mentioned in paragraph (a) of this subsection, he shall be deemed to



[§ 3, 11 of 1964.]

be the tenant of such extent and shall be liable to pay his landlord the same rent as he was liable to pay under his earlier tenancy of such extent, and no person shall, except with the written sanction of the Commissioner granted when the Commissioner is satisfied that the eviction is to be made bona fide for any such cause as may be prescribed, evict him from such extent during the period when the provisions of this Act that come into operation on a date appointed under subsection (1) of section 2 have not been brought into operation in the Administrative District in which such extent wholly or mainly lies.

[§ 3, 11 of 1964.]

(7A) Where the landlord of an extent of paddy land fails or refuses to pay, within fourteen days after demand, any sum which he is required to pay as damages under this section, to any person, such sum may, on application made by such person to the Magistrate's Court having jurisdiction over the place where such extent is situate, be recovered in like manner as a fine imposed by such Court, notwithstanding that such sum may exceed the amount of the fine which that Court may in the exercise of its ordinary jurisdiction impose.

[§ 3, 11 of 1964.]

(8) The decision of the Commissioner whether or not to grant under subsection (5) sanction to evict any person shall be communicated by the Commissioner in writing to the person applying for such sanction and to the person for whose eviction such sanction is sought. If any such person is aggrieved by such decision, he may, within thirty days after the communication of such decision to him, make a written appeal from such decision to the Board of Review and the 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 court.

(9) If any person contravenes the provisions of subsection (1), subsection (5), or paragraph (c) of subsection (7), he shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees, and, in default of payment of a fine, to imprisonment of either description or a term not exceeding one month. [§ 3, 11 of 1964.]

(10) For the purposes of this section, if any person directly or indirectly makes use of, or threatens to make use of, any force, violence, or restraint or inflicts, or threatens to inflict, any harm, damage or loss upon or against a tenant cultivator of any extent of paddy land in order to induce, compel or prevail upon, that tenant cultivator to refrain from exercising any right or privilege conferred upon him by or under this Act, such person shall be deemed to interfere in the occupation and use of such extent by that tenant cultivator. [§ 3, 11 of 1964.]

\*

†

††

\* “ (1) Where a person who was the tenant cultivator of any extent of paddy land had been evicted from such extent at any time after the date on which the principal Act came into operation in the Administrative District in which such extent wholly or mainly lies and before June 23, 1961, the Commissioner may hold an inquiry for the purpose of deciding the question whether the person had been evicted from such extent, and the provisions of paragraph (b), paragraph (c) and paragraph (d) of subsection (1A) of section 4 of the principal Act shall apply to such inquiry and to the decision of the Commissioner on such question.

(2) Any inquiry held by the Commissioner before June 23, 1961, for the purpose of deciding the question whether any person, who was the tenant cultivator of any extent of paddy land on or after the date on which the principal Act came into operation in the Administrative District in which such extent wholly or mainly lies, had been evicted from such extent, shall, notwithstanding that the Commissioner had no power to hold such inquiry, be deemed to have been duly held under the principal Act and any decision of the Commissioner on such question shall be deemed to be valid”.— See section 4 of the Paddy Lands (Amendment) Act, No. 61 of 1961.

† “ (1) Notwithstanding anything to the contrary in the principal Act, where under the provisions of that Act the Commissioner has made a decision that the eviction from any

---

extent of paddy land of any person who was a tenant and a cultivator of such extent has been made bona fide for any such cause as may be prescribed by regulation under that Act, the Commissioner may, upon application made to him by such person within six months after August 24, 1964, grant him an opportunity of adducing either 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 person evicted and to the landlord of such extent.

(2) Any person aggrieved by the decision of the Commissioner under subsection (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 court.

(4) Where the decision of the Commissioner under subsection (1) is to the effect that the eviction had not been made bona fide for a cause prescribed by regulation under the principal Act and no appeal is made from such decision within the time allowed therefor or the Board of Review has on any such appeal confirmed such decision of the Commissioner or where the decision of the Commissioner under that subsection is to the effect that the eviction had been made bona fide for a cause prescribed by regulation under that Act 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 subsection (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.—See section 4 of the Paddy Lands (Amendment) Act, No. 11 of 1964.

‡‡ “ (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 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 subsection (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 subsection (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 subsection (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.”—See Section 3 of the Paddy Lands (Amendment) Act, No. 25 of 1966.

Obligations  
of tenant  
cultivator.

Cap. 453.

[§ 5, 11 of 1964.]

5. A tenant cultivator of any extent of paddy land shall pay to the landlord of such extent rent in accordance with the provisions of this Act in respect of such extent, and shall pay any sum due in respect of such extent under the Irrigation Ordinance, and any charge imposed under this Act on the cultivator of such extent by the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies and shall perform any service due in respect of that extent under that Ordinance.

Nomination  
of successor  
to tenant cul-  
tivator's  
rights.

[§ 6, 11 of 1964.]

6. (1) A tenant cultivator of any extent of paddy land, other than a tenant cultivator who cultivates such extent either jointly or in rotation with any other tenant cultivator, may nominate a citizen of Ceylon as a successor who shall be entitled to succeed to such tenant cultivator's rights under this Act in respect of such extent upon the death of such tenant cultivator.

(2) Any nomination of a successor may at any time be cancelled by the tenant cultivator who made such nomination and a fresh nomination of a successor may be made by such tenant cultivator.

(3) The nomination of a successor and the cancellation of any such nomination shall be effected by a tenant cultivator—

(a) in a document substantially in the prescribed form executed and witnessed in duplicate before a Government Agent, a Divisional Revenue Officer, a Registrar of Lands, a Notary or a Justice of the Peace, or

(b) by the last will of such tenant cultivator.

(4) No stamp duty shall be charged or levied on the execution of a document specified in subsection (3) (a).

(5) A document specified in subsection (3) (a) shall not be deemed to be an instrument affecting land

for the purposes of the Registration of Documents Ordinance, nor shall the provisions of Chapter II of that Ordinance apply to any person before whom any such document is executed. Cap. 117.

(6) A document specified in subsection (3) (a) shall not be valid unless and until it has been registered by the Registrar of Lands of the district in which the paddy land to which that document refers is situated.

(7) After the registration of a document specified in subsection (3) (a) whereby a person is nominated as successor to a tenant cultivator's rights under this Act in respect of any extent of paddy land, a document specified in that subsection whereby any other person is nominated as successor to such rights shall not be registered unless the nomination effected by the registered document has been duly cancelled by the registration of a document of cancellation. In one and the same document a registered nomination may be cancelled and some other nomination in lieu thereof may be made, and, in that event, the document in which such cancellation and nomination are combined may be registered and shall upon due registration operate both as a cancellation of the previously registered nomination and as a nomination of a new nominee.

(8) Regulations may be made prescribing the procedure for the registration of a document specified in subsection (3) (a) and for all matters connected therewith or incidental thereto, including the registers which shall be kept and the fees which shall be charged for such registration.

(9) Any person shall on payment of the prescribed fee be entitled to inspect at the office of the Registrar of Lands any register kept by him for the purpose of subsection (6).

Devolution of rights of tenant cultivator in the absence of nomination of successor or where such successor does not survive such tenant cultivator or where such tenant cultivator cultivates an extent of paddy land either jointly or in rotation with any other tenant cultivator.  
[§ 7, 11 of 1964.]

7. (1) Where a tenant cultivator of any extent of paddy land, other than a tenant cultivator who cultivates such extent either jointly or in rotation with any other tenant cultivator, dies and he has not nominated a successor under section 6 or the successor nominated by him under that section is dead, his rights under this Act in respect of such extent shall, subject to the provisions of subsection (2), devolve on the surviving spouse of such tenant cultivator and, failing such spouse, on one only of the relatives of such tenant cultivator in the order in which they are mentioned in the Schedule to this Act, the oldest being preferred to the others where there are more relatives than two in any group, and the older being preferred to the other where there are only two relatives in any group. In this subsection, "relative" means a relative by blood and not by marriage.

(2) Where the person on whom the rights of a deceased tenant cultivator of any extent of paddy land devolve under subsection (1) is not accustomed to cultivate paddy, the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies shall select such one of the relatives of the deceased in the order in which they are mentioned in the Schedule to this Act as is so accustomed and shall appoint the person so selected as the successor to such rights, and thereupon such rights shall be deemed to devolve on the person so appointed and not on the first-mentioned person.

(3) Where a person is appointed under subsection (2) as the successor to the rights of a deceased tenant cultivator of any extent of paddy land and consequently such rights do not devolve on the surviving spouse of the deceased, the successor so appointed shall pay such spouse an amount, in money or kind, equivalent in value to one quarter of the gross average annual income (excluding rent) from such extent computed for the three years immediately preceding the date of death of the deceased. Such amount and the manner of its payment shall be determined by the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies.

(4) Where a tenant cultivator of any extent of paddy land who cultivates such extent jointly or in rotation with any other tenant cultivator or cultivators dies, his rights in respect of such extent in his capacity as such tenant cultivator shall devolve on such other tenant cultivator or cultivators and such rights shall be exercised by such tenant cultivator or cultivators in such manner as the Cultivation Committee may direct.

[§ 7, 11 of 1964.]

7A. (1) Where, on the death of a tenant cultivator of any extent of paddy land, there is a dispute as to the person on whom the rights of such tenant cultivator under this Act devolve, such dispute shall be referred by the parties to such dispute to the Commissioner for his determination. The Commissioner's determination on such dispute shall be communicated to the parties to such dispute.

Commissioner to decide disputes regarding devolution of rights of tenant cultivator and his determination to be subject to appeal to the Board of Review.

[§ 8, 11 of 1964.]

(2) Any person to whom a determination of the Commissioner under subsection (1) is communicated may, if he is aggrieved by such determination, appeal in writing to the Board of Review from such determination within thirty days after the communication of such determination to him, and the appeal shall state the grounds of appeal.

(3) Where no appeal from a determination of the Commissioner is made within the time allowed therefor by subsection (2), then such determination shall be final and conclusive and shall not be called in question in any court.

7B. (1) If the Commissioner is satisfied after such inquiry as he may deem necessary that the rights of a tenant cultivator under this Act have devolved on a minor, he may, notwithstanding anything in any other law, appoint a fit and proper person to be the curator of that minor for the purpose of enabling the minor to exercise his rights and to discharge his duties under this Act.

Curators.

[§ 8, 11 of 1964.]

(2) A curator appointed under subsection (1) may be removed from office by the Commissioner if he is satisfied after inquiry that such curator has failed to



perform his obligations or has been guilty of action or conduct adverse or prejudicial to the interests of the minor, or that the curator is unfit to continue to hold office or for any other sufficient cause.

(3) A curator appointed under subsection (1) shall, in respect of the extent of paddy land belonging to the minor whose curator he is, have and exercise all the rights and be subject to all the liabilities of a curator appointed by a court of competent jurisdiction.

(4) A person appointed under subsection (1) as the curator of a minor shall cease to hold office upon the appointment by any court of competent jurisdiction of any other person as curator of that minor.

Transfer or  
cession of  
rights of a  
tenant  
cultivator.  
[§ 9, 11 of 1964.]

8. (1) A tenant cultivator of any extent of paddy land, after giving written notice of his intention so to do to the landlord of such extent and to the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies, may,—

(a) if he cultivates such extent either jointly or in rotation with any other tenant cultivator or cultivators transfer his rights in respect of such extent to any such other tenant cultivator who is a citizen of Ceylon or to such Cultivation Committee and not to any other person ; and

(b) if he does not cultivate such extent either jointly or in rotation with any other tenant cultivator or cultivators, transfer his rights in respect of such extent to his spouse or to any person who is a citizen of Ceylon and who is such one of the relatives of the tenant cultivator as is mentioned in the Schedule to this Act or to such Cultivation Committee and not to any other person.

(2) A tenant cultivator of any extent of paddy land may, with the written sanction of the Commissioner given after such inquiries as the Commissioner may deem necessary, cede his rights in respect of such extent to his landlord if such landlord is also the owner

of such extent. Any cession of such rights made without the written sanction of the Commissioner shall be null and void.

(3) Notwithstanding anything in the preceding provisions of this section, where, in respect of any extent of paddy land, there is a registered nomination of a successor made by the tenant cultivator of such extent, a transfer or a cession under this section of the rights of such tenant cultivator shall not be valid unless and until such nomination is duly cancelled and such cancellation is duly registered.

9. Where the rights of a tenant cultivator of any extent of paddy land are transferred by him to any person, such person shall, subject to the provisions of this Act, be a tenant cultivator of such extent.

Effect of transfer of rights of tenant cultivator.

10. Where a tenant cultivator of any extent of paddy land dies and there is no spouse, relative or nominated successor to inherit the deceased's rights under this Act in respect of such extent in accordance with the provisions of this Act, then—

Where there is no successor to inherit a tenant cultivator's rights.  
[§ 10, 11 of 1964.]

(a) if the landlord of such extent is also the owner of such extent, he may, after giving within two months after the death of such tenant cultivator written notice that he desires to be the owner cultivator of such extent to the Commissioner and to the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies, occupy and use such extent as owner cultivator, or

(b) if the landlord of such extent is not the owner of such extent, or if the landlord and owner of such extent fails to give, within the time allowed therefor, the written notice referred to in paragraph (a), the Commissioner shall, in consultation with such Cultivation Committee, appoint any suitable person to be the tenant cultivator of such extent and upon such appointment the appointee shall, subject to the provisions of this Act, be the tenant cultivator of such extent.

Action to be taken by Cultivation Committee when rights of a tenant cultivator are transferred to such Committee.

[§ 11, 11 of 1964.]

11. (1) Where the rights of a tenant cultivator of any extent of paddy land are transferred under section 8 to the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies, such Committee shall in writing notify such transfer to the landlord of such extent, and shall, after giving written notice thereof to such landlord, transfer such rights to the cultivator of any extent of paddy land which is situated within the local jurisdiction of such Committee and which, in the opinion of the Commissioner, is an uneconomic extent or to any agricultural labourer resident within the local jurisdiction of such Committee.

[§ 11, 11 of 1964.]

(2) Repealed.

Effect of retention by Cultivation Committee of rights of tenant cultivator transferred to such Committee.

[§ 12, 11 of 1964.]

12. Where the rights of a tenant cultivator of any extent of paddy land are transferred to a Cultivation Committee, such Committee shall, subject to the provisions of this Act, be a tenant cultivator of such extent during the period of retention of such rights by such Committee and shall pay, during such period, rent in accordance with the provisions of this Act in respect of such extent to its landlord.

Person not entitled to rights of a deceased tenant cultivator in respect of any extent of paddy land not to occupy and use such extent.

13. (1) Where a tenant cultivator of any extent of paddy land dies, no person who is not entitled under this Act to the rights of such tenant cultivator in respect of such extent shall occupy and use such extent.

(2) Where any extent of paddy land is occupied and used by any person in contravention of subsection (1), the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies shall in writing order such person that he shall vacate such extent on or before such date as shall be specified in such order. If such person fails to comply with such order, he shall be evicted from such extent in accordance with the provisions of section 21.

14. (1) The landlord of any extent of paddy land in respect of which there is a tenant cultivator may, within five years after the coming into operation of this Act in the Administrative District in which that extent wholly or mainly lies, give written notice to the Cultivation Committee within whose local jurisdiction that extent wholly or mainly lies that he desires to be the owner cultivator of such area of that extent as may be approved by the Commissioner and that the occupation and use of the area so approved should be restored to him :

How tenancy of any extent of paddy land may be terminated where the landlord desires to be its owner cultivator, and how a landlord of any extent of paddy land to whom the right to occupy and use that extent is restored may lose such right.

Provided that, if such landlord is a minor on the date on which this Act comes into operation in such Administrative District, he may give such written notice within six months after he attains majority.

(2) A Cultivation Committee shall, upon receipt of a notice under subsection (1), transmit it to the Commissioner.

(3) The Commissioner shall, in accordance with such regulations as may be made in that behalf, determine the area which is to be the approved area for the purpose of each notice under subsection (1) and shall in writing communicate his determination to the landlord by whom the notice was given and to the Cultivation Committee by which the notice was transmitted to the Commissioner. The approved area shall not exceed five acres.

(4) A Cultivation Committee shall, after the determination of the Commissioner under subsection (3) is communicated to such Committee, in writing order the tenant cultivator who is affected by such determination that he shall, on the expiry of one year after the date of such order and, if any compensation under this section is payable to him, after such compensation is paid to him, vacate such area of paddy land as shall be specified in such order (such area being the area specified in such determination). If such tenant cultivator fails to comply with such order, he shall be evicted from such area in accordance with the provisions of section 21 :

[§ 13, 11 of 1964.]

[§ 13, 11 of 1964.]

Provided that where such Committee is the tenant cultivator affected by such determination, no order under the preceding provisions of this subsection shall be made and such Committee shall, on the expiry of one year after the communication of such determination to such Committee and, if any compensation under this section is payable to such Committee, after such compensation is paid to such Committee, vacate such area.

(5) A tenant cultivator affected by a determination under subsection (3) may—

- (a) where such tenant cultivator is not a Cultivation Committee, prefer in writing to the Cultivation Committee by which an order under subsection (4) is served on him, and
- (b) where such tenant cultivator is a Cultivation Committee, prefer in writing to the Commissioner,

a claim to compensation for any improvements effected by the claimant on the area to which such determination relates. The Cultivation Committee to which or the Commissioner to whom such claim is preferred shall in writing notify the claim to the landlord of such area and shall, in accordance with such regulations as may be made in that behalf, determine whether the claimant is entitled to any compensation and, if the claimant is so entitled, the amount of the compensation, and shall notify the determination in writing to the claimant and such landlord.

(6) Where a landlord or a claimant to compensation is aggrieved by the determination in regard to compensation under subsection (5), he may, within thirty days after the notification of such determination, make a written appeal from such determination to the Board of Review and the appeal shall state the grounds of appeal.

(7) Where it is proved to the satisfaction of the Commissioner that the person who has become the owner cultivator of any extent of paddy land after its

occupation and use were restored to him in accordance with the preceding provisions of this section has, without reasonable cause, failed to cultivate, or to be the cultivator of, such extent during any paddy cultivation season or to maintain a reasonable standard of efficient production as respects both the quantity and the quality of the produce from such extent, the Commissioner shall in writing order that, on such date as shall be specified in the order, such person shall cease to be such owner cultivator and shall revert to the position of landlord of such extent and he and all other persons in occupation of such extent shall vacate it. If such landlord and such other persons fail to comply with such order, they shall be evicted from such extent in accordance with the provisions of section 21.

[§ 14, 11 of 1964.]

(8) Where the landlord of any extent of paddy land and all other persons in occupation thereof vacate such extent in compliance with an order of the Commissioner under subsection (7) or are evicted from such extent for not complying with such order, the Commissioner shall, after giving written notice thereof to such landlord, in writing appoint as the tenant cultivator of such extent, with effect from the date of such vacation or eviction, the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies. Such Committee shall, upon being so appointed, be the tenant cultivator of such extent, and shall, after giving written notice thereof to such landlord, transfer its rights as such tenant cultivator to the person who was the tenant cultivator of such extent immediately before the occupation and use of such extent were restored to its landlord in accordance with the preceding provisions of this section, or, failing such person, to any other suitable person, preferably a person resident within the local jurisdiction of such Committee.

15. (1) Where there is no tenant cultivator in respect of an extent of paddy land and such extent is not cultivated for two or more successive seasons, the Commissioner may, subject to the provision of subsection (2), appoint, in consultation with the Cultivation Committee within whose local jurisdiction such

Power of  
Commissioner  
to appoint  
tenant  
cultivator.  
[§ 14, 11 of 1964.]

extent wholly or mainly lies, the cultivator of any extent of paddy land which is situated within the local jurisdiction of such Committee and which, in the opinion of the Commissioner, is an uneconomic extent, or any agricultural labourer resident within the local jurisdiction of such Committee, to be the tenant cultivator of the first-mentioned extent or any part thereof, and upon such appointment, the appointee shall, subject to the provisions of this Act, be the tenant cultivator of such extent or such part, as the case may be.

(2) No appointment under subsection (1) shall be made by the Commissioner in respect of any extent of paddy land or part thereof unless—

- (a) he has given written notice of his intention so to do to the landlord of such extent, and
- (b) the landlord of such extent has failed to show, within such time as shall be specified in such notice, sufficient cause against the making of such appointment.

(3) Where any such extent of paddy land as is mentioned first in subsection (1) or part thereof is occupied and used by any person at the time a tenant cultivator is appointed under that subsection in respect of that extent or part, as the case may be, the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies shall in writing order such person to vacate such extent or part on or before such date as shall be specified in such order. If such person fails to comply with such order, he shall be evicted from such extent in accordance with the provisions of section 21.

Power of  
Cultivation  
Committee  
to appoint  
agricultural  
labourers to  
be tenant  
cultivators.

16. (1) Where on the date of the coming into operation of this Act in any Administrative District any agricultural labourer or agricultural labourers, other than any agricultural labourer referred to in subsection (2) of section 3, is a cultivator or are cultivators of any extent of paddy land which wholly or mainly lies in that Administrative District and there is no person who is under this Act an owner cultivator or a tenant cultivator of that extent, the Cultivation

Committee within whose local jurisdiction that extent wholly or mainly lies may, with the written sanction of the Commissioner and after giving written notice thereof to the landlord of that extent, appoint in writing such agricultural labourer to be the tenant cultivator of that extent or appoint each of such agricultural labourers to be the tenant cultivator of such portion of that extent as shall be determined by such Committee.

(2) The Commissioner—

- (a) shall not sanction the appointment of an agricultural labourer as the tenant cultivator of such extent of paddy land as is referred to in subsection (1) or as the tenant cultivator of any portion of that extent if the Commissioner is satisfied that the owner of that extent cultivated it with the assistance of hired labourers before April 12, 1956, and that a reasonable standard of efficient production as respects both the quantity and the quality of the produce from that extent is maintained in respect of that extent by its owner, and
- (b) shall not sanction the appointment of each of several agricultural labourers to be the tenant cultivator of such portion of that extent as may be determined by the Cultivation Committee within whose local jurisdiction that extent wholly or mainly lies, if the Commissioner considers that it is not in the interest of cultivation to divide that extent into plots.

(3) Where a Cultivation Committee appoints an agricultural labourer to be a tenant cultivator of any extent of paddy land under subsection (1), he shall, subject to the provisions of this Act, be such tenant cultivator.

17. Any person who employs an agricultural labourer shall pay such labourer wages at the appropriate rate out of the rates of wages fixed for agricultural labourers by the Cultivation Committee within whose local jurisdiction the place of employment of such labourer is wholly or mainly situated.

Wages of  
agricultural  
labourers.



Cultivators and landlords to cultivate paddy lands in accordance with the principles of good paddy cultivation.

[§ 16, 11 of 1964.]

18. (1) A cultivator of any extent of paddy land or, if there is no cultivator other than an agricultural labourer, the landlord of such extent of paddy land shall cultivate such land in accordance with the principles of good paddy cultivation.

(2) The cultivator or landlord referred to in subsection (1) shall be deemed to cultivate the land in accordance with the principles of good paddy cultivation if such cultivation is done, having regard to the character and situation of the land, in such a manner as to maintain a reasonable standard of efficiency as respects both the quality and quantity of the produce from such land while keeping such land in a condition to enable such a standard to be maintained in the future.

(3) In determining whether the cultivation has been done in the manner referred to in subsection (2), regard shall be had, *inter alia*, to the extent to which any rules or regulations made under the Irrigation Ordinance and the rules made by the Cultivation Committee under this Act have been complied with.

Cap. 453.

Non-cultivation of any extent of paddy land to be notified to the landlord and the Cultivation Committee.

[§ 16, 11 of 1964.]

18A. Where a tenant cultivator of any extent of paddy land is unable to cultivate such extent during any paddy cultivation season he shall, at the commencement of that season, notify in writing the landlord of such extent and the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies that he is unable to cultivate such extent during that season.

Supervision Order.

[§ 16, 11 of 1964.]

19. (1) Where a Cultivation Committee is satisfied that the cultivator of any extent of paddy land or, if there is no cultivator other than an agricultural labourer, the landlord of such extent of paddy land, is not complying with the provisions of section 18 in respect of such extent, such Committee may, without prejudice to any right of any such Committee to take any action against such cultivator or landlord in a court of law, recommend to the Commissioner that an order (hereinafter referred to as a Supervision Order) be issued to such cultivator or landlord in relation to such extent. Upon receiving such recommendation, the

Commissioner, after giving such cultivator or landlord an opportunity of making representations to the Commissioner, whether in writing or on being heard by a person appointed by the Commissioner, may by Supervision Order place such cultivator or landlord under the Commissioner's supervision so far as relates to the cultivation of such extent.

(2) The Commissioner shall cause every Supervision Order issued under subsection (1) to be served on the person to whom it relates, and shall send a copy thereof to the Cultivation Committee. Such Supervision Order shall be deemed to be served on such person if one copy of such Order is sent by registered post to the last known address of such person and another copy is affixed in a conspicuous position on the extent of paddy land to which such Order relates.

(3) While a Supervision Order is in force—

(a) any person authorized by the Commissioner or the Cultivation Committee may at all reasonable times enter upon the extent of paddy land to which such Order relates for the purpose of inspecting such land and observing the manner in which it is being cultivated, and

(b) the Commissioner may by notice in writing impose any restrictions or prohibitions on, or give any directions to, the cultivator or landlord of such extent of paddy land in order to ensure that such cultivator or landlord complies with the provisions of section 18 in respect of such extent.

(4) A Supervision Order issued under subsection (1) in respect of any extent of paddy land may be revoked by the Commissioner if he is satisfied that the cultivator or landlord of such extent is complying with the provisions of section 18 in respect of such extent.

(5) Where the Commissioner revokes a Supervision Order under subsection (4), he shall cause notice of such revocation to be served on the cultivator or landlord to whom it relates in the same manner as that in which the Supervision Order was served. The Commissioner shall also send a copy of such notice to the Cultivation Committee.

Eviction of person in respect of whom a Supervision Order is in force if cultivation is unsatisfactory.  
[§ 16, 11 of 1964.]

20. (1) If, after the Supervision Order has been in force for a period of twelve months, the Commissioner is satisfied that the cultivation of the extent of paddy land to which the Supervision Order relates does not show satisfactory improvement notwithstanding the restrictions or prohibitions imposed, or the directions given, under subsection (3) of section 19, the Commissioner may, subject to the other provisions of this section, require the cultivator or the landlord of such extent to show cause why an order (hereinafter referred to as an Order of Dispossession) should not be made in respect of such extent.

(2) If the Commissioner is satisfied that no adequate cause has been shown by the cultivator or landlord referred to in subsection (1), the Commissioner shall give notice to such cultivator or landlord of his intention to make an Order of Dispossession.

(3) The cultivator or landlord to whom a notice is given under subsection (2) may, within fourteen days after the date of receipt by him of such notice, make a written appeal to the Board of Review against the making of an Order of Dispossession.

(4) Where no appeal has been made to the Board of Review under subsection (3) within the time specified in such subsection, or where the Board of Review has rejected the appeal made under that subsection, the Commissioner shall make an Order of Dispossession in respect of the extent of paddy land in question and communicate such order to the cultivator or landlord in question and to the Cultivation Committee. Such Order of Dispossession shall be deemed to have been served on the cultivator or landlord if one copy of such Order is sent by registered post to the last known address of such cultivator or landlord and another copy is affixed in a conspicuous position on the extent of paddy land in respect of which such Order of Dispossession was made.

(5) Upon an Order of Dispossession being made and communicated to the cultivator or landlord of the extent of paddy land in question in the manner set out

in subsection (4), such cultivator or landlord and any other person in occupation of such extent shall vacate such extent within the period specified in such Order and deliver possession of such extent to the Cultivation Committee in question.

(6) Where a Cultivation Committee comes into possession of an extent of paddy land under the provisions of subsection (5), such Committee shall be deemed to be the cultivator or landlord, as the case may be, of such extent and shall exercise all the powers and perform all the duties of such cultivator or landlord :

Provided that where the cultivator or landlord who delivers possession to the Cultivation Committee is the owner of such extent, the Cultivation Committee shall be deemed to be the tenant cultivator of such owner and shall exercise all the powers and perform all the duties of a tenant cultivator.

(7) Where the Cultivation Committee comes into possession of any extent of paddy land under the provisions of subsection (5), such Committee may, for the purpose of ensuring the efficient cultivation of such land, and with the approval of the Commissioner,—

- (a) cultivate such extent ; or
- (b) appoint one or more tenant cultivators for such extent ; or
- (c) permit the owner of such extent to be the owner cultivator thereof ; or
- (d) lease such extent to any suitable person :

Provided that no extent of paddy land in excess of five acres shall be permitted to be cultivated by any tenant cultivator or owner cultivator referred to in the preceding provisions of this subsection.

(8) Where a cultivator or landlord, as the case may be, of any extent of paddy land fails to comply with an Order of Dispossession, such cultivator or landlord and any other person in occupation of such extent shall be evicted from such extent in accordance with the provisions of section 21.

Procedure  
in eviction.  
[§ 17, 11 of 1964.]

21. (1) Where any person who has been ordered under this Act by a Cultivation Committee or the Commissioner to vacate any extent of paddy land or to vacate any extent of paddy land and to deliver possession thereof to any specified person fails to comply with such order, such Committee or the Commissioner or any person authorized in that behalf by such Committee or the Commissioner may present to the Magistrate's Court within whose local jurisdiction such extent wholly or mainly lies a written report specifying the nature of such order and the person to whom it was issued, describing the extent of paddy land to which such order relates, stating that such person has failed as required by such order to vacate or to vacate and deliver possession of such extent, praying for an order to evict such person and all other persons in occupation of such extent from such extent, and mentioning the person to whom delivery of possession of such extent should be made.

(2) Where a written report is presented to a Magistrate's Court under subsection (1), such Court shall issue an order directing the person specified in such report and all other persons in occupation of the extent of land specified in the order to be evicted forthwith from such extent. After making such order, the Court shall give notice of such order through the Fiscal or peace officer to the person against whom the order is made.

(3) Any person aggrieved by an order made by the Magistrate's Court under subsection (2) may appeal therefrom to the Supreme Court and the provisions of Chapter XXX of the Criminal Procedure Code shall apply accordingly as if the appeal were preferred against a final order of a Magistrate's Court in respect of which an appeal lies to the Supreme Court under that Chapter of that Code.

(4) If no appeal has been preferred against an order of eviction made by a Magistrate's Court under subsection (2) within the time allowed for such an appeal, or, if an appeal has been preferred, after the final decision of the Supreme Court affirming the order of eviction has been duly certified to the Magistrate's Court, the Magistrate's Court shall, on the application of the

Cap. 20.

person by whom the written report under subsection (1) was presented, direct the Fiscal or a peace officer to evict from the extent of paddy land to which the order of eviction relates all persons bound by the order of eviction and to deliver possession of such extent to the person mentioned in such report as the person to whom delivery of possession of such extent should be made.

(5) The Fiscal or the peace officer entrusted with the execution of the order of eviction shall comply with the directions of the Magistrate's Court by which such order was made and shall make a due return of the manner in which he executed such order.

(6) In executing an order of eviction the Fiscal or the peace officer or any person authorized by any of them may use such force as may be necessary to enter the extent of paddy land to which the order relates and to evict any person bound by the order and to deliver possession of such extent in accordance with the directions of the Magistrate's Court which issued the order.

## PART II

### RENT PAYABLE BY TENANT CULTIVATORS

22. (1) The Commissioner shall, by notification published in the Gazette, determine from time to time in accordance with the provisions of this section, the rent to be paid by the tenant cultivator of any extent of paddy land.

(2) A determination under subsection (1) shall specify a number of bushels of paddy, not exceeding fifteen, in respect of each cultivated acre of any extent of paddy land in any region to which such determination applies or a portion, not exceeding one quarter, of the total yield of paddy from that extent reduced by the amount of the charge imposed under paragraph (c) of subsection (1) of section 36A, or the customary rent hitherto payable in respect of that extent, whichever is the least, as the rent payable for that extent for each paddy cultivation season.

(3) The rent determined under subsection (1) may vary in respect of different Administrative Districts or of different parts of an Administrative District.

Rent to be determined by the Commissioner subject to a right of appeal to the Board of Review.

[§ 18, 11 of 1964.]

[§ 18, 11 of 1964.]

(3A) Where the rent determined under subsection (1) is computed on the basis of a specified number of bushels of paddy for each cultivated acre, the rent for any cultivated area of less than one acre shall be computed in the proportion that such area bears to one acre.

(4) A landlord or tenant cultivator aggrieved by a determination under subsection (1) may, within thirty days after the publication of such determination in the Gazette, make a written appeal from such determination to the Board of Review, and the appeal shall state the grounds of appeal.

(5) A determination under subsection (1) shall not cease to be operative either during the period within which an appeal therefrom may be made to the Board of Review or during the pendency of any such appeal.

(6) Where the Board of Review varies on appeal a determination under subsection (1), that determination as so varied shall be published in the Gazette, and shall come into force from the next cultivation season and shall continue to have effect until it is superseded by a fresh determination under subsection (1).

(7) The rent payable for any extent of paddy land shall, for each paddy cultivation season, consist of—

(a) the quantity of paddy computed for that extent in accordance with such determination in force under the preceding provisions of this section as is applicable to paddy lands of the region in which that extent lies, or

(b) where the landlord desires to have the rent in money and the tenant cultivator agrees to pay the rent in money, the equivalent in money of the rent payable in paddy under paragraph (a) of this subsection computed at the price fixed for the time being for paddy of the same description as the paddy from that extent by the Commissioner by notification published in the Gazette for the purposes of the Guaranteed Price Scheme.

[§ 18, 11 of 1964.]

(8) Where the Cultivation Committee within whose local jurisdiction any extent of paddy land wholly or mainly lies is satisfied that the tenant cultivator of such extent has wilfully neglected the cultivation of such extent during any paddy cultivation season in which cultivation was possible or has, without reasonable cause, committed during any paddy cultivation season a breach of any established custom relating to cultivation, such Committee may order that the rent for such season payable in paddy under paragraph (a) of subsection (7) in respect of such extent shall be computed on a basis other than the actually cultivated area of such extent, and, if such Committee so orders, the rent for such season payable in paddy in respect of such extent shall be computed on the basis specified by such Committee and according to the rent in paddy so computed the rent in money shall be computed.

[§ 18, 11 of 1964.]

(9) Where the cultivation of the extent of paddy land of a tenant cultivator is a partial failure during any paddy cultivation season for any cause other than his fault or neglect, the rent payable by him for such season in respect of such extent shall be reduced by such reasonable amount as shall be determined by the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies.

(10) Where any dispute arises between the tenant cultivator of any extent of paddy land and his landlord as to the amount of the rent payable in respect of such extent under a determination made under subsection (1), such dispute may be referred for decision to the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies. The decision of the Committee on such dispute shall be communicated in writing to such tenant cultivator and to his landlord. If such tenant cultivator or his landlord is aggrieved by such decision, he may, within ten days after the communication of such decision to him, make a written appeal from such decision to the Commissioner, and the appeal shall state the grounds of appeal. The decision of the Commissioner on such appeal shall be final and conclusive and shall not be called in question in any court.

[§ 18, 11 of 1964.]



When rent is not payable.

23. Where the extent of paddy land of a tenant cultivator is not cultivated during any paddy cultivation season, or the cultivation of such extent during such season completely fails, for any cause other than his fault or neglect, no rent for such season shall be payable in respect of such extent.

Time and place for paying rent and when rent commences to be in arrear.

[§ 19, 11 of 1964.]

24. The rent for any paddy cultivation season in respect of any extent of paddy land shall be paid at the threshing-floor on or before the thirtieth day after harvesting of the crop from such extent for such season, and, if not so paid, shall commence to be in arrear on the first day after the said thirtieth day.

Tenant cultivator to notify landlord of the dates for harvesting and removal of paddy.

[§ 20, 11 of 1964.]

24A. It shall be the duty of a tenant cultivator of any extent of paddy land to give to his landlord—

- (a) at least ten days' notice of the date on which it is intended to commence the harvesting of the crop from such extent, and
- (b) at least seven days' notice of the date on which it is intended to remove from the threshing-floor the crop harvested from such extent.

To whom rent is payable.

25. (1) The rent in respect of any extent of paddy land shall be paid by the tenant cultivator of such extent to the landlord of such extent or to his authorized agent either directly or through the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies.

(2) Where there are two or more landlords of an extent of paddy land, they shall appoint a person for the purpose of collecting the rent from the tenant cultivator of such extent and shall in writing notify the name and address of the person appointed for such purpose to the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies, and, if no such appointment is made, such rent shall be paid, directly or through such Committee, to the person, if any, who customarily collects such rent for such landlords. If there is no person entitled to collect such rent or if there is any dispute as to the proportion in which such rent should be paid to such landlords or as to the person to whom such rent should be paid, such rent computed in money in accordance with the provisions of paragraph (b) of subsection (7) of section 22 shall be paid by such tenant cultivator

[§ 21, 11 of 1964.]

to such Committee and such Committee shall pay such amount less any expenses incurred by such Committee in handling such rent to the District Court or Court of Requests within whose local jurisdiction such extent wholly or mainly lies, according as such amount exceeds or does not exceed seven hundred and fifty rupees to be drawn by the person or persons entitled thereto. Where such amount or any portion thereof is not drawn by the person or persons entitled thereto within one year after the date on which such sum was paid to such Court, such Court shall cause such sum to be paid into the Paddy Lands Fund and no person thereafter shall be entitled to demand or receive such amount or the rent which such amount represents.

(3) Where a Cultivation Committee is empowered by any provision of this Act to deduct any sum due from the landlord of any extent of paddy land from the rent payable by a tenant cultivator of such extent to such landlord, such tenant cultivator shall, upon being and so long as he is ordered in writing by such Committee to do so, pay the rent to such Committee, and such Committee shall deduct such sum from the rent in such manner as such Committee shall determine and pay the balance of the rent, if any, to such landlord and shall furnish him with a detailed statement of the deductions made from the rent.

25A. (1) Where the tenant cultivator of any extent of paddy land instead of paying the rent for such extent directly to the landlord of such extent or to his authorized agent pays it to the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies, such Committee—

(a) shall, if such rent is paid in money, cause the amount of such rent to be transmitted to such landlord or to his authorized agent, as the case may be ; or

(b) shall, if such rent is paid in paddy, cause to be sent to such landlord or to his authorized agent, as the case may be, a written notice requesting him to take delivery of such rent within thirty days after the date of such notice.

Provisions applicable where rent is paid through a Cultivation Committee to the landlord or to his authorized agent.  
[§ 22, 11 of 1964.]

(2) Where the rent for an extent of paddy land is paid in paddy to a Cultivation Committee and such rent is not claimed by the person entitled thereto within thirty days after the date of the notice sent to him under subsection (1), such Committee may cause the paddy to be sold and shall cause the proceeds of the sale to be transmitted to such person.

(3) Where any sum of money transmitted (otherwise than by money order or postal order) to any person under this section by a Cultivation Committee is not claimed by such person within one year after the date on which such sum was transmitted, such sum shall be paid into the Paddy Lands Fund by such Committee and no person thereafter shall be entitled to demand or receive such sum or the rent which such sum represents.

(4) Notwithstanding anything in the preceding provisions of this section, all expenses incurred by a Cultivation Committee in connection with the transmission or handling of the rent due to any person shall be met by such person and may be deducted from such rent by such Committee before such rent is transmitted or paid to such person by such Committee.

Receipt to  
be given for  
payment of  
rent.

[§ 23, 11 of 1964.]

26. (1) The person entitled to collect the rent in respect of any extent of paddy land shall, on receiving the rent, issue to the person by whom the rent is paid a receipt specifying—

- (a) the date of payment,
- (b) the person who paid the rent,
- (c) the amount of the rent paid,
- (d) the period for which the rent is paid, and
- (e) the paddy land in respect of which the rent is paid.

[§ 23, 11 of 1964.]

(2) If any person contravenes the provisions of subsection (1), he shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding fifty rupees.

Interest to be  
paid on rent  
in arrear.

27. Where any rent in respect of any extent of paddy land is in arrear, the amount of rent in arrear computed in money in accordance with the provisions of paragraph (b) of subsection (7) of section 22 shall bear simple interest at the prescribed rate.

28. Where any sum is due from the tenant cultivator of an extent of paddy land to his landlord as rent in arrear or interest on such rent or both, the landlord may, with the prior written sanction of the Commissioner, apply—

Recovery of rent and interest in arrear.  
[§ 24, 11 of 1964.]

- (a) if such sum does not exceed one hundred rupees, to the Rural Court having jurisdiction over the place where such tenant cultivator resides or such extent is situate or, where there is no Rural Court having jurisdiction over such place, to the Court of Requests having jurisdiction over such place, or
- (b) if such sum exceeds one hundred rupees but does not exceed seven hundred and fifty rupees, to the Court of Requests having jurisdiction over such place, or
- (c) if such sum exceeds seven hundred and fifty rupees, to the District Court having jurisdiction over such place,

for an order, and the Court shall, upon such application, make an order for the payment of such sum by such tenant cultivator. If such tenant cultivator fails to pay such sum within the time allowed by the order, such sum may be recovered in like manner as if the order were a decree entered by the Court in favour of the person entitled to such sum and against such tenant cultivator and, for the purposes of such recovery, the produce from such extent shall, in addition to any other property, whether movable or immovable, of such tenant cultivator, be liable to seizure and sale.

### PART III

#### CULTIVATION COMMITTEES

29. (1) There shall be a Cultivation Committee for each area determined by the Commissioner consisting of—

- (a) the prescribed number of elected members, and
- (b) any Government officer or officers appointed by office by the Commissioner to be a member or members of such Committee.

A Cultivation Committee for each area determined by the Commissioner.  
[§ 25, 11 of 1964.]

[§ 25, 11 of 1964.]

(2) The prescribed number of elected members of a Cultivation Committee shall be elected by the qualified cultivators of paddy lands wholly or mainly lying within the local jurisdiction of that Committee from among themselves.

[§ 5, 61 of 1961.]

(2A) Where, at the meetings of qualified cultivators of paddy lands held for the purpose of electing the prescribed number of elected members of a Cultivation Committee, the number of persons elected as members of such Committee is less than, but not less than half of, the aforesaid prescribed number, then,—

(a) the Commissioner shall in writing convene a meeting of those so elected for the purpose of electing as members of such Committee, from persons who are qualified to be elected members of such Committee, the number of persons required to complete the aforesaid prescribed number ;

(b) the Commissioner or any officer authorized by the Commissioner in that behalf shall preside at the meeting convened under paragraph (a) of this subsection ;

(c) if all those elected as members of such Committee are present at the meeting convened under paragraph (a) of this subsection, they shall elect as members of such Committee, from persons who are qualified to be elected members of such Committee, the number of persons required to complete the aforesaid prescribed number ;

[§ 25, 11 of 1964.]

(d) if all or any one of those elected as members of such Committee do not or does not attend the meeting convened under paragraph (a) of this subsection or if all or any one of those required by paragraph (c) of this subsection to be elected as members of such Committee are not or is not so elected, such Committee consisting of the persons elected at the meetings of qualified cultivators of paddy lands held for the purpose of electing the prescribed number of

[§ 25, 11 of 1964.]

elected members of such Committee and any persons elected at the meeting convened under paragraph (a) of this subsection shall, notwithstanding that the number of persons elected as members of such Committee is less than the aforesaid prescribed number and subject to the provisions of section 31c, be deemed to be validly constituted and to consist of the persons so elected and the persons appointed by the Commissioner as members of such Committee under paragraph (b) of subsection (1).

(2B) Where, at the meetings of qualified cultivators of paddy lands held for the purpose of electing the prescribed number of elected members of a Cultivation Committee, either no person is elected as a member of such Committee or the number of persons elected as members of such Committee is less than half of the aforesaid prescribed number, the Commissioner shall, as soon as is practicable, cause meetings of qualified cultivators of paddy lands to be convened once again for the aforesaid purpose.

[§ 5, 61 of 1961.]  
[§ 25, 11 of 1964.]

[§ 25, 11 of 1964.]

(2c) Where, at the meetings of qualified cultivators of paddy lands convened under subsection (2B) for the purpose of electing the prescribed number of elected members of a Cultivation Committee, either no person is elected as a member of such Committee or the number of persons elected as members of such Committee is less than half of the aforesaid prescribed number, the Commissioner shall in writing appoint as members of such Committee, from persons who are qualified to be elected members of such Committee, the number of persons required to constitute or complete the aforesaid prescribed number.

[§ 5, 61 of 1961.]  
[§ 25, 11 of 1964.]

[§ 25, 11 of 1964.]

(2d) Where the Commissioner is unable to appoint all or any of the members of a Cultivation Committee who are required to be appointed by him under subsection (2c) by reason of the unwillingness of all or any of the persons qualified to be elected members of such Committee to serve as members of such Committee, then,—

[§ 5, 61 of 1961.]

- 
- (i) if the number of members so appointed is not less than half the prescribed number of elected members of such Committee, such Committee shall, notwithstanding that the number of persons so appointed is less than the aforesaid prescribed number and subject to the provisions of section 31c be deemed to be validly constituted ;
- (ii) if the number of persons so appointed is less than half the aforesaid prescribed number or if no persons are so appointed,—
- (a) the Commissioner shall, by notification published in the Gazette, announce his inability to appoint the members of such Committee who are required to be appointed by him under subsection (2c) ;
- (b) it shall be deemed, for the area for which such Committee is required to be constituted, that, during the period of one year commencing on the day immediately following the date of expiry of the current term of office of the members of such Committee, there is no Cultivation Committee ;
- (c) the Commissioner or any officer authorized by the Commissioner in that behalf may, during the period mentioned in paragraph (b) of this subsection, exercise or perform all or any of the powers or duties of a Cultivation Committee under this Act in respect of the area referred to in that paragraph ; and
- (d) the Commissioner shall, before the expiry of the period mentioned in paragraph (b) of this subsection, cause steps to be taken in accordance with the provisions of this section to constitute, with

effect from the expiry of that period, a Cultivation Committee for the area referred to in that paragraph.

(2E) A person who is elected as a member of a Cultivation Committee at a meeting convened under paragraph (a) of subsection (2A) or who is appointed as a member of a Cultivation Committee by the Commissioner under subsection (2c) shall be deemed to be an elected member of such Committee, and accordingly subsection (5) shall not apply to him. [§ 5, 61 of 1961.]

(3) In subsection (2), "qualified cultivators" mean owner cultivators, tenant cultivators or collective farmers, who are citizens of Ceylon. [§ 25, 11 of 1964.]

(4) When a Cultivation Committee is constituted the Commissioner shall assign to it a name.

(5) Any member of a Cultivation Committee who is appointed by the Commissioner shall not have the right to vote, but shall have the right to speak, at any meeting of such Committee.

(6) A Cultivation Committee may appoint a Govi- mandala Sevaka. [§ 25, 11 of 1964.]

\*

30. Repealed. [§ 26, 11 of 1964.]

31. The term of office of the members of a Cultivation Committee shall be three years : Term of office of members of Cultivation Committee.

Provided that an elected member of a Cultivation Committee may resign his membership by letter addressed to such Committee, and, where a member is [§ 6, 61 of 1961.]

---

\* Where, before June 23, 1961, any Cultivation Committee has been constituted without complying with the provisions of paragraph (a) of subsection (1) of section 29 of the principal Act or with the provisions of subsection (2) of that section, then, notwithstanding the failure to comply with such provisions, such Committee shall be deemed to have been and to be duly constituted under the principal Act, and any decision, determination, order or act of such Committee shall not, by reason only of such failure, be deemed to have been or to be invalid.—See section 7 of the Paddy Lands (Amendment) Act, No. 61 of 1961.



elected or appointed to fill a vacancy caused by the death or resignation of a member, the member so elected or appointed shall, unless he, being an elected member, earlier resigns, hold office during the remaining portion of the term of office of the member whom he succeeds.

\*

Elected member of a Cultivation Committee may resign.  
[§ 8, 61 of 1961.]

31A. A person who is an elected member, or is deemed under section 29 to be an elected member, of a Cultivation Committee may resign from that Committee by letter addressed to that Committee.

Absence of elected member from three consecutive meetings of a Cultivation Committee without leave to be deemed to be resignation.  
[§ 8, 61 of 1961.]

31B. Where a person who is an elected member, or is deemed under section 29 to be an elected member, of a Cultivation Committee is absent from three consecutive meetings of that Committee without leave of that Committee first obtained, he shall, with effect from the day immediately following the date of the last of those three meetings, be deemed to have resigned from that Committee.

Filling of casual vacancies in a Cultivation Committee.  
[§ 8, 61 of 1961.]  
[§ 26A, 11 of 1964.]

31C. Where a member of a Cultivation Committee dies or resigns or ceases to be qualified to be such member, then,—

- (a) if he is an elected member or is deemed under section 29 to be an elected member, that Committee shall fill the vacancy caused by the death or resignation by electing as a member of that Committee one of the qualified cultivators of the paddy lands wholly or mainly lying within the local jurisdiction of that Committee ; and

---

\* The term of office of every member of a Cultivation Committee who was holding office on June 23, 1961, shall, subject to the provisions of section 31 of the principal Act, be three years from the date of election of such member.—See section 10 of the Paddy Lands (Amendment) Act, No. 61 of 1961.

(b) if the member who dies was appointed by the Commissioner under paragraph (b) of subsection (1) of section 29, the Commissioner shall fill the vacancy caused by the death by appointing any Government officer as a member of that Committee.

31D. No act or proceeding of Cultivation Committee shall be invalidated by reason only of the existence of any vacancy among its members.

Vacancy in a Cultivation Committee not to invalidate its acts and proceedings.

[§ 8, 61 of 1961.]

32. Every Cultivation Committee shall elect a Chairman, a Secretary, and a Treasurer of that Committee from among those members of that Committee who are not of the class of members specified in paragraph (b) of subsection (1) of section 29.

Office-bearers of Cultivation Committee.

[§ 26B, 11 of 1964.]

33. (1) Regulations may be made under this Act in regard to the procedure for the election of members of a Cultivation Committee who are to be elected, and in respect of the convening of meetings of such Committee and the transaction of business thereat.

Procedure for election of members of a Cultivation Committee, and meetings of such Committee and of those qualified to vote at such election.

(2) A meeting of the persons who are qualified under section 29 (2) to vote at the election of the members of a Cultivation Committee who are to be elected shall be summoned—

[§ 27, 11 of 1964.]

(a) by the Commissioner if a written requisition in that behalf is sent to him by not less than the prescribed number of persons who are qualified to vote at such election, or

(b) by a Cultivation Committee before the commencement of each cultivation season.

(3) Not less than ten days' notice of the date fixed for a meeting summoned under this section shall be given in the prescribed manner in the area lying within the jurisdiction of the Cultivation Committee and, in

[§ 27, 11 of 1964.]

the case of a meeting summoned by a Cultivation Committee, to the Assistant Commissioner of the area within which the area of jurisdiction of such Committee lies.

[§ 27, 11 of 1964.]

(4) A meeting summoned under subsection (2) may—

- (a) review the work of the Cultivation Committee, and
- (b) discuss, and pass resolutions on, any matter which falls within the scope of the Cultivation Committee.

Any resolution passed at such meeting—

- (i) by not less than one-half of the members entitled to be present at such meeting shall be binding on the Cultivation Committee and the Committee shall give effect to such resolution as if it were a decision of the Committee, and
- (ii) by less than one-half but not less than one-fourth of the members entitled to attend such meeting shall be duly considered by the Committee.

[§ 27, 11 of 1964.]

(5) All acts and proceedings of a meeting summoned under subsection (2) shall be entered by the person acting as the secretary of that meeting in a book kept for that purpose by the Cultivation Committee and shall be signed by the Chairman of the meeting. It shall be the duty of the Secretary of such meeting to send to the Commissioner, within one month after the date of such meeting, a copy of such minutes certified under the hand of such Secretary.

Cultivation  
Committee to  
be a body  
corporate.

34. The members for the time being of a Cultivation Committee shall be a body corporate with the name assigned to such Committee under subsection (4) of section 29, with perpetual succession and a common seal and with power to acquire, hold, take or give on lease or hire, mortgage, sell and otherwise dispose of property, to institute and defend suits and other legal proceedings, to enter into contracts and to do all things necessary to exercise the powers and perform the duties of such Committee.

35. (1) Every Cultivation Committee shall prepare and maintain a register of the paddy lands which wholly or mainly lie within the local jurisdiction of such Committee. There shall be specified in such register the extent of each such paddy land, the name of the landlord, owner cultivator, tenant cultivator and collective farmer, as the case may be, of each such paddy land and such other particulars as may be required by the Commissioner to be set out in such register and such register shall be revised in each year by such Committee.

Register of  
paddy lands.  
[§ 28, 11 of 1964.]

(2) Any entry in any register which has been prepared or revised under subsection (1) and which is for the time being in force shall be prima facie evidence of the particulars contained in such entry.

(3) Regulations may be made—

- (a) in respect of the procedure to be followed in the preparation and revision of the register referred to in subsection (1) ;
- (b) providing for any person who claims to be entitled under this Act to have his name entered in any such register and whose name is not so entered to apply to the Cultivation Committee to have his name entered therein ;
- (c) providing for any person whose name is entered in any such register and who objects to the name of any other person appearing therein to apply to the Cultivation Committee to have the name of such other person erased from such register ;
- (d) in respect of the procedure to be followed by a Cultivation Committee in the determination of claims and objections ; and
- (e) providing for appeals from the determination of a Cultivation Committee on any claim or objection made to such Committee.

Additional  
powers of  
Cultivation  
Committee.

36. (1) In addition to the powers conferred on a Cultivation Committee by any other provision of this Act, such Committee shall have the power—

(b) \*to fix in the prescribed manner from time to time the rates of wages of agricultural labourers employed in places situated wholly or mainly within the local jurisdiction of such Committee ;

(d) to collect rents, loan repayments, and hire from cultivators on behalf of the persons entitled thereto ;

(e) to order any person having any interest in any paddy land which wholly or mainly lies within the local jurisdiction of such Committee to provide any information, and to produce for inspection any deeds or other documents, relating to that land ;

(f) to prepare and submit to the Minister, for implementation by regulations made under this Act, schemes for ensuring the efficient cultivation of paddy lands and the maintenance and improvement of their fertility ;

(g) to prepare and submit to the Minister, for implementation by regulations approved by the Government and made under this Act, schemes for the consolidation of holdings of paddy lands and schemes for the establishment of collective farms for paddy cultivation ;

(h) \*to develop and maintain irrigation works in such manner as may be approved by the Director of Irrigation or the Commissioner ;

[§ 29, 11 of 1964.]

(j) \*to guarantee the repayment of the principal of, and the payment of the interest on, a loan of money granted by, or the payment of the value of any materials supplied (otherwise than by way of gift) by, a society registered under the Co-operative Societies Ordinance to the cultivator of any extent of paddy land lying wholly

Cap. 124.

\* Paragraphs (a), (c), (i) and (k) omitted by section 29 of Act No. 11 of 1964.

or mainly within the local jurisdiction of such Committee for the purpose of the cultivation of that extent ;

(l) to utilize the moneys of such Committee to defray the expenses incurred in the exercise or performance of its powers or duties and for such purposes as may be prescribed ;

[§ 29, 11 of 1964.]

(m) where such Committee is the owner of any extent of paddy land in respect of which there is a tenant cultivator, to transfer to such tenant cultivator the right, title and interest of such Committee to or in such area of that extent as shall not exceed five acres in order that such tenant cultivator may become the owner cultivator of that area ; and

[§ 29, 11 of 1964.]

(n) to make such rules as may appear to the Committee to be necessary for the purposes of the exercise of its powers and the discharge of its duties under this Act.

[§ 29, 11 of 1964.]

(2) No rule made by a Cultivation Committee under paragraph (n) of subsection (1) shall have effect until it has been approved by the Commissioner.

[§ 29, 11 of 1964.]

(3) Every person who commits a breach of any rule made by a Cultivation Committee under paragraph (n) of subsection (1) shall be guilty of an offence, and shall upon conviction, be liable to a fine not exceeding fifty rupees. Such offence shall be triable by a Rural Court having jurisdiction over the place where the offence was committed or where there is no Rural Court having jurisdiction over that place by a Magistrate's Court having jurisdiction over that place.

[§ 29, 11 of 1964.]

36A. (1) A Cultivation Committee constituted for any area shall—

Duties of Cultivation Committees.

(a) promote the improvement and development of the cultivation of paddy and of other crops permitted by or under this Act to be produced from paddy lands, and make, with the approval of the Commissioner, such rules as the Committee considers necessary in order to ensure that the following functions are performed by the cultivators of paddy lands or, where there

[§ 30, 11 of 1964.]

are no cultivators of such lands other than agricultural labourers, by the landlords of such lands :—

- (i) that paddy lands are properly levelled and adequate ridges are constructed and maintained in order to ensure the maximum conservation of water ;
  - (ii) that necessary steps are taken to ensure the use of good seed in paddy cultivation ;
  - (iii) that paddy lands are row-sown or transplanted ;
  - (iv) that the fertility of the soil of paddy lands is improved and maintained by the application of fertilizers in adequate quantities ;
  - (v) that steps are taken to prevent the erosion of the soil of paddy lands ;
  - (vi) that paddy lands are kept free from weeds especially during the periods in which such lands are under cultivation ;
  - (vii) that preventive measures are taken to keep the crops of paddy lands free from damage by pests, vermin and animals ;
  - (viii) that all duties and obligations of cultivators arising from common management and common use of water in any tract of paddy land are discharged by such cultivators without adversely affecting the rights of other cultivators in such tract ;
- (b) exercise and perform within that area the powers and duties of irrigation headmen under the Irrigation Ordinance or any other written law ;
- (c) impose on, and collect from, the cultivator or, if there is no cultivator other than an agricultural labourer, the landlord of each extent of paddy land which wholly or mainly lies within the local jurisdiction of such Committee a charge at a prescribed rate ;

(d) collect, on such terms and conditions as may be prescribed, on behalf of the Government Agent of the Administrative District within which the area of jurisdiction of such Committee lies the irrigation rates, contributions in money or other sums payable under the Irrigation Ordinance in respect of any paddy lands within that area ; and

Cap. 453.

(e) open an account in the People's Bank, the Bank of Ceylon, the Ceylon Savings Bank, the Ceylon Post Office Savings Bank or any bank registered as a society under the Co-operative Societies Ordinance and deposit to the credit of that account all or any of the moneys of such Committee.

Cap. 124.

(2) A charge imposed under paragraph (c) of subsection (1) may be paid in paddy or in money and where such charge is paid in money the amount payable shall be computed at the price fixed for the time being for paddy of the same description as the paddy from that extent by the Commissioner by notification published in the Gazette for the purposes of the Guaranteed Price Scheme.

36B. Where any sum of money is due to a Cultivation Committee from a cultivator of any extent of paddy land in consequence of any payment made by such Committee in fulfilment of a guarantee given under paragraph (j) of subsection (1) of section 36 in respect of that cultivator, such Committee may apply—

Recovery of any sum due to a Cultivation Committee on a guarantee given by the Committee.

[§ 30, 11 of 1964.]

(a) if such sum does not exceed one hundred rupees, to the Rural Court having jurisdiction over the place where such cultivator resides or, where there is no Rural Court having jurisdiction over such place, to the Court of Requests, having jurisdiction over such place, or

(b) if such sum exceeds one hundred rupees but does not exceed seven hundred and fifty rupees, to the Court of Requests having jurisdiction over such place, or



- (c) if such sum exceeds seven hundred and fifty rupees, to the District Court having jurisdiction over such place,

for an order directing such cultivator to pay such sum, and if such sum is not paid within the time allowed by the order, such sum may be recovered in like manner as if the order were a decree entered by the Court in favour of the person entitled to such sum and against such cultivator and for the purposes of such recovery, the produce from such extent, in addition to any other property, whether movable or immovable, of such cultivator, shall be liable to seizure and sale.

Further powers and duties of Cultivation Committees.

37. Further powers and duties may be conferred or imposed on Cultivation Committees by regulations made under this Act.

Cultivation Committees to be subject to general direction of Commissioner.

38. Every Cultivation Committee shall, in the exercise of its powers and the discharge of its duties, be subject to the general direction of the Commissioner.

When Commissioner may exercise any power or discharge any duty of a Cultivation Committee.

[§ 31, 11 of 1964.]

38A. Where a Cultivation Committee, after being directed by the Commissioner to exercise, perform or discharge any power, duty or function conferred or imposed on, or assigned to, such Committee by or under this Act, fails to do so within the time specified in the direction, the Commissioner may exercise, perform or discharge such power, duty or function and any act done by the Commissioner in pursuance of the provisions of this section shall be deemed to have been done by such Committee.

Dissolution of a Cultivation Committee.

[§ 31, 11 of 1964.]

38B. (1) If at any time the Commissioner is satisfied that there is sufficient proof of—

- (a) wilful neglect, or misconduct in the performance, of the duties imposed by this Act, or
- (b) persistent disobedience to or disregard of the directions, instructions or recommendations of the Commissioner, or

(c) incompetence or mismanagement, or  
 (d) abuse of the powers conferred by this Act,  
 on the part of a Cultivation Committee, he may, by  
 order published in the Gazette, dissolve such  
 Committee.

(2) Where the Cultivation Committee for any area is dissolved under subsection (1), the Commissioner or any officer authorized by the Commissioner in that behalf may, until a new Committee is constituted for that area in accordance with the provisions of this Act, exercise, perform or discharge all or any of the powers, duties or functions of a Cultivation Committee under this Act or any other written law in respect of that area.

#### PART IV

##### POWERS AND DUTIES OF COMMISSIONER OF AGRARIAN SERVICES AND HIS DEPUTIES AND ASSISTANTS

39. (1) Where there is any dispute as to whether any land is a paddy land within the meaning of this Act, the Commissioner shall decide whether that land is or is not a paddy land and shall communicate the decision in writing to the parties to the dispute.

(2) Any person to whom a decision of the Commissioner under subsection (1) is communicated may, if he is aggrieved by such decision, appeal in writing to the Board of Review from such decision within thirty days after the communication of such decision under that subsection, and the appeal shall state the grounds of appeal.

(3) Where no appeal from a decision of the Commissioner under subsection (1) is made to the Board of Review within the time allowed therefor by subsection (2) or where such decision is confirmed in appeal by the Board of Review, then such decision, or, where an appeal from such decision is allowed by the Board of Review, then the decision of the Board of Review, shall be binding on the parties to the dispute to which the decision relates until the rights of those parties are determined finally by a court of competent jurisdiction.

Commissioner to decide dispute as to whether or not a land is a paddy land, and his decision to be subject to appeal to the Board of Review.

[§ 32, 11 of 1964.]

40. Repealed.

Commissioner to make arrangements for meetings of those qualified to vote at election of members of Cultivation Committee.

41. The Commissioner shall cause the necessary arrangements to be made for a meeting of qualified cultivators for the purpose of electing members of a Cultivation Committee or for any other purpose connected with the production of paddy. In this section, the expression "qualified cultivators" has the meaning assigned to it by subsection (3) of section 29.

[§ 32A, 11 of 1964.]

Commissioner to make arrangements for preparation and revision of registers.

42. The Commissioner shall cause the necessary arrangements to be made for the preparation and revision of the register required to be maintained under section 35 by each Cultivation Committee.

[§ 33, 11 of 1964.]

[§ 34, 11 of 1964.]

43. Repealed.

Commissioner may preside at any meeting of Cultivation Committee.

44. The Commissioner or any person authorized in that behalf by the Commissioner in writing may preside at any meeting of a Cultivation Committee. He shall not have the right to vote, but shall have the right to speak, at any such meeting.

[§ 35, 11 of 1964.]

Commissioner's power to requisition tractors, agricultural implements, buffaloes, &c.

45. (1) The Commissioner may, by order in writing issued to the owner thereof, requisition, for use in the cultivation of paddy lands, any tractor, agricultural implement, buffalo or other requisite for paddy cultivation.

(2) The Commissioner shall determine and pay reasonable compensation to the owner of any thing or animal requisitioned under subsection (1).

(3) A person dissatisfied with the amount of compensation determined by the Commissioner under subsection (2) may, within thirty days after the tender of such amount by the Commissioner, appeal in writing to the Board of Review from the determination of the Commissioner, and the appeal shall state the grounds of appeal.

(4) The Commissioner may give on hire to the cultivator of any paddy land any thing or animal requisitioned under subsection (1) and shall determine and charge a reasonable sum as hire.

46. The Commissioner may inspect any paddy land, order the owner or person in possession of such land to furnish to him any information regarding such land or order any person having any deed or other document relating to the title to, or the occupation and use of, such land to produce it to him for inspection.

Commissioner's power in respect of any paddy land.

47. The Commissioner or any person authorized in that behalf by the Commissioner in writing may inspect the books and records of any Cultivation Committee.

Commissioner's power in respect of books and records of Cultivation Committee.

[§ 36, 11 of 1964.]

48. The Commissioner may prepare and submit to the Minister, for implementation by regulations approved by the Government and made under this Act, schemes in respect of all or any of the following matters:—

Commissioner may prepare schemes for consolidation of holdings of paddy lands or for establishment of collective farms for paddy cultivation.

- (a) for the transfer of ownership of paddy lands from landlords to tenant cultivators in order that such tenant cultivators may become owner cultivators;
- (b) for the consolidation of holdings of paddy lands; and
- (c) for the establishment of collective farms for paddy cultivation.

[§ 36A, 11 of 1964.]

49. Further powers and duties may be conferred or imposed on the Commissioner by regulations made under this Act.

Further powers and duties of Commissioner.

50. The Commissioner shall, in the exercise of his powers and the discharge of his duties under this Act, be subject to the general direction of the Minister.

Commissioner to be subject to general direction of the Minister.

51. (1) Such number of Deputy Commissioners of Agrarian Services, Assistant Commissioners of Agrarian Services and other officers and servants as may be necessary for the purposes of this Act may be appointed.

Deputy Commissioners, Assistant Commissioners and other officers and servants.

(2) A Deputy Commissioner of Agrarian Services may exercise all or any of the powers of the Commissioner under this Act.

(3) An Assistant Commissioner of Agrarian Services may exercise all or any of the powers of the Commissioner under this Act within the area to which such Assistant Commissioner is appointed.

(4) Every Deputy Commissioner of Agrarian Services and every Assistant Commissioner of Agrarian Services shall, in the exercise of his powers and the discharge of his duties under this Act, be subject to the control and direction of the Commissioner.

---

## PART V

### GENERAL

Loans by  
landlord.

52. A landlord of any extent of paddy land may—

- (a) grant loans of paddy for sowing or consumption or of money to the tenant cultivator of such extent and charge interest on such loans at a rate not exceeding the prescribed maximum rate, and
- (b) give on hire to such tenant cultivator any tractor, agricultural implement, buffalo or other requisite for paddy cultivation on the prescribed terms of hire.

Abolition of  
proprietor's  
payment of  
remuneration  
of irrigation  
headman.

Cap. 453.

53.\* Notwithstanding the provisions of section 32 of the Irrigation Ordinance, or any rule made under that Ordinance, the liability of any person who is a proprietor within the meaning of that Ordinance to pay, either in kind or in money, any remuneration in respect of any paddy land to any irrigation headman is hereby abolished.

---

\* Notwithstanding the Order dated February 21, 1958, made under section 2 (1) of the principal Act and published in Gazette Extraordinary No. 11,264 of the same date, the provisions of section 53 of the principal Act shall be deemed not to have been in operation in the Administrative District of Colombo and the Administrative District of Hambantota, until the said provisions were brought into operation therein by the fresh Order under section 2 (1) published in Gazette No. 11,660 of February 6, 1959—See section 3 of the Paddy Lands Act (Amendment) Act, No. 30 of 1958.

54. Any sum due before or on or after the date of enactment of this Act from the landlord of any extent of paddy land—

(a) as arrears of irrigation rates or other charges imposed by or under the Irrigation Ordinance in respect of such extent, or

(b) as an amount which is payable under an award made under section 53 of the Co-operative Societies Ordinance and which is in discharge of a debt or other obligation to a co-operative society incurred by such landlord in respect of such extent,

Recovery of arrears of irrigation rates, &c., from landlord of any extent of paddy land.  
Cap. 453.

Cap. 124.

may, without prejudice to any other legal mode of recovery, be recovered for the person entitled thereto by the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies by deducting such sum from the rent payable in respect of such extent.

55. (1) A charge imposed under this Act on the cultivator or the landlord of an extent of paddy land by the Cultivation Committee within whose local jurisdiction such extent wholly or mainly lies may be recovered by deducting the amount of such charge from any money due to such cultivator or landlord, as the case may be under the Guaranteed Price Scheme.

Recovery of charge imposed by Cultivation Committee on cultivator or landlord of any extent of paddy land.  
[§ 37, 11 of 1964.]

(2) Where a Cultivation Committee is of opinion that the charge imposed under this Act on any person cannot be recovered by the means provided in subsection (1), such Cultivation Committee may, by written notice, direct such person to pay to such Cultivation Committee the amount of the charge within such period as shall be specified in such notice.

(3) Where a person to whom a written notice under subsection (2) has been given fails to pay the amount of the charge within the period specified in such notice, such person shall be guilty of an offence and shall, upon conviction, be liable to a fine not exceeding fifty rupees or to imprisonment of either description for a term not exceeding fourteen days. Such

offence shall be triable by a Rural Court having jurisdiction over the place where the extent of paddy land in respect of which such charge was imposed is situate or where there is no Rural Court having jurisdiction over that place by a Magistrate's Court having jurisdiction over that place.

(4) On the conviction by a Court of any person for failure to pay the amount of any charge imposed under this Act by a Cultivation Committee, the Court shall, in addition to any other sentence, order that person to pay such amount and such amount may be recovered in like manner as a fine imposed by that Court, notwithstanding that such amount may exceed the amount of the fine which that Court may in the exercise of its ordinary jurisdiction impose.

Compulsory  
acquisition  
of paddy  
lands for  
Cultivation  
Committees.  
[§ 38, 11 of 1964.]  
Cap. 460.

56. Where the Minister certifies by notification published in the Gazette that it is necessary that any paddy land specified in the notification should be acquired for any of the purposes of this Act or for a Cultivation Committee, that land shall, for the purpose of the application of the Land Acquisition Act, be deemed to be required for a public purpose and may be acquired under that Act. Any land so acquired for a Cultivation Committee may be transferred to such Committee :

Provided that, notwithstanding anything to the contrary in that Act, the amount of compensation to be paid for the acquisition of that land under that Act shall be equal to the product of the multiplication by ten of the annual rental value of that land computed in the prescribed manner.

Acquisition  
of paddy land  
offered, on a  
prescribed  
ground, to the  
Crown for  
purchase.

57. (1) The Crown may, as hereafter in this section provided, acquire and dispose of any paddy land offered, on any prescribed ground, by the owner thereof to the Crown for purchase. An offer under this subsection shall be made to the Commissioner in writing specifying the ground on which the offer is made.

(2) Where an offer under subsection (1) is made, the Commissioner shall decide whether or not such offer is made on any prescribed ground, and shall communicate his decision in writing to the person who

made the offer. Where such person is aggrieved by such decision, he may, within thirty days after the communication of such decision to him, make an appeal in writing from such decision to the Board of Review.

(3) Where an offer made under subsection (1) is decided by the Commissioner or by the Board of Review to be made on any prescribed ground, the Minister shall certify, by a notification published in the Gazette, that it is necessary that the paddy land to which such offer relates should be acquired by the Crown, and upon the publication of such notification in the Gazette, such paddy land shall, for the purpose of the application of the Land Acquisition Act, be deemed to be required for a public purpose and shall be acquired under that Act :

Cap. 460.

Provided that, notwithstanding anything to the contrary in the aforesaid Act, the amount of compensation to be paid for the acquisition of such paddy land under the aforesaid Act shall be equal to the product of the multiplication by ten of the annual rental value of such paddy land computed as if this Act had not been enacted and in the prescribed manner.

(4) A paddy land acquired by the Crown as provided in this section shall be transferred to the Cultivation Committee within whose local jurisdiction that paddy land wholly or mainly lies. Such Committee shall—

- (a) if there was a tenant cultivator in respect of such paddy land at the time of its acquisition by the Crown, permit him to continue to be such tenant cultivator, and
- (b) if there was no tenant cultivator, appoint a suitable person to be the tenant cultivator of such paddy land, preferably a person resident within the local jurisdiction of such Committee.

58. (1) Except with the written permission of the Commissioner, no person shall use an extent of paddy land for any purpose other than cultivation in accordance with the provisions of subsection (2).

Purposes for which a paddy land may be used.  
[§ 39, 11 of 1964.]



- 
- (2) An extent of paddy land may be cultivated—
- (a) with paddy, or
  - (b) at any time between paddy cultivation seasons, with food crops other than paddy or with fodder crops, or
  - (c) with any other crops if the cultivation of such crop on such extent is authorized by a permit issued by the Commissioner in his discretion upon written application made in that behalf by the cultivator of that extent.
- (3) If any extent of paddy land—
- (a) is used by any person in contravention of the provisions of subsection (1), or
  - (b) is cultivated by the cultivator thereof otherwise than in accordance with the provisions of subsection (2),

that person or that cultivator, as the case may be, shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees, and, in default of payment of the fine, to imprisonment of either description for a term not exceeding one month.

(4) In any prosecution of a person for an offence under this section, the burden of proving that he had obtained the permission of the Commissioner for doing the act which constitutes the offence shall be on such person.

Offences.  
[§ 40, 11 of 1964.]

58A. Every person—

- (a) who makes default in complying with any direction or order given or made under this Act by the Commissioner or a Cultivation Committee; or
- (b) who furnishes for the purposes of this Act any return or written information containing any particulars which to his knowledge are false or incorrect; or
- (c) who obstructs or resists any other person in the performance or exercise of any duty or power imposed or conferred on that other person by or under this Act,

shall be guilty of an offence under this Act and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a period not exceeding three months.

59. (1) For the purposes of this Act the Minister may from time to time, by Order published in the Gazette, appoint a Panel of not less than twelve persons from which Boards of Review shall be constituted as hereinafter provided. At least one-third of the persons so appointed shall be advocates or proctors with not less than ten years' professional experience.

Constitution  
of Board of  
Review and  
proceedings  
before the  
Board.

[§ 41, 11 of 1964.]

(2) The Minister may remove from the Panel any person appointed thereto.

(3) Where a person appointed under subsection (1) vacates his office by reason of death, resignation, removal from office under subsection (2), absence abroad or illness, the Minister may appoint a person in place of, or to act for, the first-mentioned person, as the case may be.

(4) Every person appointed to the Panel shall, unless he earlier vacates his office, hold office for three years :

Provided that—

- (a) a person appointed in place of a person who has died, resigned or been removed from office under subsection (2), shall hold office for the unexpired portion of the term of office of the last-mentioned person ; and
- (b) a person appointed to act for a person who is absent abroad or is ill, shall hold office for the period of absence or illness of the last-mentioned person.

(5) A person vacating office by effluxion of time shall be eligible for reappointment.

(6) The Minister shall appoint one of the members of the Panel to be the Chairman of such Panel.

(7) For the purpose of constituting a Board of Review the Chairman of the Panel shall select from the Panel not less than three persons.

(8) Where the Chairman of the Panel is a member of a Board of Review constituted under this section, then, he, or where he is not a member of the Board, then such member of that Board as may be nominated by such Chairman, shall be the President of that Board.

(9) There shall be appointed to each Board of Review a Secretary.

(10) The Secretary to a Board of Review shall in respect of every appeal heard by the Board keep a record of all such proceedings before the Board as relate to that appeal.

(11) A Board of Review may examine any witness on oath if it thinks fit so to do, and may summon any person to appear before it or to produce any document which may be relevant in the opinion of the Board.

(12) All documents, notices or summonses issued under the hand of the Chairman of a Board of Review or the Secretary of a Board of Review shall be deemed to have been issued by that Board.

(13) If any person upon whom a summons issued, or deemed to have been issued, by a Board of Review has been served—

(a) fails, without reasonable cause, to appear before the Board of Review at the time and place mentioned in the summons; or

(b) refuses without reasonable cause to be sworn or, having been duly sworn, refuses or fails without reasonable cause to answer any question put to him by a member of the Board of Review touching the matters to be heard and determined by such Board or wilfully gives a false answer to any such question, or

(c) refuses or fails without reasonable cause to produce before the Board of Review any document which is in his possession or power and which he has been required to produce,

shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

(14) Regulations may be made in regard to the procedure to be followed at meetings of a Board of Review.

(15) A Board of Review may, on any appeal made under this Act to such Board, confirm or vary the determination or 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 court.

\*

---

\* "45. (1) Notwithstanding the repeal and replacement of section 59 of the principal Act by section 41 of this Act, the Board of Review as established under the aforesaid section 59 (hereinafter referred to as the "old Board of Review") shall continue to be the Board of Review for the purposes of the principal Act until the prescribed date, and the persons who, at the date of the commencement of this Act are holding office as members of that Board of Review shall continue to hold such office as such until the prescribed date and no longer.

(2) As soon as may be after the commencement of this Act, the Minister shall cause necessary steps to be taken for the appointment of a Panel in terms of section 59 of the principal Act as replaced by this Act ; every Board of Review (hereinafter referred to as the "new Board of Review") constituted from the members of the panel so appointed shall, on and after the prescribed date, be the Board of Review for the purposes of the principal Act.

(3) Notwithstanding the repeal and replacement by this Act of section 59 of the principal Act, any appeal, inquiry or other matter which on the day immediately preceding the prescribed date was pending before the old Board of Review may be continued, heard and determined by a new Board of Review, or if a new Board of Review so thinks fit, be heard, held or considered afresh and determined by that Board of Review.

(4) In this section "prescribed date" means such date as may be prescribed for the purposes of this section by the Minister by Order published in the Gazette.—See section 45 of the Paddy Lands (Amendment) Act, No. 11 of 1964.

Commissioner's approval required for alienation of a paddy land to a person who is not a citizen of Ceylon.

**60.** No transfer of any person's right, title and interest to or in a paddy land to any other person who is not a citizen of Ceylon shall be valid unless the transfer has been made with the approval in writing of the Commissioner.

Paddy Lands Fund.  
[§ 42, 11 of 1964.]

**60A.** (1) A fund to be called the Paddy Lands Fund (hereinafter referred to in this section as "the Fund") is hereby established.

(2) All fines imposed by a Court for any offence under this Act and all sums required under this Act to be paid into the Fund shall be paid into the Fund.

(3) The moneys of the Fund may be utilized for the improvement and development of paddy cultivation in Ceylon.

(2) All fines imposed by a Court for any offence administration of the Fund and the accounts of the Fund shall be audited by the Auditor-General.

Power to make regulations.

**61.** (1) The Minister may make regulations for giving effect to the provisions of this Act.

(2) In particular and without prejudice to the generality of the powers conferred by subsection (1), the Minister may make regulations in respect of all matters which are stated or required by this Act to be prescribed or for which regulations are required by this Act to be made.

[§ 43, 11 of 1964.]

(3) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or upon such later date as may be specified in the regulation.

[§ 43, 11 of 1964.]

(4) Every regulation made by the Minister shall, as soon as convenient after its publication in the Gazette, be brought before the Senate and the House of Representatives for approval. Every regulation which

is not so approved shall be deemed to be rescinded as from the date of such disapproval but without prejudice to anything previously done thereunder. Notification of the date on which any regulation is, under this subsection, deemed to be rescinded shall be published in the Gazette.

62. The Paddy Lands Act is hereby repealed.

Repeal of  
Chapter 444.

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

Interpretation.

“agricultural labourer” means a person who is employed to perform, for wages in money or kind, any work connected with the production of paddy or the cultivation of any extent of paddy land with any such crop other than paddy as is permitted by or under this Act to be cultivated on that extent ;

“Board of Review” means the Board of Review constituted in accordance with the provisions of section 59 ;

[§ 44, 11 of 1964.]

“Cultivation Committee” means a Cultivation Committee constituted in accordance with the provisions of this Act ;

“cultivator”, with reference to any extent of paddy land, means a person who, by himself or by any member of his family, or jointly with any other person, not being an agricultural labourer, or a Cultivation Committee which, by any person, carries out on such extent—

[§ 44, 11 of 1964.]

[§ 9, 61 of 1961.]

(a) two or more of the operations of ploughing, sowing and reaping, and

(b) the operation of tending or watching the crop,

in each season during which paddy is cultivated on such extent ;

“Commissioner” means the Commissioner of Agrarian Services ;

[§ 9, 61 of 1961.]

“evict” means in relation to a tenant cultivator, to deprive, by using direct or indirect methods, that tenant cultivator of his right to use, occupy and cultivate the whole or any part of the extent of paddy land let to him ;

“landlord”, with reference to any extent of paddy land, means the person, other than an owner cultivator, who will for the time being be entitled to the rent in respect of such extent if it were let on rent to any person, and includes any tenant of such extent who lets it to any subtenant ;

“let”, with reference to any extent of paddy land, means to permit any person, under an oral or a written agreement, to occupy and use such extent in consideration of the performance of any service by him or the payment of rent consisting of a sum of money or a share of the produce from such extent ;

[§ 44, 11 of 1964.]

“member of his family”, with reference to any person, means the spouse or a son or daughter of that person, or a parent, brother or sister of that person or a child of a brother or sister of that person ;

[§ 44, 11 of 1964.]

Cap. 464.

“owner cultivator”, with reference to any extent of paddy land, means the person who is the owner or usufructuary mortgagee of such extent and who is the cultivator of the entirety of such extent, and in the case of an extent of paddy land which has been alienated under the Land Development Ordinance, the person who derives title to such extent from or under that Ordinance and who is the cultivator of the entirety of such extent, shall be deemed to be the owner cultivator of that extent ;

“paddy land” means land which is cultivated with paddy or is prepared for the cultivation of paddy or which, having at any time previously been cultivated with paddy, is suitable for the cultivation of paddy, and includes such other

land adjoining or appertaining to it as may be used by the cultivator for a threshing floor or for constructing his dwelling house, but does not include chena land or any land which, with the permission of the Commissioner, is used for any purpose other than cultivation in accordance with the provisions of section 58;

[§ 44, 11 of 1964.]

“Paddy Lands Fund” means the Paddy Lands Fund established under this Act.

[§ 44, 11 of 1964.]

(2) In this Act, “citizen of Ceylon” means any individual who is a citizen of Ceylon under any law for the time being in force relating to such citizenship.

[§ 44, 11 of 1964.]

## SCHEDULE

## (SECTION 7)

1. Sons.
2. Daughters.
3. Grandsons.
4. Grand-daughters.
5. Father.
6. Mother.
7. Brothers.
8. Sisters.
9. Uncles.
10. Aunts.
11. Nephews.
12. Nieces.