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The Gazette of the Democratic Socialist Republic of Sri Lanka

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PART IV (A) — PROVINCIAL COUNCILS

(Separate paging is given to each language of every Part in order that it may be filed separately)

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- Note.**— (i) Appropriation (Amendment) Bill was published as a supplement to the *Part II of the Gazette of the Democratic Socialist Republic of Sri Lanka* of July 15, 2016.
- (ii) Engineering Council, Sri Lanka Bill was published as a supplement to the *Part II of the Gazette of the Democratic Socialist Republic of Sri Lanka* of July 29, 2016.
- (iii) Sri Lanka Sustainable Development Bill was published as a supplement to the *Part II of the Gazette of the Democratic Socialist Republic of Sri Lanka* of August 12, 2016.

IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY “GAZETTE”

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All Notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, Corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-Vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after three months from the date of publication.

All notices to be published in the weekly *Gazettes* should reach Government Press two weeks before the date of publication *i.e.* notices for publication in the weekly *Gazette* of 11th November, 2016 should reach Government Press on or before 12.00 noon on 28th October, 2016.

Electronic Transactions Act, No. 19 of 2006 - Section 9

“Where any Act or enactment provides that any Proclamation, rule, regulation, order, by-law, notification or other matter shall be published in the Gazette, then such requirement shall be deemed to have been satisfied if such rule, regulation, order, by-law, notification or other matter is published in an electronic form of the Gazette.”

GANGANI LIYANAGE,
Government Printer (Acting).

Department of Government Printing,
Colombo 08,
15th September, 2016.



This Gazette can be downloaded from www.documents.gov.lk

Provincial Council Notifications

MINISTRY OF ROAD, TRANSPORT, CO-OPERATIVE DEVELOPMENT AND TRADE, HOUSING AND CONSTRUCTION, INDUSTRIAL AND RURAL DEVELOPMENT NORTH WESTERN PROVINCE

My No.: NWP/MORD/RD/1/16/07/Statute 2015

NORTH WESTERN PROVINCIAL COUNCIL

Statute on the Department of Rural Development No. of 2015 of the Provincial Council in the North Western Province

I do hereby notify that the Statute on the Department of Rural Development No. of 2015 of the Provincial Council in the North Western Province published below will be tabled at the North Western Provincial Council after the lapse of thirty days from today. In case of any issue to be furnished regarding the provisions of this statute such issues should be furnished to me before the aforesaid date.

GUNADASA DEHIGAMA,
Provincial Minister of Roads, Transport,
Co-operative Development and Trade Housing,
Industrial and Rural Development.
(North Western Province)

Ministry of Roads, Transport,
Co-operative Development and Trade Housing,
Industrial and Rural Development,
North Western Province,
North Western Provincial Complex,
Ground Floor- Kurunegala.
30th August, 2016.

Rural Development Statute No. of 2015 North Western Provincial Council of the North Western Province

Long Title

A statute for making provisions to create a self-strengthened rural community in the North Western Province, to transform the village into a flourishing livelihood center, and for establishment of a Department of Rural Development in the North Western Province and establishment, registration and maintenance of Rural Development Societies, Women Rural Development Societies, Divisional Board of Authority, District Board of Authority and Provincial Board of Authority and to make provisions for incidental matters thereto.

Be it hereby enacted by the North Western Provincial Council in terms of the provisions of Section 10 of 1st index of 9th schedule by virtue of powers vested in the Provincial Council under Section 154g (1) of 13th amendment of constitution of Democratic Socialist Republic of Sri Lanka.

Short Title &
Date
of Operation.

(1) This enactment is cited as Rural Development Statute No. of 2015 of the North Western Provincial Council and shall come into operation from the date of approval by the Hon. Governor of the North Western Province.

Objective
of the
Statute.

(2) The objectives of this statute are as follows :

(1) Economic, social, cultural and spiritual development of the people of the North Western Province through making provisions for planning, implementation, maintaining and supervision of programs with in order to transform the village into a prosperous livelihood center.

(2) Establishment of Department of Rural Development in the North Western Province.

- (3) Making provisions for establishment, registration, supervision, execution, auditing, amalgamation, dissolution and liquidation of Rural Development Societies, Women Rural Development Societies, Rural Development Divisional Boards of Authority, Rural Development District Boards of Authority, Rural Development Provincial Boards of Authority.

PART I

ESTABLISHMENT OF PROVINCIAL DEPARTMENT OF RURAL DEVELOPMENT AND STRUCTURE, POWERS AND DUTIES OF THE DEPARTMENT

- (3) A Department cited as the Department of Rural Development for the North Western Province (hereinafter know as the Department) shall be established in order to accomplish the objectives of this statute. Establishment of the Department
- (4) This Department shall be an incorporated institute with a continual existence possessing a common seal and it has powers to perform all the activities relating to the subject of rural development, to file and caused to be filed law suits by the name of Department of rural Development and to give explanations in respect of other legal matters. The Department is a lawful institute
- (5) This Department shall consist of a Provincial Director, Assistant Provincial Director, Two District Officers, Rural Development Officers, Development officers and an assistant staff. Appointment of Officers
- (6) A class one officer of Sri Lanka Administrative Service shall be appointed as the Director of Rural Development on the North Western Province for executing powers and duties entrusted to the Department by the Hon. Governor of North Western Province by inquiring the Minister in charge of the subject. Appointment of Director
- (7) (1) The powers of executing orders and provisions enacted in this statute or incidental matters thereto shall be entrusted on the Director. Powers of Provincial Director
- (2) The Director may delegate his powers to other officers in the Department as the case may be.
- (8) All the officers appointed for the purpose of this statute shall be deemed as public employees in terms of the definition made under Penal Code. Public Officers
- (9) The functions of the Department of Rural Development in the North Western Province shall be as follows:– Functions of the Department
- (1) Organizing people in order to uplift by self-strength.
 - (2) Planning, implementation, following up and supervision of program for rural development in the province.
 - (3) Improving knowledge, skills and attitudes of the people for Rural Development affairs and planning and implementation of projects and training programs.
 - (4) Establishment, registration, supervision, functioning, auditing, joining, dissolution and liquidation of Rural Development Societies, Women Rural Development Societies, Rural Development Divisional Boards of Authority, Rural Development District Boards of Authority, Rural Development Provincial Boards of Authority.

- Powers of the Department (10) Powers of the Department of Rural Development :
- (1) Supervision of functioning of Rural Development Societies, Women rural Development Societies, Rural Development Divisional Boards of Authority, Rural Development District Board of Authority, Rural Development Provincial Boards of Authority, checking accounts, carrying out investigations thereof and checking required documents and obtaining information for that purpose may be executed by Director of Rural Development and an officer authorized by the Director of Rural Development.

PART II

ESTABLISHMENT, REGISTRATION, SUPERVISION, FUNCTIONING, AUDITING, JOINING, DISSOLUTION AND LIQUIDATION OF RURAL DEVELOPMENT SOCIETIES, WOMEN RURAL DEVELOPMENT SOCIETIES , RURAL DEVELOPMENT DIVISIONAL BOARDS OF AUTHORITY, RURAL DEVELOPMENT DISTRICT BOARDS OF AUTHORITY, RURAL DEVELOPMENT PROVINCIAL BOARDS OF AUTHORITY

- Establishment of Rural Development Societies (11) In order to improve economic, social and cultural development of the community in the North Western Province, in every village or Grama Niladhari Division a Rural Development Society or Women Rural Development Society or Both societies may be established and in a Women Rural Development society, only women shall hold membership. Every such society shall be registered under the Department.
- Registration of Societies (12) Women Rural Development societies in the North Western Province those already initiated when this statute came in to operation shall be registered in the manner stipulated in the orders enacted by the Minister in charge of the subject.
- Disqualification for registration (13) (1) Rural Development Societies, Women Rural Development Societies those not meet the standards stipulated in the orders enacted under section 12 of this statute shall not be qualified for registration.
(2) Such disqualification for registration should be informed to the applicant concerned.
- Area of authority of the Society (14) The area of authority of a society shall not be larger than a Grama Niladhari Division and not smaller than a village. Provided that, several societies may be established in one village in respect of a *Gam Godella*, tract or an estate unit which has a distinctive economic, social and geographical identity in the same village.
- Limitation of the area of authority for only one society (15) Provided that, only one category of society may be established in each area of authority of society.
- Functions of a Rural Development Society (16) The functions of rural Development societies are as follows :
(1) Regular implementation of development programs required to create a better society by improving economic, and social status of the community living in the area of authority of North Western provincial council through Women Rural Development Societies.
(2) Implementation of religious programs, enhancing literature affairs, improving sports activities and conducting *shramadana* campaigns for creating morality and collaboration of the members and community living in the area of authority.
(3) Implementation of awareness programs and training programs in order to enhance the knowledge, attitude and skills of village community by prioritizing human resource development.
- Rejection of registration (17) In case women Rural Development society is not qualified for registration in terms of Section 12 the registration shall be rejected and such rejection of registration shall be informed in writing by the Director of Rural Development.

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| (18) | Registration of Rural Development societies and Women Rural Development Societies those executed contrary to the provisions of this statute, not comply with the terms and standards of the orders and remain defunct shall be cancelled. | Cancellation of registration. |
| (19) | All the properties of society where the registration is so cancelled shall be entrusted to the Ministry of Rural Development. The secretary to the Ministry shall make necessary provisions to authorize an officer to take over and protect such property on behalf of the Ministry. | Property of Societies cancelled. |
| (20) | Appeals made in respect of cancellation or rejection of registration in terms of section 12 and section 13 of this statute shall be submitted to the secretary to the Ministry of Rural Development within 90 days from the date of receipt of the letter of rejection of cancellation of registration. The decision of the Minister in charge of the subject in regard to appeals shall be final and conclusive. | Powers of appeals. |
| (21) | In case where there are several societies of the same category in one area of authority such societies may be joined / funds of the societies shall be credited to one common account. | Joining societies. |
| (22) | In case a Rural development society, a women rural Development society is established contrary to the limits of the area of authority of society such societies could be disjointed on a decision made by the Director. The properties of such societies shall be divided as the manner decided by the Director by inquiring the General Council. | Disjoining of Societies. |
| (23) | Rural Development Societies, and women Rural Development societies registered under section 12 of this statute shall be executed under a common constitution as stipulated in the orders made by the Minister in charge of the subject under this section. | Society constitution. |
| (24) | (1) a fund shall be established for each Rural Development Society, a Women Rural Development Society registered under Section 12.

(2) Provisions for management of funds shall be made by the Minister in charge of the subject by means of the orders enacted under section 23. | Society Funds. |
| (25) | In case defunct Rural Development societies and Women Rural Development Societies are incapable to be reorganized such societies shall be dissolved. The funds of the societies shall be credited to a liquidation account which is in charge of the Director. | Dissolution of societies. |

PART III

REGISTRATION AND MAINTENANCE OF RURAL DEVELOPMENT DIVISIONAL BOARDS OF AUTHORITY, DISTRICT BOARDS OF AUTHORITY, PROVINCIAL BOARDS OF AUTHORITY

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| (26) | A rural Development Divisional Board of Authority shall be established in every Divisional Secretariat Division and such board of Authority shall consist of Chairmen, secretaries and Treasurers of Rural Development Societies Women rural Development Societies established within the Divisional Secretariat Division. | Establishment of Divisional Boards of Authority. |
| (27) | the chairman, secretary and treasurer of the Rural Development Divisional Board of Authority shall be appointed from among the chairmen, secretaries, and treasurers of Rural Development Societies and Women Rural Development Societies and the Rural Development officer of the Division shall be ex - officio appointed as the instructor of the divisional Board of Authority. The Divisional Secretary of Division shall be ex - officio appointed as the advisor of the Divisional Board of Authority. | Structure of the Rural Development Divisional Board of Authority. |

- Functions of Rural Development Divisional Boards of Authority.
- (28) functions of the Divisional Boards of Authority
- (1) Guiding to achieve objectives of Rural Development Societies through preparing programs for the enhancing Rural Development Societies and Women Rural Development Societies.
 - (2) Coordinating Rural Development District Boards of Authority and Provincial Boards of Authority.
 - (3) Assisting to prepare a joint Rural Development Plan for the Divisional Secretariat Division in terms of the instructions given by the Director.
 - (4) Building better connection among Rural Development Societies and Women Rural Development Societies and preparing programs for increasing society funds.
 - (5) Achieving a preceding mission of empowering the community of the area of authority for development process.
- Establishment of District Boards of Authority.
- (29) District Boards of Authority are established through the representation of chairmen, secretaries and treasurers of Rural Development Divisional Boards of Authority.
- Structure of the Rural Development District Board of Authority.
- (30) Chairman, secretary and treasurer of the District Board of Authority shall be appointed from among the members of the Divisional Boards of Authority and District Rural Development officer shall be the ex-officio appointed as the instructor. The Provincial Director of Rural Development shall be ex officio appointed as the Advisor.
- (31) functions of the District Board of Authority.
- (1) Assisting, advising and guiding for the improvement of Rural Development Societies in the District.
 - (2) Contribute in formulating the District Rural Development plan with the association of plans of Divisional Rural Development Boards of Authority.
 - (3) Formulating District Development plan and providing necessary assistance to implement the plan with the collaboration of other organizations of the District.
 - (4) Representing provincial Boards of Authority.
- Establishment of Provincial Rural Development Board of Authority.
- (32) Provincial Boards of Authority is established with the amalgamation of two District Rural Development Boards of Authority.
- (1) The Chairman, Secretary and Treasurer of the Provincial Board of Authority shall be elected Form among the members of District Board of Authority and the Director of Rural Development shall be ex-officio appointed as the Instructor and the Secretary to the Ministry of Rural Development shall be the Advisor.
 - (2) Functions of Provincial Boards of Authority
 - (a) Providing the necessary assistance for the implementation of Provincial Rural Development Plan.
 - (b) Identifying special projects required in Rural Development, assisting to planning and implementation.
 - (c) Providing assistance for Rural Development training activities and research activities of the province.

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| (33) | Every Board of Authority established under Sections 26, 29 and 32 shall be registered by the Provincial Director of Rural Development. | Functions of the Provincial Rural Development Board of Authority. |
| (34) | Appeals relating to registration and cancellation of registration of Boards of authority shall be submitted to the Secretary to the Ministry of Rural Development within 90 days and the decision of the Minister of Rural Development shall be final and conclusive. | Cancellation of registration of Boards of Authority |
| (35) | Boards of Authority registered under Section 33 of this Statute shall be registered under a common constitution as set out in the orders. | Constitution of Boards of Authority |
| (36) | Every Board of Authority registered shall be able to establish a fund to achieve their objectives. | Funds of Boards of Authority |
| (37) | This fund shall be audited by an officer of the Department of Rural Development. | Auditing funds |

PART IV

OFFENCES AND PENALTIES

- (38) Any person ,
- (1) Who makes a false or incorrect statement deliberately in respect of any report or a document upon a term, or order made or provided for the purpose of this statute or under this statute,
 - (2) Who default or reject certain information or any report stipulated by this statute,
 - (3) Who default orders, notifications, without reasonable grounds,
 - (4) Who interrupt a person authorized in executing or performing any duty or action delegated under this statute or under an order made under this statute,
 - (5) Shall be a guilty of an offence under this statute who violates and who defaults and/or interrupts execution of any order and provision deliberately of this statute or orders made under this statute.
- (39) In case an offense is made the Director of Rural Development or an officer authorized by the Director of Rural Development shall have the power to file law suits under this statute. Power of filling law suits
- (40) Every person who commits offense shall convicted at summery inquiry before a Magistrate shall be liable to a fine of a minimum of Ten Thousand Rupees (Rs. 10,000) and not exceeding One Lakhs (Rs. 100,000) or imprisonment of either description for a period of not exceeding six (06) months or to such fine and imprisonment both. Offence

Every person who commits an offence shall convicted at summery inquiry before a Magistrate shall be liable to a fine of a Five Thousand Rupees (Rs. 5,000) and imprisonment of for a period of not exceeding six (06) months and to such fine and imprisonment both.

PART V

GENERAL PROVISIONS

- Enacting orders (41) The Minister has power to enact orders in respect of matters of this statute
- Sinhala text to prevail in case of inconsistency (42) In the event of any inconsistency among Sinhalese and Tamil text of the statute the Sinhalese text shall prevail
- (43) In this statute, unless the context otherwise requires
- “Provincial Council” means the North Western Provincial Council
- “Minister in Charge of the Subject” Minister in charge of the subject of Rural Development
- “Secretary” means the Secretary to the Minister in charge of the subject of Rural Development of the North Western Provincial Council.
- “Provincial Department of Rural Development” is the Department established for the subject of Rural Development.
- “Director” means the Provincial Director of the Department of Rural Development of the North Western Provincial Council,
- “Officer” means the Rural Development Officers, Development Officers (Rural Development), Sewing instructors, and other officers of the North Western Provincial Council
- “Rural Development Societies” means Rural Development Societies and Rural Development Women Societies,
- “Area of Authority of a Society” shall not be larger than a Grama Niladhari Division.
- “Divisional Boards of Authority” means Rural Development Divisional Boards of Authority registered one for each Divisional Secretariat Division in the North Western Province.
- “District Boards of Authority” means District Rural Boards of Authority registered each for the two District of Kurunegala and Puttlam in the North Western Province.
- “Provincial Boards of Authority” means North Western Provincial Rural Development Board of Authority registered for the North Western Province.
- “Member” means in case Rural Development Society members of the area of authority of the society and in case Divisional Boards of Rural Development members representing Rural Development Societies in case District Boards of Rural Development members representing Divisional Boards of Rural Development and in case Provincial Boards of Rural Development members representing District Boards of Rural Development.
- “Constitution” means constitutions approved at Rural Development Societies, Rural Development Women Societies and at Rural Development Boards of authority established under this statute.
- “Orders” means orders made under the provisions of this statute.