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EXTRAORDINARY

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PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

My No. 1/6/6/1/II.

PROVINCIAL COUNCIL OF THE NORTH WESTERN PROVINCE

North Western Provincial Agricultural Development Statute No. of 2011 of the North-Western Province Provincial Council

IT is hereby notified for general information that the North Western Provincial Agricultural Development Statute No. of 2011 of the North-Western Province Provincial Council published below, will be tabled in the council at the expiration of a period of thirty days from today. Any person interested in making any representation on any provision thereof should address me on the matter before the expiry of that period.

D. B. HERATH,

Minister of Agriculture, Minor Irrigation, Agrarian Development and
Animal Production and Development.

Ministry of Agriculture, Minor Irrigation, Agrarian Development
and Animal Production and Development (NWP).

NORTH-WESTERN PROVINCIAL AGRICULTURAL DEVELOPMENT STATUTE No..... OF 2011 OF THE NORTH-WESTERN PROVINCE PROVINCIAL COUNCIL

This statute is established in order to create provisions for planning, implementing and directing relevant subject's assigned to provincial councils as indicated in No.9 of list of Schedule 9 of the 13th Amendment of the constitution of the Democratic Socialist Republic of Sri Lanka for achieving the agricultural policies and objective that are being proposed to implement for a stable development in agriculture in the north-western province and other agriculture related matters.

Introduction

North-Western Province Provincial Council doth hereby impose as follows:-

1. This statute is referred to as North-Western Provincial Agriculture Development Statute No..... of 2011 of the north western province. It shall be come in to effect from the date of its approval by the Governor of the North-Western Province.

Name and
Date of
Commencement

2. Objective of the statute are as follows:

- (i) Creation, making plans implementation and direction of the provincial agricultural policy to meet with the national agricultural policy.

- (ii) To provide facilities to start new programs and to continue such programmers relating to provincial Agriculture and to continue Agricultural Research Activities for the upliftmen of the living standard of farmer which based on expansion of agriculture activities its promotion and education continue such programmers relating to provincial Agriculture and to continue Agricultural Research Activities for the upliftmen of the living standard of farmer which based on expansion of agriculture activities, its promotion and education ;
- Agricultural Policy
- (iii) To establish provincial Agriculture committees ;
- (iv) Establishment and registration of Agriculture related Voluntary organization ;
- (v) Registration of such other similar Agriculture related Institutions within the province ;
- (vi) Establishment of a Provincial Department of Agriculture for the implementation of the requirements indicated in the statute ;
- (vii) Co-ordination of Government, Semi- Government, Non-Governmental Institutions, Voluntary Organizations and Individuals and to obtain their active participation ;
- (viii) To provide provisions for the preservation and of indigenous ancestral culture and heritages rescors of the North-Western province ;
- (ix) To encourage the cultivation of uncultivated lands in the province ;

SECTION I

Policy Planning and Plan Implementation

- Agricultural Policy
3. The responsibility of Agriculture policy planning in the North-Western Province according to the national policy shall be entrusted in the provincial ministry of Agriculture promotion could be receive from Agriculture Committee Established in the province and Government, Semi Government, Non-Governmental, Voluntary Organizations and from other individuals.
- Provincial Agricultural Plan
4. Every 5 years the director of Provincial Agriculture North-Western Province herein referred to as the “ Director” shall prepare the Agriculture of plan for to be implemented in the province based on factors as a population expansion according to the land area, Geographical factors, climatic conditions, environmental effects, transport facilities and other criteria and a policy plan based on these facts, should I be submitted to the North-Western provincial Agricultural committee - hereafter referred to as the “committee” .
- Establishment of Agricultural Institutions and re organization of Divisions
5. The provincial agricultural Minister and the Department shall provide the with the required Agricultural development, promotion education, sale and marketing co-ordination, research facilities and citification of agricultural seeds for the farmers of the province according to the provisions of this statute.
- Powers of the Minister
6. Establishment of Zonal offices and Re-organization of Agricultural expansions Divisions can be implemented according to the basis of population expansion, land area, climatic conditions, environmental effects and transport facilities available in the province
- Making Appeals
7. making, orders giving directions and guidance for the implementation of principals and provisions of this statute shall be done by the Minister-in-Charge of Agriculture in the North-Western Province hereinafter referred to as the “Minister” .

- | | |
|---|---------------------|
| 8. It is possible to make appeals to the Minister regarding any order or decision taken by any officer under the provisions of this statute or any order issued under this statute and any such order or decision can be cancelled or altered an inquiry conducted by the Minister or any officer appointed by the Minister or a board of inquiry . | Powers of Secretary |
| 9. Implementation direction and management of the provincial Agricultural policy as per the according to the Agricultural policy shall be Done by the director on the instructions and guide -dense given by the Minister for the proper implementation of the principals and provisions of this statute . | |

SECTION 2

Composition and responsibilities of the Provincial Agricultural Department

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| 10. The North Western Provincial Agriculture Department hereinafter referred to as the “Department” shall implement the provisions of this statute. | Establishment of Department |
| 11. With the Consent to provincial Minister of Agriculture the North-Western Provincial Governor shall appoint a Class 1 officer of the Sri Lanka Agricultural Service with the title of “North Western Provincial Director of Agriculture” for the implementation of the provisions of statute. | |
| 12. (1) The required Deputy Directors , Assistant Directors, Agricultural Instructors Rural Level personnel for the proposed Agricultural expansion and other needed officers shall be appointed to the staff for the purpose of implementation and management of the powers and activities of the minister. | Appointment of the Head of Department |
| (2) All officers who held departmental positions and other employees attached to the North-Western Province Provincial Department of Agriculture who held such position prior to the date preceding to implementation of this statute shall be considered as employees appointed under this statute. | Appointment of Officers |
| 13. (1) Subject to the general administration of the Minister and the Secretary, the powers shall be vested in the Director to implement the Orders and Provisions of the Statute and other incidental matters. | |
| (2) The Director is empowered to assign his powers to other officers of the Department when it dimmed necessary. | Powers of the Director |
| 14. Zonal Agricultural Resources Centers, Agricultural Advisory Officers should be established and maintained on the basis of Climatic Zonal Level to promote Agricultural Affairs. | Establishment of Zonal/Advisory Office |
| 15. Educational and Training sections /Units can be established to promote Education and Agriculture. | Establishment of Training Centres |
| 16. Other than National Agriculture Research Institute, Research Institutes can be established to fulfill requirements of the Province. | |
| 17. Development plan for the upliftment of agriculture and Agricultural Institutes of the Province should be prepare annually by the Director and forward to the approval of the secretary. | Annual Development Plan |
| 18. Department should provide following services for the Development of Agriculture in the province :- | Task of the Department |
| 1. preparing, Training, counseling services and expansion of Agriculture ; | |
| 2. Implementing Intra provincial Agriculture Researches and Surveys ; | |

3. Planning and Implementing Provincial Agriculture Development Plan and Annual Plan ;
4. Co-ordination National and Provincial Level Research Institutes, Universities and other Agriculture Institutes.
5. Introducing Suitable Technology for Agricultural purposes ;
6. Introducing and selling high quality seeds and ;
7. Introducing Organic and Chemical Manure, chemicals and agriculture equipments ;
8. Register Volunteer Agricultural Organizations ;
9. Implementing credit facility projects for Agricultural purposes ;
10. Launching Agriculture Development Activities based on women's Farmer Associations, Young Farmer Associations and Schools ;
11. To Assist Implementing plans to fulfill provincial Food and Nutritional secure Targets ;
12. Preparing Data Systems about Agricultural programs implement within the Province ;
13. Continuing quality of the Agricultural products and implementing pre harvesting Technological Activities ;
14. Introducing Organic products, Promoting and selling ;
15. Registration of Organic manure and production Institutes based on province and issuing standered certificates ;
16. Implementing seeds and treat, certify service to fulfill seeds and treating requirements of the province ;
17. Issuing Assessment reports of crop disasters and for warding estimates ;
18. Provide Instruction for using Insecticides and Pesticides ;
19. To provide provisions for the preservation and expand Indigenous and ancestral cultural activities.

SECTION 3

Provincial Agricultural Committee

Provincial
Agricultural
Committee

19. The Provincial Agriculture Committee hereinafter called as "Committee" shall establish to easy implementation of the Provincial Agriculture policy Minister of Provincial Agriculture should be the Chairman of this committee and Secretary of the Agriculture Ministry should be the secretary of this committee. The committee maintained jointly with the Provincial Animal Production and Development Committee.

Members of the
Committee

20. This Committee should consist of following members.
 1. Members of the Advisory Committee of Agriculture Ministry ;
 2. District Secretaries of Puttalam and Kurunegala Districts ;
 3. Provincial Director of Agriculture North-Western Province ;

4. Provincial Director of Animal production and health (North Western Province) ;
5. provincial Commissioner of Land (North Western Province) ;
6. Provincial Director of engineering (North Western Province) ;
7. North western provincial Director of Irrigation ;
8. Deputy / Assistant commissioners of Agrarian services Kurunegala and Puttlam ;
9. General Manager - Human resources development Authority (North Western province) ;
10. General Manager - North Western provincial Development Authority ;
11. Director - provincial Environmental Authority ;
12. Deputy Inspector General of police Kurunegala and Puttlam ;
13. Government Non Government and private sector project Officers related to provincial Agriculture Animal Production and Irrigation ;
14. Assistant Director of exports Agriculture Kurunegala and Puttlam ;
15. Provincial Manager of Coconut Cultivation Board- North Western Province ;
16. North Western Provincial Manager of Cash nut Cooperation ;
17. District Managers of the Agriculture and Agrarian Insurance Board ;
18. Assistant Director of Aquaculture North Western province ;
19. District officers of Forest Conservation Kurunegala and Puttlam ;
20. Assistant Director of Wild Life North Western Province ;
21. Three Zonal Assistant Directors of Agriculture appoint by the Provincial Agriculture Director as required ;
22. Director of Provincial Health Service ;
23. Provincial Manager, Paddy Marketing Board
24. Director, National Manure Secretariat ;
25. Divisional State Bank Managers or representative officers ;
26. Main Departmental Heads relating to Agriculture
27. Two Professionals of Agriculture Field ;
28. Two Members of Agriculture Production Organization
29. Two Members of Agrarian Associations ;
30. Representatives of Government, Semi Government Non Government Institutions or Organizations appointed by the Minister timely ;

	21. Member from 20.1 to 20.25 are appointed by appointing by committee members virtue official and 20.26 to 20.30 are appointed by the discretion of the minister
	22. The Accession period of the members appointed accession period of member by the minister is two years
Appointing Committee Member	23. Vacancy of member ship may be occur due to completion of the appointed by the minister Resignation of the post , dismiss by the minister with is discretion and the minister should fill these Vacancies
Accession period of members	24. The Committee should meet at least two months .Additional meeting can be called by the Secretary with the advice of the Chairman if necessary .
Cancel the membership	25. (1) The Quorum of this committee should be 4/1 of the Members .
Committee Meeting	(2) No barrier to make decisions by the committee if there is any vacant position of the member
Quorum	26. The committee should prepare require procedure to held committee meetings.
Decisions Meetings	27. Task of the Provincial Agriculture Committee
	(1) Present and Implement Suggestions and approvals to prepare Policies relating to National Policies and statute.
	(2) Provide advices to Monitor and Implement tasks mentioned in the Statute.
	(3) Approval of Provincial Agriculture Plan.
	(4) Follow up and Evaluate Provincial Agriculture Plan providing Resources and Assistance to implement the plan.
Powers of Tasks of the Committee	(5) Provide necessary decisions when problem occur Implementing and Preparing Provincial Agriculture Policy in the Province.
	(6) Grant approval before start any task by the Institute, Organization, Foundation, Forum, Project, Program or any other concurrent Institute, Individual or Team of Individual relating to Provincial Agriculture Expansion, Promotion, Education, Agriculture Services and Provincial Agriculture Researches.
	(7) Cultivate Agricultural Lands to get maximum profits, Restrict who done non agricultural activities in the agricultural lands and activate rights of “Anda” Farmers.

SECTION 4

Agriculture Product Development Organization

Establish Agriculture development Volunteer Organizations and Register	28. Agriculture development Volunteer Organizations can be established hereinafter called as “Organization” combining farmers who cultivate under advices of the Minister, Secretary and the Director and such all organizations should register under this department.
Title of the Organization	29. This Organization should be activate as Agriculture Development Organization Title
	30. Department should prepare common Statute for these Organizations and Implement from the date approved by the Minister. Administrative and Financial Powers are vested in the Minister
Aims of the Organization	31 These Organizations should activate to cultivate any crop or fulfill Agriculture Development Activities.

- 32 Provincial, Zonal and Divisional Organizations can be established by these Organizations and Statute of their content, activities and common Provisions should prepared by the Department. Approval of the Provincial Committee is necessary for this purpose.
33. They can use Government and Non Government project funds to develop their funds. Liquidate and Cancel the Registration
- (l) Appointing Liquidator or Liquidators to close and cancel the registration of the Organizations.
33. 1.1 Number of members are lower than Twelve
- 1.2 If the organization deactivate more than one year from the date of registration
- 1.3 When request made by the one fourth number of members proceeding organization is disable to provide welfare facilities to members or activate opposed to objective of the organization
- 2 Notification of canceling the organization should be published in trilingual (Sinhala, Tamil, English) Newspaper
- 3 Liquidator or liquidators who appoint to winding up the organization has a power to
33. 3.1 Solve any question relating to priority of the credit holders in the organization
- 3.2 Sale the property of the organization
- 3.3 Compound any claim against the organization with a prior approval of the secretary
- 3.4 Activate to divide assets of the organization correctly
- 4 When liquidating the organization, first cover the liquidate cost of the Fund and then release the liabilities. After finishing the liquidation balance should be Credit to the Deposit Account of the Department.

SECTION 5

GENERAL PROVISIONS

34. Any Institution, Organization, Foundation, Group Obtaining approval for Programme or any such similar Institution or Indi-agricultural matters Vidsal's or group of Individuals shall obtain Approval from the provincial Agricultural committee Prior to the implementation of any pertaining to agricultural expension, promotion, education on agriculture, providing agriclutural service or conducting re-researches on the province.
35. All orders issued by the minister as indicated in paragraph 7 about, should be published in the *Gazette* and any such Order should be come into force from the dead indicated in The Order
36. All orders main by the Minister should be submitted for the Approval for the provincial Council after the *Gazette* Notification All orders which were not approval by the Provincial Councils should be separated with out prejudice To any previous activities implementation and should be Published in the *Gazette*
37. Any person who breach, neglects or will fully obstruct any Order or provision of this Statute or any order made under the Statute shall be an offender under this statute
38. The Provincial Director or any person assigned by him shall have the authority to file legal action against any offender who violates this statute

39. Any person who does and offence punishable under this statute can be brought before a Magistrate and after a summary trial, is liable to be imposed a fine of not exceeding Rs 20,000/ and further punishment of a jail sentence of not exceeding 6 months or either of the above or both at the same time.

SECTION 6

INTERPRETATION

In this Statute unless the context otherwise requires

Interpretation

“Provincial Council” means North Western Provincial Council

“Governor” means Governor of the North Western Provincial Council

“Minister” means Secretary of the Agriculture Ministry of the North-Western Province

“Secretary” means Secretary of the Agriculture Ministry of the North Western Province

“Department” means department of Agriculture North Western Province

“Director” means Director of Agriculture North-Western Province

“Agriculture” means Cultivation and Protection of crops (other than Plantation crops and *Gazette* as Export Development Crops) with or without commercial purposes to ensure food and nutritional secure of the people

“Agriculture Promotion” means development of agricultural resources to a maximum level

“Agriculture Expansion” means mediate to provide resources, assists to implement and introduce new technological methods within farmers and other interested groups to uplift food production and development, crop production, and coir production

“Agriculture Education” means Implement, Assist and Introduce new technological methods to farmers and other interested groups to uplift crop production to prepare foods and coir products and provide knowledge and develop abilities and attitudes of farmers and other interested groups.

“Agricultural Services” means provide required material or non material and live or non live infrastructure facilities to reach expected Agriculture expansion and development aims of the province

“Provincial base Agriculture Research” means Agriculture researches done by the provincial level (not for build up basic theories) to solve technical problems and related problems and getting approval for introduced technical relevance’s

“Agriculture Committee” means Agriculture Committee of the North Western Province

“Agriculture Production Society” mean collective farmers organizations based on agriculture production promoting aims

“Farmer Organization Committee” means units combine with the farmer’s organizations and production societies

Sinhala text to prevail in case of inconsistency.

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