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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1401/7 - 2005 ජූලි 11 වැනි සඳුදා - 2005.07.11

No. 1401/7 - MONDAY, JULY 11, 2005

(Published by Authority)

**PART I : SECTION (I) — GENERAL**

**Proclamations &c., by the President**

Ref No. : SP/6/N/232/2005.

**BY HER EXCELLENCY CHANDRIKA BANDARANAIKE KUMARATUNGA, PRESIDENT OF THE  
DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

Seal

CHANDRIKA BANDARANAIKE KUMARATUNGA.

To :

1. Gimi Mahendra Siriwardene Samaraweera Esqr.
2. Irrippuge Karunadasa Weerawardhana Esqr.
3. Kokmaduwa Mudalige Ariyaratna Esqr.
4. Sirisena Wedawasam Jayalath Esqr.
5. Lokuyeddehige Sugunadasa Esqr.

*Greetings :*

WHEREAS, it appears to me to be necessary to appoint a Commission of Inquiry for the purpose of inquiring into the matters hereinafter mentioned ; being matters in respect of which an inquiry will, in my opinion, be in the public interest ;

Now, therefore, I, Chandrika Bandaranaike Kumaratunga, President, reposing great trust and confidence in your prudence, ability and fidelity, do, in pursuance of the provisions of Section 2 of the Commissions of Inquiry Act, (Chapter 393), do, by these presents, appoint you, the said :

1. Gimi Mahendra Siriwardene Samaraweera Esqr.
2. Irrippuge Karunadasa Weerawardhana Esqr.
3. Kokmaduwa Mudalige Ariyaratna Esqr.
4. Sirisena Wedawasam Jayalath Esqr.
5. Lokuyeddehige Sugunadasa Esqr.

to be my Commissioners to inquire into and report on the following matters, To ;

1. Investigate, the status of lands stated in Appendices 5.1, 5.2 and 5.3 of the Presidential Commission on Buddha Sasana 2002 and declared in accordance with the Buddhist Temporalities Act, (Chapter 318), which are at present subject to dispute and where appropriate, recommend a suitable scheme of settlement.
2. Recommend the advice which should be given to Commissioner for Land Settlement and Surveyor-General, where they are called upon to implement the above decisions made according to Buddhist Temporalities,
3. Examine, the social and economic problems that may arise by depriving those who are entitled to or possess these lands as tenure service, share-holdings and Bandara lands and formulate a proper programme to maintain and derive the necessary services for the sustenance of the Viharas and Devalas.
4. Investigate all issues relating to lands belonging to Buddhist Temporalities acquired under the land Acquisition Act for purposes of the State, which have so far not been utilized for the purposes for which they were acquired and recommended where appropriate, the divesting of such land to the rightful owners and the steps that may be taken to resolve such issues.
5. Recommend a suitable process of settlement, adhering, to the method of sporadic survey under the Registration of Title Act, No. 21 of 1998 pertaining to the current scheme of settlement of lands.
6. Recommend, where appropriate and upon clear documentary proof of ownership, the handing back of such land which once belonged to Buddhist Temporalities and later acquired under the Land Reform Law, No. 1 of 1972, to the same Viharas and Devalas.
7. Investigate the ownership of land claimed as belonging to Muhudu Maha Viharaya of Panampattu and the Kurugala Viharaya of Balangoda and recommend a mode of settlement of any dispute in regard to such land.
8. Recommend suitable means of settling lands belonging to Buddhist Temporalities, Girihanduseya at Thiriyaya in the Trincomalee District, Digavapi Temple in Ampara, Somawathie in the Polonaruwa District and recommend appropriate action to settle the Buddhist Temporalities which were lost after the commencement of the North and East War and the resultant disruption due to unauthorized occupation.
9. Recommend a feasible scheme to settle disputes in respect of lands belonging to the Buddhist Temporalities and leased for tenant cultivation under Agrarian Services Act, No. 58 of 1979.
10. Having made observations with regard to the entitlement of lands belonging to Buddhist Temporalities under the waste lands Ordinance of 1870 and the impact on such entitlement and recommend action to be taken to settle such lands through a scheme of settlement and where necessary to recommend a settlement process through a scheme of compensation.
11. Examine the temporary lease or a long term lease of land belonging to places of worship the leasing of land belonging to Buddhist Temporalities for commercial purposes without the approval of the Commissioner of Buddhist Affairs and the problems that have arisen as a consequence, and recommend means to avoid such problems that may arise in the future.

12. Examine the possibility of reserving lands belonging to Buddhist Temporalities for the decedents of those who perform tenure service and recommend ways to resolve conflicts.
13. Recommend amendments to the Buddhist Temporalities Act, (Chapter 318) with a view to avoiding shortcomings in the administration of land belonging to Buddhist Temporalities.
14. Submit short term and long term proposals with a view to avoiding any problems that might arise in the future, pertaining to land belonging to Buddhist Temporalities.
15. Submit proposals for the necessary institutional structure by way of a special unit in the Department of Buddhist Affairs, for the administration of Buddhist Temporalities as recommended by the Presidential Commission on Buddha Sasana, 2002.
16. Investigate any other matters consequential to the above submit proposals feasible of implementation.

And I do hereby appoint you the said Gimi Mahendra Siriwardena Samaraweera Esqr. Retired Judge of the High Court of as the Chairman of the said Commission.

And I do hereby authorize and empower you, the said Commissioners to hold such inquiries and make all other investigations into the aforesaid matters as may appear to you to be necessary, and require you to transmit to me within six months from the date hereof, the final report thereon, under your hand, setting out the finding of your inquiries and your recommendations ;

And I do hereby direct that such part of any inquiry relating to the aforesaid matters as you may in your discretion determine, shall not be held in public :

And I do hereby require and direct all public officers and other persons to whom you may apply for assistance or information for the purposes of your inquires and investigations to render all such assistance and furnish all such information as may be properly rendered and furnished, in that behalf :

And I do hereby declare that the Provisions of Section 14 of the Commissions of Inquiry Act, (Chapter 393), shall apply to the Commission :

Given at Colombo, under the seal of the Democratic Socialist Republic of Sri Lanka on this Twenty Eight day of June, Two Thousand and five.

By Her Excellency's Command,

W. J. S. KARUNARATNE,  
Secretary to the president.