



PARLIAMENT OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF  
SRI LANKA

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DEVELOPMENT COUNCILS  
(AMENDMENT)

ACT, No. 21 OF 1987

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[Certified on 16th April, 1987]

*Printed on the Orders of Government*

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*Development Councils (Amendment)*  
Act, No. 21 of 1987

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L. D. O. 14/86. (II)

AN ACT TO AMEND THE DEVELOPMENT COUNCILS ACT,  
No. 35 OF 1980

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Development Councils (Amendment) Act, No. 21 of 1987.

Short title.

2. Section 17A of the Development Councils Act, No. 35 of 1980 (hereinafter referred to as the "principal enactment") is hereby amended as follows:—

Amendment  
of section  
17A of Act  
No. 35 of  
1980.

(1) in subsection (1) thereof, by the substitution for all the words from "the Executive Committees of Development Councils" to the end of that subsection, of the words "the Executive Committees of Development Councils and of the powers, duties and functions under the Municipal Councils Ordinance and the Urban Councils Ordinance, of Municipal Councils and Urban Councils respectively there shall be established in every Grama Seva Niladhari's Division a Gramodaya Mandalaya.";

(2) by the insertion immediately after subsection (2) of that section, of the following subsection:—

"(2A) No member of the Gramodaya Mandalaya who is a public officer or an officer of a public corporation shall take part in any deliberation or decision of the Mandalaya with respect to any contract awarded or to be awarded by the Mandalaya or sign any such contract.";

(3) in subsection (3c) thereof, by the substitution for the words "District Secretary under this Act.", of the words "District Secretary under this Act, or by any Municipal Council or Urban Council under the Municipal Councils Ordinance or the Urban Councils Ordinance.";

(4) by the insertion immediately after subsection (3c) thereof, of the following subsection:—

"(3D) A person shall be disqualified from holding office as a member of a Gramodaya Mandalaya if he is subject to any of the following disqualifications:—

(a) if he is not a citizen of Sri Lanka;

(b) if he has not attained the age of eighteen years;

- (c) if he is under any law, found or declared to be of unsound mind;
  - (d) if within the three years immediately preceding he has been convicted of any offence involving moral turpitude or has been sentenced to a term of imprisonment of three months or more, or is serving a term of imprisonment of three months or more;
  - (e) if he is a member of the regular force of the Sri Lanka Army, Sri Lanka Navy or Sri Lanka Air Force;
  - (f) if he is a police officer or public officer exercising police functions;
  - (g) if he is an undischarged bankrupt or insolvent, having been declared bankrupt or insolvent; or
  - (h) if during the preceding seven years he has been adjudged by a competent court or by a Special Presidential Commission within the meaning of the Special Presidential Commission Law, No. 7 of 1978, to have accepted a bribe or gratification.”;
- (5) by the repeal of subsections (4), (5), (5A), (5B), (5C) and (6) thereof and the substitution therefor, of the following subsections:—
- “ (4) (a) Every Gramodaya Mandalaya shall, within the area for which such Gramodaya Mandalaya is established have the following functions and powers:—
- (i) the collection of socio-economic data and the preparation of village development plans;
  - (ii) the formulation and implementation of village level plans;
  - (iii) the implementation of schemes or works formulated by Municipal Councils, Urban Councils and the Pradeshiya Sabhas, and assigned to the Gramodaya Mandalayas by such Municipal Councils, Urban Councils or Pradeshiya Sabhas for implementation;
  - (iv) the provision of common amenities and other services;

- (v) the preparation of project proposals to be submitted to Municipal Councils, Urban Councils and Pradeshiya Sabhas;
- (vi) the protection and management of the environment;
- (vii) the provision of assistance for the protection and management of State property;
- (viii) the encouragement of thrift, and the elimination of waste;
- (ix) the provision of facilities for the religious, moral, social, cultural and economic upliftment of persons resident within that area;
- (x) the taking of measures for increasing productivity, and generating employment;
- (xi) the making of recommendations in respect of the exercise, discharge and performance of the powers, functions and duties of the Development Council established for the administrative district within which such Gramodaya Mandalaya is established, and of the Municipal Council, Urban Council or Pradeshiya Sabha established for the Municipality, the town or the area within which such Gramodaya Mandalaya is established, to the relevant Development Council, Municipal Council, Urban Council or the Pradeshiya Sabha.

(b) Any person authorized in writing in that behalf by the Gramodaya Mandalaya may enter any premises, land or building situated within the area for which such Gramodaya Mandalaya is established and make such investigations or inquiries thereon, as may be necessary for the discharge of the functions assigned to the Gramodaya Mandalaya by sub-paragraph (i) of paragraph (a) of this subsection.

(c) Any person who resists or obstructs any other person authorized by a Gramodaya Mandalaya under paragraph (a) in performing his duties under that paragraph, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate, be liable to a fine of two hundred rupees.

(5) (a) Every Gramodaya Mandalaya shall for its general financial purposes establish a fund into which shall be credited moneys received by way of—

- (i) grants or other allocations made by the Government;
- (ii) donations or other voluntary contributions.

(b) There shall be paid out of the fund, all such expenses as may be incurred by the Gramodaya Mandalaya in the exercise of its powers and the discharge of its functions, under this Act.

(c) Article 154 of the Constitution shall apply to the audit and accounts of the fund of every Gramodaya Mandalaya.

(6) Every Gramodaya Mandalaya shall have the power to employ and remunerate, such officers and servants as may be necessary for the discharge of the functions assigned to such Gramodaya Mandalaya by this Act or any other law.”; and

(6) in subsection (7) thereof by the substitution for the words “Gramodaya Mandalaya, or Pradeshiya Mandalaya” wherever such words appear in that subsection, of the words “Gramodaya Mandalaya”.

Amendment  
of section  
18 of the  
principal  
enactment.

3. Section 18 of the principal enactment is hereby amended as follows:—

(1) by the repeal of subsection (1) thereof, and the substitution therefor of the following subsection :—

“(1) A Development Council shall not perform or discharge any duty or function imposed on or assigned to it by or under this Act, within the administrative limits of any Municipality or any Urban area or any Pradeshiya Sabha area situated within the administrative district for which such Development Council is constituted, where such duty or function has been imposed on or assigned by the Municipal Councils Ordinance, the Urban Councils Ordinance, Pradeshiya Sabha Act or any other written law, to any Municipal Council or Urban Council or Pradeshiya Sabha constituted for that Municipal area, Urban area or Pradeshiya Sabha area, by or under the Municipal Councils Ordinance, Urban Councils Ordinance or Pradeshiya Sabha Act, as the case may be.”; and

(2) by the repeal of paragraph (a) of subsection (2) thereof.

4. Section 36 of the principal enactment is hereby amended in subsection (1) of that section by insertion, immediately after paragraph (h) of that subsection, of the following new paragraph :—

Amendment  
of section 36  
of the  
principal  
enactment.

“ (hh) delegate to any Municipal Council, Urban Council or Pradeshiya Sabha established for any area falling within the administrative district for which such Development Council is constituted, the implementation of any scheme or work included in the annual development plan ; ”.

5. The First Schedule to the principal enactment is hereby amended as follows :—

Amendment  
of First  
Schedule  
to the  
principal  
enactment.

(a) by the substitution, for item (i) of that Schedule, of the following item :—

“ (i) Agrarian Services including control of cattle trespass and soil conservation ”;

(b) by the substitution, for item (viii) of that Schedule, of the following item :—

“ (viii) Fisheries includng coast conservation ”;  
and

(c) by the addition at the end of that Schedule, of the following new item :—

“ (xvi) Environment ”.

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