

CHAPTER 20
STATUTORY LAWS APPLYING FOR LAND SURVEY
INDEX

DSR ref	Description	Page
	<u>State Land Encroachment Ordinance</u>	
20.1.	State Lands Encroachments Ordinance Nos. (12 of 1840, 22 of 1931, 8 of 1947 Act No. 8 of 1954)	4
	<u>Definition of Boundary Ordinance</u>	
20.2.	Definition of Boundaries Ordinances (Nos. 1 of 1844, 13 of 1905, 28 of 1919, 27 of 1933, 8 of 1947 ordinances and Act No. 22 of 1955).	4
20.3.	Action when it is impossible to make survey of boundary of a land	4
20.4.	Surveyor General shall certify cost of such survey	4
20.5.	Payment of cost of such survey	4
	<u>Land Surveys Ordinance</u>	
20.6.	Land Surveys Ordinance (Nos. 4 of 1866, 2 of 1917)	5
	<u>Land Resumption Ordinance</u>	
20.7.	Land Resumption Ordinances (No. 4 of 1887, 2 of 1934, 57 of 1942, Act No. 22 of 1955)	5
	<u>Land Settlement Ordinance</u>	
20.8.	Land Settlement Ordinances (Ordinance nos. 20 of 1931, 22 of 1932, 31 of 1933 and Act No. 22 of 1955)	5
20.9.	Investigation of claims of all interested parties (Order no.278)	5
20.10.	Description of the land in the settlement notice (Order no. 285)	5
20.11.	Referring the settlement orders to the courts for approval (order no.287)	6
20.12.	Simplest Method is to use (order no. 288)	6
20.13.	Registration with the Settlement Order and Issuing Title Plans for Settlement Orders (order no. 289)	6
20.14.	Provide settlement order to the Surveyor General (order no. 290)	7
20.15.	Close the village for Settlement by Settlement Department (Order no. 291)	7
	<u>State Land (Title Claims) Ordinance</u>	
20.16.	State Land (Title Claims) Ordinance (No. 21 of 1931)	7
	<u>State Landmarks Ordinance</u>	
20.17.	State Landmarks Ordinance (No. 7 of 1909).	7
	<u>Land Development ordinance</u>	
20.18.	Land Development Ordinances (Nos. 19 of 1935, 3 of 1946, Acts Nos. 49 of 1953, 22 of 1955, 16 of 1969, and 21 of 1971, Law No. 43 of 1973)	8

DSR ref	Description	Page
20.19.	Land Regulations 4	8
20.20.	Mapping out state lands	8
20.21.	Alienation of State Lands	9
20.22.	Diagram to be attached to grant	9
20.23.	Copy of plan to be supplied on payment of prescribed fee	9
	<u>State Land Ordinance</u>	
20.24.	State Lands Ordinance (Nos. 8 of 1947, 9 of 1947, Act No. 13 of 1949)	10
20.25.	Grants, Leases, And Other Dispositions of State Land	10
20.26.	Survey of land to precede issue of grant or long term lease	10
	<u>Temple Lands (Compensation) Ordinance</u>	
20.27.	Temple Lands (Compensation) Ordinance (No. 28 of 1949, Act No. 9 of 1950)	10
	<u>Land Acquisition Act</u>	
20.28.	Land Acquisition Acts Nos. 9 of 1950, 39 of 1954, 22 of 1955, 28 of 1964, 20 of 1969, 48 of 1971, 8 of 1979	11
20.29.	Investigation for selecting land for public purpose	11
20.30.	Declaration that a land or servilities is required for a public purpose	12
20.31.	Survey and plan of the land	12
20.32.	Possession and disposal order for taking possession of a land or subjecting a land to servitude	12
	<u>Nindagama Lands Act</u>	
20.33.	Nindagama Lands Act (No. 30 of 1968)	13
	<u>Land Reform Laws</u>	
20.34.	Land Reform Laws Nos. 1 of 1972 39 of 1975	13
	<u>State Land (Recovery of Possession) Act</u>	
20.35.	State Lands (Recovery of Possession) Act (No. 7 of 1979)	13
	<u>Land Grant (Special Provisions) Act</u>	
20.36.	Land Grants (Special Provisions) Act No. 43 of 1979	14
20.37.	President may transfer free of charge lands vested in the State under this Act	14
20.38.	Survey of land to precede transfer	14
	<u>Registration of Title Act</u>	
20.39.	Registration of Title Act: No. 21 of 1998	14
20.40.	Preparation of Cadastral Maps	14
	<u>Survey Act</u>	
20.41.	Survey Act: No. 17 of 2002	15
20.42.	The powers and functions of the surveyor General	15

DSR ref	Description	Page
20.43.	Surveyor General, of any person authorized may demand production of deed	16
20.44.	Proof of certain plans signed by the Surveyor General	16
	<u>Evidence Ordinance</u>	
20.45.	Evidence Ordinance (No. 14 of 1895, 15 of 1904, 16 of 1925, 25 of 1927, 18 of 1928, 1 of 1946 and Act No. 3 of 1961)	17
	<u>Urban Development Authority Law</u>	
20.46.	Urban Development Authority Law (No. 41 of 1978, Act No. 70 of 1979)	17
	<u>Town and Country Planning ordinance</u>	
20.47.	Town and Country Planning ordinance (No. 13 of 1946, Act Nos. 9 of 1950, 29 of 1953, 10 of 1955, 22 of 1955)	17
	<u>Apartment Ownership (Amendment) Act</u>	
20.48.	Apartment Ownership (Amendment) - No. 39 of 2003	17

CHAPTER 20

STATUTORY LAWS APPLYING FOR LAND SURVEY

State Lands Encroachments Ordinance

20.1. State lands Encroachments Ordinance (Nos. 12 of 1840, 22 of 1931, 8 of 1947 Act No. 8 of 1954)

An Ordinance to make provision for the prevention of encroachments upon state lands.

Definition of Boundaries Ordinance

20.2. Definition of Boundaries Ordinances (Nos. 1 of 1844, 13 of 1905, 28 of 1919, 27 of 1933, 8 of 1947 ordinances and Act No. 22 of 1955)

An ordinance to make provision for the more easily ascertaining the boundaries of lands in Sri Lanka. This Ordinance can be cited as the definition of the Boundaries Ordinance.

If the boundaries of state land are to be renewed partially or completely, the procedures stated below shall be followed as per section 8 of the said ordinance by the District Secretary or Divisional Secretary to deal with renewal of such boundary.

20.3. Action when it is impossible to make survey of boundary of a land

Divisional Secretary or Assistant Divisional Secretary, if he is of opinion, after consultation with the Surveyor General, that the work of making or renewing a boundary cannot be satisfactorily carried out by such person or any surveyor employed by him, may call upon the Surveyor General to make or renew such boundary in whole or in part. Thereupon Surveyor General shall make or renew such boundary, as the case may be.

20.4. Surveyor General shall certify cost of such survey

The Survey General shall certify the amount of the cost of the survey to such Divisional Secretary or Assistant Divisional Secretary, and such certificate shall be final and conclusive.

20.5. Payment of such cost of survey

Such person as aforesaid shall pay the amount so certified to such Divisional Secretary or Assistant Divisional Secretary, and in the event of such person refusing or neglecting to pay such amount, a summons shall be served upon him requiring him to show cause before a Magistrate. if he fails to show cause, or if he fails to appear, the Magistrate, on

proof of service of the summons and on reading the Surveyor General's certificate as aforesaid, may make an order for payment of the amount.

Land Surveys Ordinance

20.6. Land Surveys Ordinance (Nos. 4 of 1866, 2 of 1917)

An Ordinance to enlarge the power of the Surveyor General to demand the production of deeds and make surveys of lands, and to facilitate the proof of surveys.

This ordinance was superseded by Survey Act No. 17 of 2002.

Land Resumption Ordinance

20.7. Land Resumption Ordinances (No. 4 of 1887, 2 of 1934, 57 of 1942, Act No. 22 of 1955)

An ordinance relating to lands alienated by the state, which are abandoned by the owners thereof.

Land Settlement Ordinance

20.8. Land Settlement Ordinances (Ordinance nos. 20 of 1931, 22 of 1932, 31 of 1933 and Act No. 22 of 1955)

An Ordinance to amend and consolidate the law relating to Land Settlement. Followings are some of the orders issued under the Land Settlement Ordinance:

20.9. Investigation of claims of all interested parties (Order no.278)

Persons claim or interest to the land or part of land, which the settlement notice described, is considered as a interested party of the land or part of land. When the settlement officer is decided to issue settlement notice, necessary steps should be taken to find the names and address of all interested parties.

20.10. Description of the land in the settlement notice (Order no. 285)

A full description of the land shall give in the schedule of the Settlement Notice.

- a) District, Divisional Secretariat Division and Grama Niladhari Division where the land is located.
- b) Plan Number and lot numbers, Names & extents of all land parcels
- c) Boundaries of the land

d) Village boundary where the land is located.

It is not necessary to submit the claimants, when there may be additional land parcels in the village but not in the settlement notice.

20.11. Referring the settlement orders to the courts for approval (order no.287)

As soon as all claims have been completed, the Settlement Officer shall prepare a report containing all information relating to the Settlement and Claim, which is intended to be referred to the Court, and submit the report to the Attorney General.

Once the Attorney General's advice is received, action should be taken to obtain the approval of the Minister of Lands to refer the matter to the Court

The District Judge may order a fresh survey to be carried out whenever the District Judge considers that any reference made under this Ordinance requires a new survey for the purposes of the hearing.

20.12. Simplest Method is to use (order no. 288)

When it not required referring the courts, the Settlement Officer shall have the power to approve the settlement by himself, if the total extent of land in the settlement notice, should not exceeds ten acres.

20.13. Registration with the Settlement Order and Issuing Title Plans for Settlement Orders (order no. 289)

- (i) When the settlement officer approved the settlement for more than one claimant under the section 5(4) c of the ordinance, the settlement officer shall request title plans for each claimant. The duly completed form 40 & 140 shall submit for the Surveyor General pertaining to such requests.
- (ii) After receiving the Title Plans the Settlement Officer shall, prepare the settlement order and send a copy of such order relating to registration district to the Registrar of Lands of that district under section 9 of the ordinance. The Registrar of Lands shall, upon receipt thereof, enter in the books prescribed by the Registration of Documents Ordinance for the registration of instruments affecting land the particulars prescribed by that Ordinance of every settlement to which such copy relates as though such copy were an instrument affecting land presented for registration under that Ordinance, and shall note upon the copy in the proper column the reference to the volume and folio in which each such entry has been made and return the copy to the Settlement Officer;

- (iii) Any settlement order is published, send a copy thereof to the Registrar of Lands of the registration district within which the lands in respect of which such order has been made are situated and send a copy to the claimant. In case if there are two or more claimants, send copies to each individual claimant.

20.14. Provide settlement order to the Surveyor General (order no. 290)

No sooner any settlement order is published, send a copy thereof to the Surveyor General, to include the notes in respective documents.

20.15. Close the village for Settlement by Settlement Department (Order no. 291)

The Settlement officer shall thereupon communicate the close of the village for settlement with the District Secretariat, Divisional Secretary and the Surveyor General.

There is no provision for Surveyor General to carry out any surveys in the closed village other than the request made by Settlement Officer. No Sale or divesting or alienation of any public land situated in such a village without the approval of the Settlement Officer. Such villages are called as “Closed Villages”

No sooner the proceedings in respect of settlement is over for Closed Village, shall communicate with the District Secretariat, Divisional Secretary and the Surveyor General

[State Land \(Title Claims\) Ordinance](#)

20.16. State Land (Title Claims) Ordinance (No. 21 of 1931)

An Ordinance to provide for the consideration and decision of applications in respect of claims to lands at the disposal of the state.

[State Landmarks Ordinance](#)

20.17. State Landmarks Ordinance (No. 7 of 1909)

An ordinance to provide for the erection and maintenance of permanent landmarks to define the boundaries of land alienated by the state.

It is stated herein that the owner of the land is responsible for keeping the state Landmark well and it is the responsibility of the owner of the land to maintain the cultivation without affecting the boundaries which defined by the Landmarks. .

If there is any dispute over a place where a Landmark, it must be re-installed by the Surveyor General. The cost for those surveys should be borne by the landowner.

Land Development Ordinance

20.18. Land Development Ordinance (Nos. 19 of 1935, 3 of 1946 Acts Nos. 49 of 1953, 22 of 1955, 16 of 1969, and 21 of 1971, Law No. 43 of 1973)

An Ordinance to provide for the systematic Development and alienation of State Land in Sri Lanka.

20.19. Land Regulations 4

Before the implementation of this ordinance, the process of surveying the lands of villages has been completed and the Surveyor General has been recorded after the approval of the Commissioner General of Land. If decide to change the survey of such a village, should re-examine the village and re-consider the procedure given under Land Regulations 4 of this act and work for the preparation of survey plans under the provisions of the Ordinance. Attention should draw at the article 8 of this Ordinance.

If a land has not been surveyed for any work, but it has been made available for someone, then it considered for land alienation for the same class of people under the Ordinance.

The lands declared as state under the Waste Land Ordinance and the Land Settlement ordinances and the lands acquired under the Land Acquisition act, and that are already surveyed also covered under Section 168 of the Ordinance. In such circumstances, it is recommended to act under the provision of State Lands (Recovery of Possession) Act No. 7 of 1979 other than the Section 168 of the Ordinance.

20.20. Mapping out state lands

Subject to the general or special directions of the Land Commissioner General, state land may be

Mapped out by the Divisional Secretariat for any one or more of the following purposes :

- (a) village expansion
- (b) village forest
- (c) village pasture

- (d) Village purposes not herein specified
- (e) colonization
- (f) protection of the sources or courses of streams
- (g) prevention of the erosion of the soil
- (h) forest reserves
- (i) Government purposes, including Government buildings, roads or works
- (j) preservation of objects of archaeological or historical interest
- (k) the requirements of local authorities
- (l) the development of towns
- (m) alienation to middle-class Ceylonese (Sri Lankans)
- (n) alienation to any persons whomsoever irrespective of the class or race to which they belong
- (p) Any other activity that may be prescribed, with due regard to the safety, conservation and development of the area

20.21. Alienation of State Lands

The land alienated on any grant shall be surveyed and described by or under the authority of the Surveyor General. It shall be included the boundaries of the land surveyed, the extent and description in the permit. After including the details as such in the permit by the District Secretariat /Divisional Secretary, it shall be registered in the land registry.

20.22. Diagram to be attached to grant

The land alienated on any grant shall be described with reference to a plan prepared by or under the authority of the Surveyor General and kept in his charge. There shall be attached to each grant a diagram of the land alienated on that grant. This diagram shall be prepared under the authority of the Surveyor General but it shall not be necessary for the diagram to bear on the face thereof a certificate to the effect that it was so prepared.

20.23. Copy of plan to be supplied on payment of prescribed fee

The Surveyor General shall cause to be issued to any applicant a copy of any plan or of any part thereof on payment of the prescribed fee.

State Lands Ordinance

20.24. State Lands Ordinance (Nos. 8 of 1947, 9 of 1947, Act No. 13 of 1949)

An Ordinance to make provision for the grant and disposition of state lands in Sri Lanka; for the management and control of such lands and the foreshore; for the regulation of the use of the water of lakes and public streams; and for other matters incidental to or connected with the matters aforesaid.

20.25. Grants, Leases, And Other Dispositions of State Land

Under the prevailing provisions in the ordinances and the orders prepared on behalf of the Democratic Socialist Republic of Sri Lanka:-

Subject to the provisions of this Ordinance and of the regulations made thereunder, the President may in the name and on behalf of the Republic of Sri Lanka:

- (1) make absolute or provisional grants of State land;
- (2) Sell, lease or otherwise dispose of State land;
- (3) enter into agreements for the sale, lease or other disposition of State land;
- (4) issue permits for the occupation of State land;
- (5) issue licenses to take or obtain any substance or thing found in State land;
- (6) sell or lease the right to mine or gem in any State land or in any land which has been disposed of by the State with a reservation of mining rights in favour of the State.

20.26. Survey of land to precede issue of grant or long-term lease

No State grant and no instrument of disposition whereby State land is leased for any term exceeding such period as may be prescribed shall be issued under this Ordinance unless and until that land has been surveyed and demarcated to the satisfaction of the Land Commissioner (section 9).

Temple Lands (Compensation) Ordinance

20.27. Temple Lands (Compensation) Ordinance (No. 28 of 1949, Act No. 9 of 1950)

An Ordinance to make provision for the payment to the public trustee of moneys payable as compensation under the Land Acquisition Act in respect of lands Belonging to temples; for the application of such moneys to certain purposes; and for matters connected therewith or incidental thereto.

[Land Acquisition Act](#)

20.28. Land Acquisition Acts Nos. 9 of 1950, 39 of 1954, 22 of 1955, 28 of 1964, 20 of 1969, 48 of 1971, 8 of 1979.

An Act to make provision for the Acquisition of Lands and servitudes for public purposes and to provide for matters connected with or incidental to such provision.

20.29. Investigations for selecting land for public purpose

Preliminary Investigation and Declaration of intended acquisition.

- (1) Where the Minister decides that land in any area is needed for any public purpose, he may direct the acquiring officer of the district in which that area lies to cause a notice in accordance with subsection (2) to be exhibited in some conspicuous places in that area.
- (2) The notice referred to in subsection (1) shall be in the Sinhala, Tamil and English language and shall state that land in the area specified in the notice is required for a public purpose and that all or any of the acts authorized by subsection (3) may be done on any land in that area in order to investigate the suitability of that land for that public purpose.
- (03) After a notice under subsection (2) is exhibited for the first time in any area, any officer authorized by the acquiring officer who has caused the exhibition of that notice, or any officer acting under the written direction of the officer authorized as aforesaid, may enter any land in that area, together with such persons, implements, materials, vehicles and animals as may be necessary, and
 - survey and take levels of that land,
 - dig or bore into the subsoil of that land,
 - set out the boundaries of that land and the intended line of any work proposed to be done on that land.
 - mark such levels, boundaries and line by placing marks and cutting trenches.
 - where otherwise the survey of that land cannot be completed and such levels taken and such boundaries and line marked, cut down and clear away any part of any standing crop, fence or jungle on that land and
 - do all other acts necessary to ascertain whether that land is suitable for the public purpose for which land in that area is required.

Provided that no officer, in the exercise of the powers conferred on him by the preceding provisions of this subsection, shall enter any occupied building or any enclosed court or

garden attached thereto unless he has given the occupier of that building at least seven days written notice of his intention to do so.

20.30. Declaration that a land or servitude is required for a public purpose

- (01) Where the Minister decides under subsection (5) of section 4 that a particular land or servitude should be acquired under this Act, he shall make a written declaration that such land or servitude is needed for a public purpose and will be acquired under this Act, and shall direct the acquiring officer of the district in which the land which is to be acquired or over which the servitude is to be acquired is situated to cause such declaration in the Sinhala, Tamil and English languages to be published in the Gazette and exhibited in some conspicuous places on or near that land.
- (02) A declaration made under subsection (1) in respect of any land or servitude shall be conclusive evidence of the fact that such declaration was duly made.
- (03) The publication of a declaration under subsection (1) in the Gazette shall be conclusive evidence of the fact that such declaration was duly made.

20.31. Survey and plan of the land

When a declaration under section 5 that a particular land is needed for a public purpose has been published in the Gazette, the acquiring officer of the district in which that land is situated may, if there is no plan of that land made by the Survey Department of the Government, or no such plan which is suitable for use for the purposes of proceedings under this Act, cause a survey and a plan of that land to be made by a surveyor of that department, or by a licensed surveyor acting under the directions of the Surveyor General.

20.32. Possession and Disposal Order for taking possession of a land or subjecting a land to servitude

At any time after an award is made under section 17, the Minister may by Order published in the Gazette.

- where the award relates to the acquisition of any land, direct the acquiring officer of the district in which that land is situated, or any other officer authorized in that behalf by such acquiring officer, to take possession of that land for and on behalf of the State, or
- where the award relates to the acquisition of any servitude, declare that the land over which that servitude is to be acquired shall be subject to that servitude;

Provided that the Minister may make an Order under the preceding provisions of this section;-

- where it becomes necessary to take immediate possession of any land on the ground of any urgency, at any time after a notice under section 2 is exhibited for the first time in the area in which that land is situated or at any time after a notice under section 4 is exhibited for the first time on or near that land, an
- where it becomes necessary immediately to acquire any servitude on the ground of any urgency, at any time after a notice under section 4 is exhibited for the first time on or near the land over which that servitude is to be acquired.

[Nindagama Lands Act](#)

20.33. Nindagama Lands Act (No. 30 of 1968)

An act to abolish the services due from the tenants and holders of Nindagama lands to the proprietors thereof, to make such tenants and holders the absolute owners of such lands. To provide for the registration of such tenants and holders as absolute owners thereof and to provide for matters connected therewith or incidental thereto.

[Land Reform Laws](#)

20.34. Land Reform Laws Nos. 1 of 1972 39 of 1975

A Law to establish a Land Reform Commission to fix a ceiling on the extent of agricultural land that may be owned by persons, to provide for the vesting of lands owned in excess of such ceiling in the land reform commission and for such land to be held by the former owners on a statutory lease from the commission, to prescribe the purposes and the manner of disposition by the commission of agricultural lands vested in the commission so as to increase productivity and employment, to provide for the payment of compensation to persons deprived of their lands under this law and for matters connected therewith or incidental thereto.

[State Lands \(Recovery of Possession\) Act](#)

20.35. State Lands (Recovery of Possession) Act (No. 7 of 1979)

An Act to make provision for the recovery of possession of State Lands from persons in unauthorized possession or occupation thereof and for matters connected therewith or incidental thereto.

[Land Grants \(Special Provisions\) Act](#)

20.36. Land Grants (Special Provisions) Act No. 43 of 1979

An act to provide for the vesting in the state, of agricultural or estate land which is vested in the Land Reform Commission under the Land Reform Law; to enable the transfer, free of charge, to the landless, of the lands so vested in the state; and to provide for matters connected therewith or incidental thereto.

20.37. President may transfer free of charge lands vested in the State under this Act

The President may by an instrument of disposition substantially in the Form set out in the Schedule here to, transfer, free of charge, any portion of any land vested in the State by virtue of an Order made under section 2, to any citizen of Sri Lanka over (18) eighteen years of age.

In transferring any State land under this section; the President shall have regard to;

- the fact that the prospective transferee does not own any land;
- the level of income of the family of the prospective transferee; and
- the capacity of the prospective transferee to develop such land.

20.38. Survey of land to precede transfer

No State land shall be transferred under section 3 until after such land has been surveyed and demarcated to the satisfaction of the Land Commissioner.

[Registration of Title Act](#)

20.39. Registration of Title Act: No. 21 of 1998

An act to make provision for the investigation and Registration of Title to a Land parcel ; For the Regulation of transaction relating to a Land parcel so registered ; And for matters connected therewith or incidental thereto.

20.40. Preparation of Cadastral Maps

On the publication of an order under section 1 of this act the commissioner of Title Settlement shall request the surveyor-General to prepare Cadastral Maps for the area specified in such order and upon such request the Surveyor-General shall cause such cadastral map to be prepared and certified copies of the same to be issued to the commissioner of Title settlement.

Survey Act**20.41. Survey Act: No. 17 of 2002**

An act to provide the powers and functions of the Surveyor – General; To regulate the carrying out of Land Surveys ; To provide for the establishment of a Land Survey Council to regulate the professional conduct of surveyors ; To repeal the Land Survey Ordinance and the Surveyors Ordinance ; And to provide for matters connected therewith or incidental thereto.

20.42. The powers and functions of the Surveyor General shall include following.

- (a) To regulate all land survey activities in Sri Lanka;
- (b) To establish and administer the National Geodetic Control Network;
- (c) To specify the standards of accuracy for cadastral, geodetic and topographic surveys;
- (d) To set standards for mapping;
- (e) To establish and administer a system of accreditation for registered surveyors seeking to conduct surveys seeking to conduct surveys under the Registration of Title Act, 21 of 1998 and to maintain a register of the surveyors issued with Certificates of Accreditation ;
- (f) To establish and make available to all Surveyors base lines for the calibration of survey bands and electronic distance measuring equipment;
- (g) To receive, approve and maintain, cadastral surveying recodes so as to facilitate the production of cadastral survey plans and maps and to serve as a comprehensive base for integration of land information;
- (h) To produce and maintain records of topographic, thematic and special purpose maps;
- (i) To be the principal authority responsible for receiving, storing and exchanging in any from all data for the purpose of promoting the integration of surveying and mapping, geographically based information and land related information with land information system requirements ;
- (j) To provide land surveying land information and related services;
- (k) To receive, store , reproduce and distribute, topographic, cadastral and derived maps, remote sensed data, aerial photographs and other survey and mapping documents ;
- (l) To authorize where appropriate the use or reproduction of survey and land information recorded by the department and to levy a fee for the use or reproduction of information;
- (m) To co – ordinate where necessary, with foreign agencies for the exchange of surveying, mapping and land information technology;

- (n) To render advice to any Government Department, public Corporation or other institution on surveying, mapping and land information activities and related matters and to levy a fee from such corporation or such institution for the advice so rendered;
- (o) To conduct such research as may be necessary in respect of matters relating to surveying;
- (p) To issue a certificate authorizing any person, to function as a draughtsman where such person, is competent to prepare a survey plan using surveyor's field notes and to computer the area of a survey plan for the use of any registered surveyor, after satisfying himself of the competence of such person by conducting examination ;
- (q) To ensure the maintenance of high professional standards among persons engaged in land survey activities in the Department;

20.43. Surveyor General, of any person authorized may demand production of deed

The deed, document, or other instrument demanded under section 14 shall be produced on the premises to which such deed, document or instrument may relate or at such other place as the person demanding the same may require, and the power of demanding the production thereof, under section 14 shall be deemed to include the power of making such examination of such deed, document, or other instrument, as shall be necessary for the purpose of land survey; and every person refusing or failing without cause to permit such examination of any such deed, document or other instrument, to any person referred to in section 14, shall be guilty of an offence under this Act and shall be conviction after summary trial before a Magistrate to fine not exceeding ten thousand rupees.

20.44. Proof of certain plans signed by the Surveyor General

Any cadastral map, plan or any other plan or map prepared in accordance with the provisions of this Act or any written Law, purported to be signed by the surveyor-General or officer acting on his behalf, and offered in evidence in any suit shall be received in evidence, and shall be taken to be prima fascia proof of the facts stated therein; and it shall not be necessary to prove that it was in fact signed by the Surveyor General or an officer acting on his behalf, nor that it was made by his authority, nor that the same is accurate, until evidence to the contrary shall have first been given.

Evidence Ordinance

20.45. Evidence Ordinance No. (14 of 1895, 15 of 1904, 16 of 1925, 25 of 1927, 18 of 1928, 1 of 1946 and 3 of 1961)

An Ordinance to consolidate defines and amends the law of Evidence. This Ordinance shall apply to all judicial proceedings in or before any court other than courts, martial, but not to proceeding before arbitration.

Urban Development Authority Law

20.46. Urban Development Authority Law (No. 41 of 1978, Act No. 70 of 1979)

A law to provide for the establishment of an Urban Development Authority to promote integrated planning and implementation of economic, Social and Physical Development of Certain areas as may be declared by the Minister of be Urban development areas and for matters connected therewith or incidental thereto.

Town and Country Planning ordinance

20.47. Town and Country Planning ordinance (No. 13 of 1946, Act Nos. 9 of 1950, 29 of 1953, 10 of 1955, 22 of 1955)

An Ordinance to authorize the making of schemes with respect to Planning and Development of Land in Sri Lanka, to provide for the protection of Natural amenities and the Preservation of Buildings and objects of interest of giving effect to such schemes and to provide for matters incidental to or connected with the matters aforesaid.

Apartment Ownership (Amendment) Act

20.48. Apartment Ownership (Amendment) Act No. 39 of 2003

This act superseded the previous apartment laws, i.e., Apartment Ownership Law No. 11 of 1973 and Act No. 25 of 1982. Condominium property surveys are carried out for registering the legal interests in condominium properties under the provisions of the above act. Condominium properties are those where multiple ownership arises due to the construction of storied buildings with several independent units for separate occupation.

More information in this regard can be found in DSR Chapter 18.

See Annexure 01 of Chapter 18 for more information on the acts.

CORRECTION SLIP