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EXTRAORDINARY

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PART IV (A) – PROVINCIAL COUNCILS

Provincial Councils Notifications

SABARAGAMUWA PROVINCE PROVINCIAL, COUNCIL

An Order made under Section 223 of the Pradeshiya Sabha Act, No. 15 of 1987 to be read with section 2 of the provincial council (Consequential provisions) Act, No. 12 of 1989

I, A.A.C.J. Rajaratne, Governor of the Sabaragamuwa Province, hereby notify that the following order hereafter mentioned is declared as per the powers vested in me under Section 223 of the Pradeshiya Sabha Act, No. 15 of 1987 to be read with Section 2 of the Provincial Council (Consequential Provisions) Act, No. 12 of 1989.

I further announce that the said regulations shall come into effect on 01st Of March 2025.

A.A.C.J. RAJARATNE,
Governor of Sabaragamuwa Province.

At the Sabaragamuwa provincial Governor's Office,
On 20th of February 2025.



In Sabaragamuwa Province, Aranayaka Pradeshiya Sabha jurisdiction, Kalawana Pradeshiya Sabha jurisdiction. Deraniyagala Pradeshiya Sabha and Ayagama Pradeshiya Sabha jurisdictions to reduce the public suffering due to climate change, to reduce the loss of life and property caused by that and to minimize the impact on the lives of the general public, in the event of an emergency as well as before and after the disaster situations, to determine the management strategies to be implemented by the aforementioned local government bodies in the areas of jurisdiction and to coordinate the related legal authorities with the relevant Pradeshiya Sabhas and to determine the regulatory and post evaluation processes, as the requirements have arisen to restore the powers granted to the above-mentioned local government bodies by the Pradeshiya Sabha Act No. 15 of 1987, this Order is made with the purpose of improving the resilience of the community to climate change by the above mentioned Pradeshiya Sabhas in Sabaragamuwa province within their jurisdictions and to confer upon those local government bodies the relevant provisions to formalize the necessary mechanisms to minimize the damage caused by them.

2. All the Pradeshiya Sabhas named in the first paragraph of this Order shall act according to the actions mentioned hereafter in order to create a social background that can properly implement the necessary management plans to minimize the impact caused on the normal lives of the public due to conditions such as the floods, landslides, land subsidence, strong wind conditions, rock fall, tree fall and drought and fire, which are caused within their local council area as a result of climatic changes.

3. Each regional council named in the first paragraph of this Order shall take all actions to carry out within its area the powers and functions conferred on that Pradeshiya Sabha by written law for the purposes mentioned in that paragraph, in coordination with other legal authorities related to climate change and disaster management and in accordance with the strategies described later in this rule.

4. (1). A climate change and disaster management committee consisting of the following persons shall be for each Pradeshiya Sabha related to this Order to advise the Pradeshiya Sabha in relation to the implementation of the actions mentioned in paragraphs (2) and (3) by each Pradeshiya Sabha.

- (a) Chairman of the Pradeshiya Sabha
- (b) Secretary of the Pradeshiya Sabha
- (c) An officer related to the subject of disaster management nominated by the Divisional Secretary
- (d) The Medical Officer of Health in relation to the area or a nominated officer
- (e) Officers in charge of Police Stations in relation to the area or an officer nominated by him
- (f) Three representatives of Rural Disaster Committees functioning in the area
- (g) Three representatives of voluntary organizations operating in the area

(2). This committee shall meet at least once in three months and the meetings shall be held online or by any other suitable method. The chairman of the Pradeshiya Sabha shall be the chairman of the disaster management committee under this Order, and it shall be the duty of the Secretary to maintain the records related to the committee and to report to the provincial main committee on climate change and disaster management described later in this Order.

5. Through the identification by the Pradeshiya Sabhas mentioned in this Order of the places and regions that may be more affected by the damages and disaster situations caused by climate change within the jurisdiction of such Pradeshiya Sabhas, the nature of the possible disasters and the measures that can be taken to minimize the possible impact shall be identified by coordinating with the relevant stakeholders in each of those regions. Based on the matters of climate change and disaster management, an action plan for the financial years prepared by the climate change and disaster management advisory committees of the relevant Pradeshiya Sabha, shall be approved by every Pradeshiya Sabha related to this Order in the current year for the coming financial year.

6. In the Pradeshiya Sabhas named in this Order, the Chairman shall act to allocate financial provisions in the budget document for the financial years for the implementation of the action plan mentioned in paragraph 5 of this Order.

7. Every Pradeshiya Sabha shall take all possible steps to establish and maintain a disaster unit to facilitate the activities related to the management of climate change and disaster situations.

8. When the provisions of the Housing and Town Development Ordinance No. 19 of 1915 apply to the development work and building construction in the areas identified as disaster-prone areas of any Pradeshiya Sabha jurisdiction related to this Order, the ground plans and building plans applicable to the construction shall be subject to the prior approval of the Chairman and the related strategies and measures must be prescribed by the by-laws to be enacted by the Pradeshiya Sabha to the extent of the power given by the principle law for that purpose.

9. When the provisions of the Urban Development Authority Act No. 41 of 1978 apply in relation to the development activities and building construction carried out in the areas identified as disaster-prone areas in any Pradeshiya Sabha jurisdiction related to this Order, those powers shall be exercised by the delegated authority of the local government in accordance with the powers assigned by the Urban Development Authority.

10. The main drain system on both sides of the road within the jurisdiction should be maintained unobstructed so that water can flow easily and diverting the main drains to a proper water connection and in the case of drains which are belonging to another legal authority, the Pradeshiya Sabha shall take action to get that function done from that authority.

11. It is the duty of the Pradeshiya Sabha to act under the provisions mentioned in the relevant written law regarding illegal reclamation, illegal construction, illegal soil cutting, illegal sand dumping, setting forest fires in the relevant region and to report to a relevant legal authority to do so according to the circumstances and to act subject to the provisions of the written law regarding the blockage of waterways flowing to main water basins.

12. Terms for the use of ferries maintained along main waterways shall be prescribed by by-laws subject to the provisions of the principal law.

13. The Pradeshiya Sabhas related to this Order shall have every building for residential and commercial use in the areas with a high risk for landslides in their jurisdiction documented with information under each coordinate.

14. According to the zone classification identified by the National Building Research Institute, floor plans and building plans under the high risk and risk zones for landslides should not be given approval for any development work unless subject to the terms and conditions of that institute.

15. Among the Pradeshiya Sabhas to which this Order is applicable, when any Pradeshiya Sabha area or any of its land area has been identified by the National Building Research Institute as an area prone to landslides or subsidence, the persons residing in that area shall be given awareness on how to minimize the possible damage in the event of a landslide or subsidence disaster,

(a). Through thorough awareness programs

(b). By displaying bulletin boards containing constant points of interest,

(c). By distributing pamphlets on emergency preparedness measures,

(d). By advising the public on safety measures to identify disasters early through sensitive campaigns.

16. A member or an officer representing the Pradeshiya Sabha shall join the rural disaster committees, which are currently operating under the Divisional Secretariats.

17. In consultation with the Climate Change and Disaster Management Advisory Committee of the Pradeshiya Sabha appointed under Section 4 of this Order and the Rural Disaster Committees, the following matters related to the coordination of

preparatory activities and maintenance of necessary services in a situation of climate change and disaster management within the jurisdiction shall be reviewed.

a) Preparedness for climate change and disaster mitigation

b) Maintaining coordination activities related to climate change and disaster situations.

c) Relief activities under respective disaster conditions

d) Disaster Management Functionality of the Jurisdiction

e) Matters to be addressed in the regional study regarding climate change and disaster situations that may occur due to climate change and subsequent measures related thereto.

18. Climate Change and Disaster Management Consultative Committees of the Pradeshiya Sabha shall act to identify and maintain information about the parties from whom support can be obtained in the respective division for the management of different disaster situations in the jurisdiction or a certain part.

19. The land use in the area identified by the National Building Research Institute as landslide prone areas should be in accordance with the parameters given by that institute and in order to reduce the possible impact on the environment by controlling the matters of cutting of the banks so as to minimize the slope, improper waste disposal, blocking of natural waterways, development of roads within the jurisdiction, construction of new roads, weight control for vehicles that can travel on the roads, action should be taken to prepare by-laws subject to the provisions of the Pradeshiya Sabha Act No. 15 of 1987.

20. Notice boards shall be displayed physically too in every way possible in the mapped areas with hazards and high risks such as landslides, fall of hillocks, rock falls, land subsidence and floods.

21. An organized program should be prepared and implemented to carry out the relevant investigations by coordinating the relevant mediating agencies on whether the landslide and flood warning signs are kept in operating condition.

22. The respective Pradeshiya Sabha shall take action to conduct a proper census of the water sources that are used or not used for drinking water requirement and situated within the Pradeshiya Sabha area and maintain the following information related to it.

(a) Name of the water source

(b) Location of the water source

(c) Grama Niladhari division

(d) Ownership of the land where the water source is located

(e) Access

(f) Nature of Use

23. The relevant Pradeshiya Sabha shall make bylaws subject to the provisions of the Pradeshiya Sabha Act No 15 of 1987 in relation to the matters such as protection of water sources for drinking water security within the jurisdiction, enjoyment of water sources for human consumption, control of forest clearing affecting water sources, control of forest fires and distribution of water.

24. It shall be the duty of the Pradeshiya Sabha to coordinate the institutions of the Building Research Institute, Disaster Management Centre, Bureau of Geology and Mines, to take measures to pre-identify areas with a dangerous situation of rock fall in any Pradeshiya Sabha jurisdiction, mark the boundaries so as to indicate the danger of such zones, and fix notices indicating the risk of rock fall.

25. In relation to the control and management of public health care facilities due to excavation related mining industry and the suppression of the possible harm caused by the gathering of water in such places in any Pradeshiya Sabha area related to this Order, the said Pradeshiya Sabha shall make by-laws subject to the provisions of the Pradeshiya Sabha Act No. 15 of 1987.

26. In order to protect the public from any damage that may occur to the public due to the maintenance of telecommunication towers or any other excavations of mines within the Pradeshiya Sabha areas related to this Order, such Pradeshiya Sabhas shall make by-laws subject to the provisions of the Pradeshiya Sabha Act No. 15 of 1987.

27. It shall be the duty of the Pradeshiya Sabha to act in accordance with the powers conferred by written law to remove trees or parts of trees on the sides of roads within the jurisdiction which are a danger to the public, and to make by laws subject to the provisions of the Pradeshiya Sabha Act No. 15 of 1987 to prescribe the policy for planting trees on property boundaries.

28. In the event of a drought which is caused due to lack of proper rain, it shall be the duty of every Pradeshiya Sabha, to which this Order is applicable, to prepare a proper plan for water supply and water distribution in agreement with related government institutions and other local government institutions, to provide the necessary facilities to implement the plan, and to take all possible measures to protect the water catchment areas within the areas.

29. There shall be a main committee consisting of the following officers to supervise the implementation of the provisions mentioned under this Order by all the Pradeshiya Sabhas to which the Order is applicable, the relevant Pradeshiya Sabha shall maintain the activities of the climate change and disaster management committee under section 4 of this Order and the reports related to such committee shall be submitted to the main committee by the secretary of each Pradeshiya Sabha.

30. (1) The composition of the main committee under this order shall consist of the following persons and shall meet at least once in three months.

(a). A Deputy Chief Secretary nominated by the Chief Secretary of the Sabaragamuwa Province

(b). Two officers to be nominated by the District Secretaries of Ratnapura and Kegalle

(c). The Commissioner of Local Government of Sabaragamuwa Province

(d). Chairmen of local government bodies related to this order

(e). Sabaragamuwa Provincial Health Director

(e). Assistant Commissioners of Local Government of Ratnapura and Kegalle Districts

(2). A Deputy Chief Secretary nominated by the Chief Secretary of Sabaragamuwa Province shall be the Chairman of the Main Committee and the Local Government Commissioner of Sabaragamuwa Province shall be the convener of the Committee.

31. This order shall be subject to the provisions of the Sri Lanka Disaster Management Act No. 13 of 2005.

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

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