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PART IV (A) — PROVINCIAL COUNCILS
Provincial Councils Notifications

NORTH WESTERN PROVINCE PROVINCIAL COUNCIL

Local Councils (Established by Law) Statute No. 6 of 1952

SECTION IV (a) of No. 1882/22 dated 01.10.2014 *Extraordinary Gazette* Notice of the Democratic Socialist Republic of Sri Lanka, according to approval of the Provincial Councils meeting held on 07.04.2015 hereby amend and insert new sections below mentioned statements published in the *Gazette* for said By-law of Housing Property Development and Blocking out and Sale of Lands and *Extraordinary Gazette* Notice No. 1898/28 dated 20.01.2015 of the Democratic Socialist Republic of Sri Lanka published in the *Gazette* Notice in the Provincial Councils.

Attorney-At-Law J. P. DAYASIRI PATHMAKUMARA JAYASEKERA,
Chief Minister of North Western Province and
Minister of Finance and Planning, Law and Peace,
Local Councils and Local Government, Human Resources, Education and
Cultural Affairs, Land, Environment, Tourism, Investment Coordination,
Cooperative Development and Food Supply and Delivery.

At Kurunegala,
20th July 2015.

Section IV (a) of No. 1882/22 dated 01.10.2014 *Extraordinary Gazette* Notice of the Democratic Socialist Republic of Sri Lanka

Rescind Statement 02 and impose following statement

02. "This By Law shall be enacted to provide provisions for formalize and maintain all the relevant activities of develop or sale of blocks or sub dividing of land or half of land in extent of 0.2 hectares (P. 80) or above for transfer lands situated in the area which implement provisions of Housing and Town Improvement Ordinance in Pradeshiya Sabha Area of the North Western Province of 1960."



Rescind statement 3.01 and impose following statement

03. All Local Councils should establish “Immovable and Housing Property Development Committee” to take decisions relating to Blocking out or Develop Lands in all Pradeshiya Sabha. That should be consists of following persons-

- i. Chairman of the Local Government (Chairman of the Committee)
- ii. Secretary of the said Local Government (Secretary of the Committee)
- iii. Public Health Inspector of the relevant area (Committee Member)
- iv. Technical Officer of the Local Government (Committee Member)
- v. One person of Income Inspector or Community Development Officer or Income Officer or Environmental Officer - (Committee Member)

03.1 All applications relating to development activities should be prepared according to the format mentioned in the Schedule I of this by law and should be received after paying Rs. 250/- to Pradeshiya Sabha. The relevant application should be forwarded by the “Owner or the Developer” completing all the relevant requirements mentioned under Section No. 03.02 and 03.03 of this by law.

Rescind statement 03 and impose following statement according to by law of Housing Property Development and Blocking out and Sale of Lands published in the *Extraordinary Gazette* Notice No. 1898/28 dated 20.01.2015.

03.2 Prior written approval should be taken with following requirements to the development plan before all the instances person who intend to block out the land or half of the land for four or more section in extent of 0.2 hectares (P. 80) up to 04 hectares or more than 04 hectares land situated within the area which implemented provisions under Housing and Town improvement Ordinance mentioned in statement 03.

- (a) Approval of the Commissioner of Local Government of the North Western Province if the suggested blocking out land is more than 02 Hectares (Two) in extent.
- (b) Approval of the Commissioner of the Department of Agrarian if the suggested blocking out land is “Paddy Land”.
- (c) Approval of the Director of Coastal Conservation of the Department of Coastal Conservation under Coastal Conservation Act, No. 57 of 1981 if the land is situated in the coastal zone.
- (d) Recommendation of the Sri Lanka Land Filling and “Development” Board if the suggested blocking out land or one block or more blocks of the land is needed to fill up.
- (e) Recommendation of the Water Resources Board stating that they can supply drinking water if the suggested blocking out land is not in a pipe born water facility area.
- (g) Recommendation of the Officer in charge of the area being identified if the land is situated near the reservation or any other sensitive area.
- (h) The application should indicate the suggested number of blocks, number of smallest blocks, number of largest blocks, width of the internal road ways of the blocking out plan, water ways, hills, and the way of marking water slopes.

Rescind statement 04.1, statement 04.02, statement 04.03 and impose following statement

03.03 If the suggested land is more that 04 hectare or up to 10 hectare including 10 hectare in extent before handover the request to the Local Council to get approval for the Development Plan for this a prior written approval of “Provincial Monitoring Committee” should be taken under statement No. 03.04 of the Schedule with the requirements mentioned up to (a) to (i) of the Schedule No. 03.02 as mentioned above.

03.4. Provincial Monitoring Committee should consist following members.

Secretary of the Ministry of Local Government (North Western Province)	- Chairman
Commissioner of Local Council of the North Western Province	- Secretary of the Committee
Deputy Chief Secretary of planning (North Western Province)	- (Member)
Commissioner of Land (North Western Province)	- (Member)
Director of Provincial Environment Authority (North Western Province)	- (Member)
Provincial Commissioner (North Western Province)	- (Member)

03.05 Requests to get the approval of the Committee mentioned above Schedule 03.04, project report and all the relevant documents should be forwarded to the secretary of the Ministry of the Local Council of the North Western Province.

04. Approval of the Chairman of Pradeshiya Sabha should be received for the Development Plan of the Land with the prior written approvals mentioned in the Schedule 03.02 and 03.03.

Rescind statement 05.02

Impose following statement as 06.01 after statement 06

06.1. Before provide approval for sub dividing under Section 06 above, should transfer the Council.

(a) Title of the public land mentioned in the statement 09.01 and 09.02 of the Schedule

and

(b) Titles of the blocking out lands reserved for drainage system, road system, cemeteries and public wells should be dispatched formally after attesting the surveyor with registered deeds to the Pradeshiya Sabha without any payment.

(c) After delivering it approval of the Chairman of the Pradeshiya Sabha should be obtain for sub dividing the land (Blocking out Plan).

Recind statement 09.05 and impose following statement.

09.5 The party that blocks out land should arrange for the supply of three phase electricity to all roadways of every block.

Rescind statement 13.2 and 13.2 and impose following statement.

13.1 The Chairman of Pradeshiya Sabha should approve or reject the Development Plan within One Month from the day of receiving the plan to Pradeshiya Sabha with relevant reports and prior written approval under statement 03.02 and 03.03 of this by law. So as,

13.2 If above approval mentioned in statement 12 rejected, the reasons for rejecting should be noticed within one month to the applicant. So as, according to statement 06 sub dividing (Blocking out plan) of land should approve or reject by the Chairman of Pradeshiya Sabha within four weeks after receiving the application.

Rescind statement 14.1 and impose following statement.

14.1 The party or person who Blocking out or Develop Lands within administrative division of the North Western Province should be registered in the Commissioner's Office of Local Government of the North Western Province, Registration Fee is as follows :

- | | |
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| i. First registration | - Rs. 500,000.00 |
| ii. Renewal of Annual Registration Fee | - Rs. 100,000.00 |

Rescind statement 16 and impose following statement

16.01 The party or person who receive registration certificate mentioned in above statement 14.1 shall not provide third party to this certificate for the activities mentioned in the by law and it is an illegal deed.

16.2 If any person shall not furnish any requirements mentioned in this by law or provide any certificate without general office procedures shall be null and invalid.

16.3 If any party or person who violate this by law or done so or if prove it after inspecting by the Chairman of Pradeshiya Sabha or his representative or Commissioner of the Local Council or his representative developing or blocking out the land or half of the land selling or transfer or sub dividing activities of the land shall be stop by the Chairman of Pradeshiya Sabha or Commissioner of the Local Council. After getting a legal decision it should be informed to the Registrar of Land to void the deeds and registration of other documents and shall enter the invalid person's registry which maintain by the Commissioner of the Local Council of the North Western Province.

Insert following Sections to statement 17

“Party or person” means any person or institute or any land seller or any broker or his representative or any businessman or business firm or any sub divider or any developer act with the aim of blocking out or sale of land.

Impose following statement

18. In the event of any inconsistency between Sinhala, Tamil and English texts of this Statute, the Sinhala text shall prevail.

Section IV(a) of No. 1898/28 dated 20.01.2015 - By law of Housing Property Development and Blocking out and Sale of Lands published in *Extraordinary Gazette* Notice of the Democratic Socialist Republic of Sri Lanka.

Rescind statement 03.2(a)

Rescind statement 04.(1)

Rescind statement 04.(2)

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