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PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

EMBILIPITIYA PRADESHIYA SABHA

By-law of land plans, land subdivision plans, building plan inspection and approval in the implement area of the Housing and Urban Development Act of territorial area of Embilipitiya Pradeshiya Sabha

AS powers vested by section 122 to be read with section 126 of Pradeshiya Sabha and the decision passed at the Sabha general meeting held on 16.03.2023, and By-law of land plan, land subdivision plan and building inspection and approval in the implement area of Housing and Urban Development Act of territorial area of Embilipitiya Pradeshiya Sabha, and according to Section 123(1) of Pradeshiya Sabha Act aforesaid to be read with Section 2 of the Provincial Council (Consequential Provisions) Act, No 12 of 1989, it was approved by the Governor of Sabaragamuwa Province A. A. C. J. Rajarathna and from the date of publication of this notice in the *Gazette*, It is hereby announced that the said By-law shall be in force within the territorial limit of Embilipitiya Pradeshiya Sabha..

A. A. C. J. RAJARATHNA,
Governor,
Sabaragamuwa Province.

At the Sabaragamuwa Provincial Council,
On this 30th day of December, 2024.



BY-LAW OF LAND PLANS, LAND SUBDIVISION PLANS, BUILDING PLANS INSPECTION AND APPROVAL IN THE IMPLEMENT AREA OF THE HOUSING AND URBAN DEVELOPMENT ACT OF TERRITORIAL AREA OF EMBILIPITIYA PRADESHIYA SABHA

1. Approving land plans, land subdivision plans, building plans, in the implement area of the Housing and Urban Development Act within the territorial area of Embilipitiya Pradeshiya Sabha and the implementation by-law for to grant facilities as benefit of the public health in the territorial area.
2. This By-law called as by-law of inspects and approving land plans, land subdivision plans, building plans, in the implement area of the Housing and Urban Development Act within the territorial area of Embilipitiya Pradeshiya Sabha.
3. As vested by section 126(vi), (viii), (ix) of Pradeshiya Sabha Act No. 15 of 1987 the Embilipitiya Pradeshiya Sabha has power to prepare this by-law,
4. (1) As under Section No. 5 of the Housing and Urban Development Act No. 19 of 1915 an application as described and request in this by-law to be submitted to the Chairman of the Sabha for the approval building plan or rebuilding plan.
(2) The charges for the application under this section should be passed under proposal and to be published by the Sabha.
5. The land applied under Section 4 above for the approval, as under Section No. 5 of the Housing and Urban Development Act No. 19 of 1915 should be a land in a land plan or subdivisions plan approved by Chairman.
6. (1) The application should submit as mentioned in Section 5 for the approval of land plan, land subdivision plan, and submit the application with all requirements mentioned in the schedule one of this by- law.
(2) The charges for the application under this section should be passed under proposal and to be published by the Sabha.
7. When the land for construction activity, the plan should be prepared by a licensed surveyor as a development plan, and if it is for residential purpose, the extent should not be less than 6 purchases, and if it is for commercial purpose, the extent should not be less than 4 purchases. When the land subdivision for development activity, if it is for residential purpose, the extent should not be less than 10 purchases, and if it is for commercial purpose, the extent should not be less than 6 purchases.
8. Following conditions should be considered when submitting the plan and land subdivision plan for the approval
 - (1) If there any building, it should indicate location with extent.
 - (2) When land subdivision the plan should be prepared in ratio of 1:1000 and is not a land subdivision plan should prepared in ratio of 1: 1000 or 1:2000.
 - (3) The ratio, north direction, and assessment number of the surround building should indicate clearly.
 - (4) Should indicate access to the land and the width of the toad.
 - (5) Should indicate the drainage system existing or proposed with direction.
 - (6) Should indicate the drainage system for rainwater and the way how to connect to the main drainage system, and if the existing drainage system is not enough, the substitute drainage system should be indicated in the plan.
 - (7) When the slope of the land 10° or more the level of the land and street level should indicate.
 - (8) The boundaries should be indicated in black in the plan.
 - (9) If there street line, building line and other road reservation or in a development plan published in a *Gazette* notice or reservation by legal authority or boundary should indicate.
 - (10) The existing water line, wire fence or boundary., retaining wall, electricity and telephone line should be indicated in the plan.
 - (11) When subdivision of the land in extent one hectare or more, the lot should be less than 40 purchases, and if the subdivision more than 10 lots except for the extent of interior road, 10% of the land should reserve for the public is benefit and marked.

- (12) When subdivision, the interior road should be indicated in the plan, as mentioned in the regulation of the Housing and Urban Development Act.
 - (13) A space of 7.5 cm x 5.5 cm in front page of the application should reserve for write detail of the approval plan. When an electricity post of electricity line is there within the land of plan, it should indicate in the plan.
9. Before issuing a certificate of conformity by the Chairman to the owner of the land or the person who conducting develop, the portion of the land reserved for public benefit under this by-law should be transferred to Pradeshiya Sabha by deed of gift by the owner of the land.
 10. (1) The Chairman should give approval for the application submitted for approval under Section 6 of this by-law on the recommendation of the planning committee mentioned in this by-law.
(2) If anyone not satisfied to the decision of the Chairman under this by-law, they can appeal to the Commissioner of Local Government and the decision of the Commissioner of Local Government will be the final decision.
(3) The appeal activity taken from period to period under this section and ordered by Commissioner of Local Government is legalized.
 11. When the Chairman couldn't issue approval for the application submitted under section 6 of this by-law the Chairman should inform to the applicant within 30 days with the reason.
 12. The owner of the land or the person who doing the development work with consent of the owner should apply for the approval plan of a lot, subdivision plan under this by-law.
 13. That is the applicant responsible carry out development work in approved lot, lots or subdivision plan under this by-law without any disturbance for the public.
 14. Any land coming under a subdivision plan approved under Section 10 of this by-law changes in right of the land when applying should be according to the conditions when approving and should be verified by the certificate of conformity received by Chairman.
 15. When selling the land of approved under this by-law plan of a lot or subdivision plan on tax under Section 154 of Pradeshiya Sabha Act No. 15 of 1987 to be reported the real valuation of the selling land to the Secretary of Pradeshiya Sabha by the owner of the land or the person who doing the development.
 16. Charges for application activity submitted for the approval under Section 10 should be as mentioned in the schedule two of this by-law.
 17. After the implement of this by-law, any development activity taken in the land within the Sabha territorial area without approval of subdivision plan by Chairman and when submitting application for the approval an extra charges as mentioned in the Schedule two to be paid except to the charges decide as above section and time to time propose and passing charges by Sabha is legalized.
 18. Before granting approval under this by-law for land plan, land subdivision plan, if the planning committee recommends getting clearing certificate from authorities mentioned in Schedule three of this by-law or any other equal authorities the Chairman should request to submit such certificate from the applicant is legalized.
 19. The plan submitting to the approval for construction or reconstruction under Section 5 of the Housing and Urban Development Act should be submitted by an application mentioned as in Schedule four of this by-law.
 20. The construction activity as application submitted under Section 19 should be the construction mentioned in the plan approved by Chairman under Section 5 of this by-law.

21. Charges for the application activity submitted under Section 19 should be as mentioned in the Schedule two of this by-law.
22. The request for the written approval of the Chairman under Section 6 of the Housing and Urban Development Act should apply by the application mentioned in the Schedule four of this by-law.
23. When applying under Section 22 alteration of the construction should mark in red in the approval plan.
24. The written approval should give by Chairman or authorized person as mentioned in the Housing and Urban Development Act to the application submitted for written approval under Section 22 above and for the plan applied under Section 19 on obtain recommendation of planning committee as mentioned in this by-law.
25. That is the duty of Chairman or authorized person grant approval should grant approval or the reason for reject should inform to the applicant within 30 days from the plan submit under Section 22 and under Section 19 above.
26. When applying to the approval for building construction or plan for reconstruction or alteration under this by law should apply by the owner of the land or the person who doing development activity with the consent of owner of the land.
27. The construction without approval plan under Section 5 of the Housing and Urban Development Act or the construction without approval under Section 6 of the Act and an extra charge should charge except the charges for the approval as mentioned in the Schedule two of thins by-law. When submit for the approval under Section 19 and under Section 22 is legalized, but for 02 years after implementation of this by -law and not to be charged when approving or granting approval for a plan for construction without approval charges under this section.
28. When issuing approval for application of a plan under Section 19 and for the approval for the application under Section 22 of this by-law it should he under regulations of the Housing and Urban Development Act when for a fact not applicable the Act, the Chairman should consider the regulation of planning and development of Urban Development Authority.
29. If anyone not satisfied to the decision of the Chairman on the application under section 19 and under Section 22 of this by-law. they should appeal under the regulations of the Housing and Urban Development Act.
30. (1) The planning committee for the activities under by-law should be appointed as follows
 - (a) Chairman of Pradeshiya Sabha
 - (b) Secretary of Pradeshiya Sabha
 - (c) Technical Officer, Planning Officer
 - (d) Medical Health Officer or His Representative
 - (e) Officer in charge of subject
- (2) If the Chairman decides to get inspection of any other authority for issue approval for the application submitted under the by-law and participating the representative of such authority to the planning committee should not disturb the regulation of sub section one above.

31. The Chairman should take action to get recommendation report from such authority if the land or building situated within the limit of state building research organization and within the area of get permit from the authority before consider to issuing approval for land plan, land subdivision plan, building construction, plan of rebuilding to the planning committee.
32. That is legalized paying a payment as instructed by the Commissioner of Local Government to the members of the planning committee appointed under Section 30 of the by-law but the payment to the members of the planning committee should less than seventy five percent of the charges for the applications of the day under the by-law.
33. Pradeshiya Sabha should maintain a separate account under general fund for charges for the activity under the by-law.
34. The right of the land should be very clear for any activities application to the approval for land plan, approval land subdivision plan, and approve building construction or plan of rebuilding, and approval for alteration under the by-law.
35. That is guilt developing a land without approval for land plan, approval land subdivision plan, mention under the by-law and punishable guilt by a magistrate court under Section 122 of Pradeshiya Sabha Act No. 15 of 1987.
36. Glossary for terms for this by-laws

“Sabha” - mean Embilipitiya Pradeshiya Sabha.

“Chairman” - mean the Chairman selected by election as Chapter 262 of the Local Government Election Act to Embilipitiya Pradeshiya Sabha.

“Commissioner of Local Government” - mean Commissioner of Sabaragamuwa Province,

“Secretary” - mean the person who appointed permanent or acting as Secretary of Embilipitiya Pradeshiya Sabha,

“Medical Health Officer” - mean Medical Health Officer of Embilipitiya Pradeshiya Sabha,

“Development Activity” - mean doing any permanent alteration made on earth surface or earth interior in the land as dividing the land or sub dividing or construction work or reconstruction,

“Building Construction” - mean new construction or apart of construction and an alteration of a building or boundary wall or a gate.

If any doubt appears in Sinhala, English, Tamil of this by-law the Sinhala version is dominant.

SCHEDULE ONE

..... **Pradeshiya Sabha**
Application for getting approval of Land plan / and land sub dividing plan

Ref No.: -

01. Detail of the Applicant

- 1.1 Name of the applicant: -
- 1.2 E-mail Address: -
- 1.3 NIC /P.P No.: -
- 1.4 Telephone No.: - Land Mobile
- 1.5 Address: -
- 1.6 If any other Applicant their detail: -

Name	E-mail Address	NIC No.	Telephone No. Land	Telephone No. mobile	Address

Whether the applicant a company or a business firm registration No.: -
..... (The registration certificate should attach)

02. The proposed development activity in brief

- 2.1 proposed development activity of the land mentioned in the plan: -

Sub dividing		Attachment		Residential House	
Commercial Building		Industrial Building		Other Development Activities	

Explain when other development activities if as 6
.....

- 2.2 The number if already approved for the proposed development premises (Attach the copy of the approved plan)

- 2.3 Detail of the land relevant to the proposed development plan

- 2.3.1 Address: -
- 2.3.2 Assessment No. :-
(Submit the receipt for paid assessment tax or acreage tax)
- 2.3.3 Grama Niladari Division: -
- 2.3.4 Ownership of the land: -

Transfer		Lease		Gift		Other	
----------	--	-------	--	------	--	-------	--

(When other mention the way how got the ownership)
.....

- 2.4 Attach the copy of the deed of ownership

03. Whether the Applicant owner or not, of the land of proposed plan

3.1 If the applicant not the owner of the land, detail of the owner

3.1.1 Full name of the owner of the land:-.....

3.1.2 National Identity Card No.:-.....

3.1.3 Telephone No.:- LandMobile

3.1.4 Permanent Address:-.....

3.1.5 E-mail Address:-.....

3.1.6 Fax No.:-.....

3.2 Part of this owner's complete statement should be submitted,

04. The rough sketch showing other surrounding landmarks for easy access to the location of land should submit with the application

05. Detail of the land relevant to the proposed development plan

5.1 present use in the land

Bare land		Residential complex		Residential Single House		Commercial	
Office use		Restaurant/Hotel		Industry/Work shop/Stores		Other	

if other explain the nature of use

5.2 Is there any building in the land? Yes/No.

5.3 Is the boundary wall and fence indicating in the plan of the construction? Yes/No.

5.4 The name of the surveyor of the plan

5.5 Number of the plan which submitted to the approval

5.6 Date of the survey

5.7 Extent of the land indicates in the plan

5.8 Two copies of the plan for approval should submit

06. The way how grant facilities to the relevant land

6.1 proposed activities to get water supply for the relevant land

.....
.....
.....

6.1 The activities of disposing garbage

.....

6.2 The activities of getting electricity supply from national electricity scheme

.....

07. The detail of certificate obtained to clearing land propose to get approval when submit the application

<i>Title of the certificate</i>	<i>The Authority issued</i>

The copy of the certificate should attach

08. The payment for the application

8.1 Date of the payment:-.....

8.2 Amount (Rs.):-.....

8.3 Paid Cash/ Cheque

(Receipt should submitted)

I certify that the above clauses are true, correct

.....
 Date

.....
 Signature of the applicant

The statement of owner of the land

When the applicant is not the owner of the land this statement should signed by the owner of the land and submit.

01. The detail of the applicant and proposed development plan

- 1.1 Name of the Applicant :-.....
- 1.2 Address :-.....
- 1.3 National identity card No. :-
- 1.4 Telephone No.: - Mobile Land.
- 1.5 Nature of the proposed development :-
- 1.6 Address of the land where the proposed development :-
- 1.7 Assessment No.:-

02. I /we the absolute owner/leaseholder of the land depicted in the plan no. dated.....and prepared by licensed surveyor for the development activity described in section 01 above and we appointed mentioned as the applicant in section 01 above and he will take action as getting approval from Pradeshiya Sabha for the development activity behalf of I/ we and take action that has power to do.

20.....YearMonthDay

Name

Signature

- | | |
|---------|-------|
| 1. | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |

SCHEDULE TWO

The approval charge for a lot for subdivision the land			
6P. to 10P.	Rs. 500.00		
10P. to 20P.	Rs. 1000.00		
more than 20 P.	Rs. 1500.00		
The approval charge for the plan of the land for a lot			
Up to 40P.	Rs. 1000.00		
41P. to 80P.	Rs. 1500.00		
more than 81 P.	Rs. 2000.00		
Charges tor granting cover approval for unauthorized sub division the land and to except the charges for sub division the land			
6P. to 10P.	30°/.		
10P. to 20P.	40%		
more than 20 P	050%		
Building construction / Reconstruction Extensions			
Extent of the land sq. meter	Residential		Non residential
Up to 400	Rs. 20.00	Rs. 25.00	Rs. 25.00
401 to 1000	Rs. 22.00	Rs. 27.00	Rs. 27.00
1001 to 1500	Rs. 25.00	Rs. 30.00	Rs. 30.00
1501 to 2000	Rs. 25.00	Rs. 32.00	Rs. 32.00
For every 90m exceeding 2000	Rs.2000.00	Rs.2000.00	Rs.2000.00
Correction charges - in foundation level			
Nature of the development	Except the charges for approval charge of building plan		
	Residential		Non residential
Up to foundation level	25%		30%
Up to roof level (Except roof)	35%		40%
Roof and wall	50%		60%

For retaining wall parapet wall (for a meter)		
	High less than 2 meter	High more than 2 meter
Less than 50 meter	Rs. 25.00	Rs. 50.00
More than 50 meter	Rs. 35.00	Rs. 60.00
Other construction works		
	construction works	update
Telecommunication / Antenna tower Broadcasting tower	Rs. 40000.00	Rs. . 75000.00
Issue of certificate of conformity		
Buildings (Residential)	Rs. 2000.00	
Buildings (Non- residential)	Rs. 3000.00	
Land sub division plan	Rs. 3000.00	

SCHEDULE THREE

The authorities certificate of settlement should obtain

1.	National Building Research Organization
2.	Central Environment Authority
3.	Sri Lanka Board of Investment
4.	Bureau of Geological and Mine
5.	Ministry of Defense
6.	Fire Fighting Services
7.	Civil Aviation Authority
8.	Department of Archaeology
9.	Irrigation Department
10.	Telecommunication Regulatory Commission
11.	Electricity Board
12.	Land Building and Development Corporation
13.	Land Reform Commission
14.	District Secretariat
15.	Department of Agricultural Development
16.	Forest Department
17.	Other Institutions as applicable

SCHEDULE FOUR

..... **Pradeshiya Sabha**
Application for getting approval of Land plan / and land sub dividing plan

Ref. No.:.....

01. Detail of the Applicant

- 1.1 Name of the applicant :-.....
- 1.2 E-mail Address :-.....
- 1.3 NIC /P.P No. :-.....
- 1.4 Telephone No. :- Land Mobile
- 1.5 Address :-.....
- 1.6 If any other Applicant their detail :-.....

<i>Name</i>	<i>E-mail Address</i>	<i>NIC No.</i>	<i>Telephone No. Land</i>	<i>Telephone No. mobile</i>	<i>Address</i>

- 1.7 Whether the applicant a company or a business firm registration No.:-
(The registration certificate should attach)

02. The proposed development activity in brief

- 2.1 The use of proposed construction building

New Construction		Alternation		Residential House	
Commercial Building		Industrial Building		Other Development Activities	

* Explain when building Construction for other development activities if as 6

- 2.2 The number is there already approved for the proposed development building plan
..... (Attach the copy of the approved plan)
- 2.3 Number of persons can use same time the proposed building:-

03. Related Proposed building construction plan

- 3.1 Address:-
- 3.2 Assessment No:-

(Submit the receipt for recently paid assessment tax)

3.3 Grama Niladari Division:-

3.4 Ownership of the land of building construction plan:-

Transfer		Lease		Gift		Other	
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(When other mention the way how got the ownership)

.....

3.5 Reference Number and the date of approval by Chairman of Pradeshiya Sabha the plan of the land of construction:-

Copy of the surveyor plan approved by Chairman should submit)

Whether the Applicant owner or not of the land of proposed plan:-

04. If the applicant not the owner of the land, detail of the owner

4.1 Full name of the owner of the land :-

4.2 National identity card No. :-.....(Attach the copy)

4.3 Telephone No. :- Land..... Mobile

4.4 Permanent Address :-

4.5 E-mail Address :-

4.6 Fax No. :-

4.7 As a part of this, owner's complete statement should submit.

05. The detail easy access to the location of land

5.1 Location plan of the proposed development (Rough sketch including main town, junction/ the road from main road to proposed land, special mark, detail of attached land)

5.2 Ownership of the main road Accessing road:- public / personal

5.3 The width of the Main road/Accessing road:-

06. Distance from proposed building to the boundaries

<i>Boundary</i>	<i>Distance (meter)</i>
1. Street boundary or Street line	
2. Backside boundary	
3. Leftside boundary	
4. Right side boundary	
5 Rivers, Canal, Pond, Reservation	
6. Other (mention)	

07. Detail of the Development

- 7.1 Number of floors of the proposed building:-
- 7.2 Extent of the building (sq.m.): -
- 7.3 Extent of each floor

<i>Floor</i>	<i>Proposed extent (sq.m.)</i>	<i>When an alternation change in extent of existing building</i>
Total extent (sq.m.)		

- 7.4 Portion of the land covering construction for the extent of approved plan
- 7.5 Portion of the building (Total extent of All floors. (Except the land reserve for vehicle parking) extent of the land (except the land in street line).....
- 7.6 Submit the plan with existing building, road and drainage system if you have idea to fill the land
- 7.7 Attach the report of using of each floor
- 7.8 Attach the plan of proposed development
- 7.9 The value of the investment of proposed development Rs:-
- 7.10 The type of air conditioner (if relevant):- .Middle/Partitioned/ Not relevant
7. 11 Detail of building raw material
- 7.11.1 Wall
- 7.11.2 Roof.
- 7.11.3 Floor
- 7.11.4 Slab of upstairs
- 7.11.5 Foundation

08. Other detail related to development

- 8.1 Effect of vehicle parking and transportation
- 8.1.1 Is there mention about vehicle parking in the plan? Yes /No.
- 8.1.2 If yes number of parking:-
- 8.1.3 Number of vehicle could park:-
- 8.2 Detail of individual housing development
- 8.2.1 Numbers of existing:-
- 8.2.2 Number of unit proposed to build:-
- 8.2.3 Number of total units;-
- 8.2.4 Is the housing unit number and colored? Yes /No.

8.3 Is there lift facilities for construction more than three floors? Yes / No.

8.4 Is there electric generator facilities? Yes / No.

09. The other activities

9.1 Rain water management activities

9.2 Gully activities

9.3 Water drainage activities

9.4 Garbage disposal activities

9.5 Is there entrance facilities for disable peoples as *Gazette* Notice No. 1467/15 dated 07.10.2006)?
Yes / No.

9.6 Is there facilities to save rain water? Yes /No.

10. When application submit the detail of certificate obtained for proposed approval construction

<i>Title of the certificate</i>	<i>Authority issued</i>

The copy of the certificate should attach

11. Payment for Application

11.1 Date of the payment:-

11.2 Amount (Rs):-

11.3 Paid by:- Cash/Cheque

(Receipt should submit)

I certify that the above clauses are true, correct and further I certify that the documents submit with the application are prepared and certified by legally approved Architecture, Civil Engineer and Planning Officer with the front view, side view and shape of the proposed building with three copies of the plan.

.....
Date

.....
Signature of the applicant

EOG 01 - 0113