

One of the important lacunas in the highly politicized devolution debate that continued in the country since the late 1980s has been the lack of a serious effort on the part of the policy makers to learn from the lessons of the existing devolved administrative system. Several studies were done in the past on the administrative and legal implications of the Provincial Council System. However, these studies have escaped the attention of our policy makers who have been busy with politics of devolution since the 1980s. In this context, HARTI should be congratulated for mandating a research on the impacts of the devolution of power on the smallholder agriculture through a comprehensive study on the impact of the Provincial Council System on the political and administrative system of Sri Lanka.

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Research Study No. 126

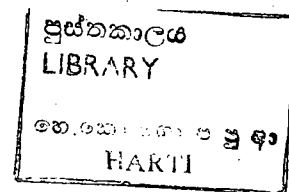


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Foreword

Devolution has become a major feature in the governance agenda whilst being a subject of agitation by discontented groups since the island's independence in 1948. It became a new feature of the political administration system after the Thirteenth Amendment to the Constitution was enacted in August 1987. There has been a significant revival of interest in devolution after the new Administration of His Excellency the President in November 2005. The Government reiterates that a maximum devolution of power under a unitary constitution is the most comprehensive method to devolve power in this country. This stance is important because devolution had not been given a fair opportunity to prove its efficacy as a remedial measure for secessionist agitations and local people's participation in decision making and resource mobilization for regional development in the island. One would be glad that a political administration system has been established in the East after long years of limbo. It is an irrefutable fact that the East (as well as the North) has hitherto had no real opportunity of being governed by elected representatives for which the Provincial Council system was put in place in 1987.

It is at this juncture that HARTI has completed a study on the functioning of devolution and assessing how shared subjects between the national Government and provincial administrative structures like land, agriculture, irrigation and livestock are working to meet the development needs at the provincial level. This being one major area of the mandate of HARTI and listed in such documents as Sri Lanka Council for Agricultural Research Policy in 2006 as a major priority area in socio-economic studies, I am glad that Miss M.K.Nadeeka Damayanthi and Mr. V.K Nanayakkara have devoted time and energy in studying deep the subject matter of this report and presenting insights for policy. I specially thank Mr. V.K Nanayakkara, Director/HARTI for sharing his time with a young researcher to explore a complex subject in a practical way. Hence I am privileged to write the foreword for this study.

This study disentangles many ambiguities in the constitutional provisions in the Thirteenth Amendment of 1987. In the backdrop of constitutional delineation, a plethora of laws have been enacted and administrative circulars issued which in effect impinge on the areas of authority of multiple functionaries. These aspects are ably highlighted by the authors. The authors also present an analysis of the perceptions of the farmers on the working of the Provincial Councils in smallholder agriculture.

The study provides an account of the ground situation with regard to the working of smallholder agriculture and raises the types of questions that are uppermost in the minds of policy makers, practitioners and the public. Undoubtedly this study will be of use to those interested in constitutional reforms, institutional support systems for smallholder agriculture, academia as well as any lay persons who desire to know more about the working of the Provincial Council system for the past two decades.

The findings of this study are very important in the current context for many different reasons. First, the report shows how certain shared responsibilities between the Government and the Provincial Councils perform at the ground level and factors affecting those. This knowledge will be especially useful for any further devolution of power which the Government seems to contemplate. Second, the poverty is at

a significantly higher level amongst the agrarian communities of Sri Lanka and therefore it is important to know what is working and what is not working for the farmers in the totality of the devolved system on which the study sheds lights on. Third, the Government has geared its political arm, the existing public institutional apparatus and resources of the people on a drive of rapid food production to face the impinging food scarcity at the global level for which the policy makers can learn about the institutional factors that influence production and productivity of smallholder farmers. Therefore, I find that the study is timely and fills a lacuna in our knowledge of selected subjects of devolution and their performance towards smallholder farming sector development. Finally, I congratulate the authors for not only seeing the trees but also the forest in its whole.



T. M. Abayawickrama
Secretary
Ministry of Agricultural Development and Agrarian Services
and
Chairman, Board of Governors
Hector Kobbekaduwa Agrarian Research and Training Institute

Acknowledgement

The report is based on information collected by applying several methods. An in-depth sample survey of farmers was undertaken to obtain information as to the perception of farmers regarding the role played by official actors with respect to such subjects as land, irrigation, agriculture and livestock at two tiers of the Government. Official perspectives on the same issues as well as the working of the devolved institutional arrangements for delivery of services were obtained through three symposia organized by the HARTI.

The authors express their appreciation to the participants of the three seminars held at HARTI on 15-16 January 2007, 19 February 2007 and 20 February 2007 for their candid views. We have drawn upon many of the opinions of the resource persons whose presentations we have attended, enjoyed and learned from the three symposia.

We are indeed grateful to Professor A.M. Navarathna Bandara, Senior Lecturer of Political Science, University of Peradeniya and Mr. Asoka Gunawardena, Chairman, Finance Commission for reviewing what must have been a long-winded draft manuscript. We are grateful for their suggestions and insights, most of which we have incorporated into the text. Several useful comments received from the Department of Agriculture are gratefully acknowledged. Dr. Dhanawardhana Gamage, Research Fellow, HARTI provided timely suggestions that helped to determine the book's shape and contents.

Our sincere thanks go to Mr. N.N.A. de Silva, Senior Statistical Officer, HARTI for co-ordinating field data collection, data processing and tabulation. Mrs. Susila Lurdu and Mr. W.H. Priyadarshana, Research Officers, HARTI helped in field supervision and in depth interviews. We acknowledge the services rendered by Mr. W.A.R.D.K. Wijesuriya, Ms. D.M.H. Dasanayake, Ms. D.B. Premalatha, Mr. W.D.J. Rajapaksha and Mr. A.H.M.N. Jayarathna who functioned as the enumerators of the field survey. Mr. Ranjith Fernando, Data Analyst and Mrs. N.P. Jayaneththi, Data Assistant helped with the tables and figures in chapter 1.

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Damayanthi is largely responsible for chapters 4 and 5 and solely responsible for chapter 6. Nanayakkara wrote chapters 2 and 7, while chapters 1 and 3 were contributed by both. We have both read and critiqued extensively on one another's sections. Hence, the book is a fully collaborative effort.

M. K. N. Damayanthi
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June 2008

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Abbreviations

ADA	-	Assistant Director of Agriculture
ADO	-	Agrarian Development Officer
AI	-	Agricultural Instructor
ARPA	-	Agricultural Research and Production Assistant
ASC	-	Agrarian Services Centre
DA	-	Director of Agriculture
DAC	-	District Agricultural Committee
DAD	-	Department of Agrarian Development
DAPH	-	Department of Animal Production and Health
DATC	-	District Agricultural Training Centre
DCB	-	Decentralized Budget
DCC	-	District Coordinating Committee
DDA	-	Deputy Director of Agriculture
DDC	-	District Development Council
DMS	-	District Ministry System
DO	-	Divisional Officer
DOA	-	Department of Agriculture
DPA	-	District Political Authority
DVDP	-	Dairy Village Development Programme
ETC	-	Extension and Training Centre
FCRDI	-	Field Crop Research and Development Institute
FO	-	Farmer Organization
FVDP	-	Fisheries Village Development Programme
GA	-	Government Agent
GDP	-	Gross Domestic Production
GN	-	<i>Grama Niladhari</i>
HARTI	-	Hector Kobbekaduwa Agrarian Research and Training Institute
HORDI	-	Horticultural Crop Research Development Institution
IMF	-	International Monetary Fund
IPHT	-	Institute for Post Harvest Technology
KVS	-	<i>Krusikarma Vyapthi Sevaka</i>
LCD	-	Land Commissioner's Department
LDI	-	Livestock Development Instructor
MADAS	-	Ministry of Agricultural Development and Agrarian Services
MASL	-	Mahaweli Authority of Sri Lanka
MIWM	-	Ministry of Irrigation and Water Management

MLD	-	Ministry of Livestock Development
MLLD	-	Ministry of Land and Land Development
MSA	-	Mahaweli Settlement Authority
NGO	-	Non governmental Organization
OFCs	-	Other Field Crops
PC	-	Provincial Council
PDOA	-	Provincial Department of Agriculture
PDOAPH	-	Provincial Department of Animal Production and Health
PDOI	-	Provincial Department of Irrigation
PLC	-	Provincial Land Commissioner
PMA	-	Provincial Ministry of Agriculture
PSDG	-	Provincial Specific Development Grants
PWD	-	Public Works Department
R&D	-	Research and Development
RRI	-	Rice Research Institute
RTWG	-	Regional Technical Working Group
SAP	-	Structural Adjustment Program
SLCARP	-	Sri Lanka Council for Agricultural Research Policy
SMO	-	Subject Matter Officer
SMS	-	Subject Matter Specialist
TCEO	-	Territorial Civil Engineering Organization
VRI	-	Veterinary Research Institution
VS	-	Veterinary Surgeon

Abstract

Has the institution of a Provincial Council system in 1987 enhanced the efficiency of the agricultural service delivery system by public agencies? Evidently, the subsistence farmer, producing agricultural commodities for sale, has not benefited though improved local services by way of timely input supplies or marketing of produce owing to the devolutionary arrangements. The reasons for lack of the anticipated transformation to materialize is not due to devolution *per se*, but due to the haste in adopting uniform prescriptions for all nine sub national units of devolution, which are at various stages of capacity development and the nature of the spatial unit itself.

The ambiguities in the delineation of competencies in the 13th Amendment are compounded by legislative enactments which contradict several Constitutional provisions, administrative circulars as well as the division of physical and human resources between the centre and the Provincial Councils. The responsibility of Provincial Councils for agricultural extension is not supported by village level functionaries who are only accountable to Central departments. At the same time the lack of clarity for agricultural planning and dispersed amongst a large number of Central and Provincial departments and implementation resulted in duplication of efforts, overlapping of functions and consequent lack of accountability possibly leading to wastage of funds. The establishment of Provincial Councils has not produced the institutional innovation at the farm gate level linking the smallholder farmers to well functioning agricultural markets. The unit of devolution which is the Province, has been carved out regardless of the spatial dimension required for a development orientation.

INTRODUCTION

1.1 Problem Statement

Is genuine devolution of power possible in smallholder agriculture, or is it just an ideal to look for? Although Sri Lanka has had nearly two decades of experience in the devolution of power, there is a dearth of knowledge about the impact of devolution on the development of smallholder agriculture. With regard to smallholder agricultural development, the Provincial Councils were given significant responsibilities by the Thirteenth Amendment to the Constitution in 1978. A slow growth of 1.5 per cent in agricultural GDP as against 8.5 per cent for industry and 6.3 per cent for the service sector during the last decade and dwindling farm incomes have accelerated urban migration. Agriculture accounts for nearly a half of Sri Lanka's poorest households.

As the rural landscape dominates all the Provincial Council areas, except the Western Provincial Council, their activities should be aimed at improvement of the living condition of the rural people. However, the increasing poverty levels in rural and estate sectors do not show a positive impact of Provincial Councils on enhancing the living standards of the rural population. Moreover, according to frequent media reports and public discourses, there is a gap between the responsibilities and actual performance of Provincial Councils in promoting smallholder agriculture. This would imply that Provincial Councils are not performing according to the expectations.

1.2 Justification of the Study

Despite Sri Lanka being a densely populated country, agriculture plays an important role, either directly or indirectly, in improving the livelihood of the rural population. The share of labour employed directly in agriculture dropped from about 47 per cent in 1990 to about 30.7 per cent in 2005 (table 1.1), while 2.3 million people (2005) are still directly employed in agriculture. The performance of agriculture in the overall economy has declined as the trend lines in figure 1.1 indicate. Yet, the agricultural sector remains the main livelihood pursuit of the rural population. See appendix I for the trends in the drastic decline of the relative share of agriculture in the GDP from 1950 to 2006. The poverty rate among households engaged in agriculture is 24.1 per cent, while it is 16.4 per cent in the non-agricultural sector. A considerable sum of money is spent annually to import a vast array of food items, most of which can be produced locally. A rapid growth of the domestic food production is essential to achieve food security, increase farm family incomes and alleviate rural poverty.

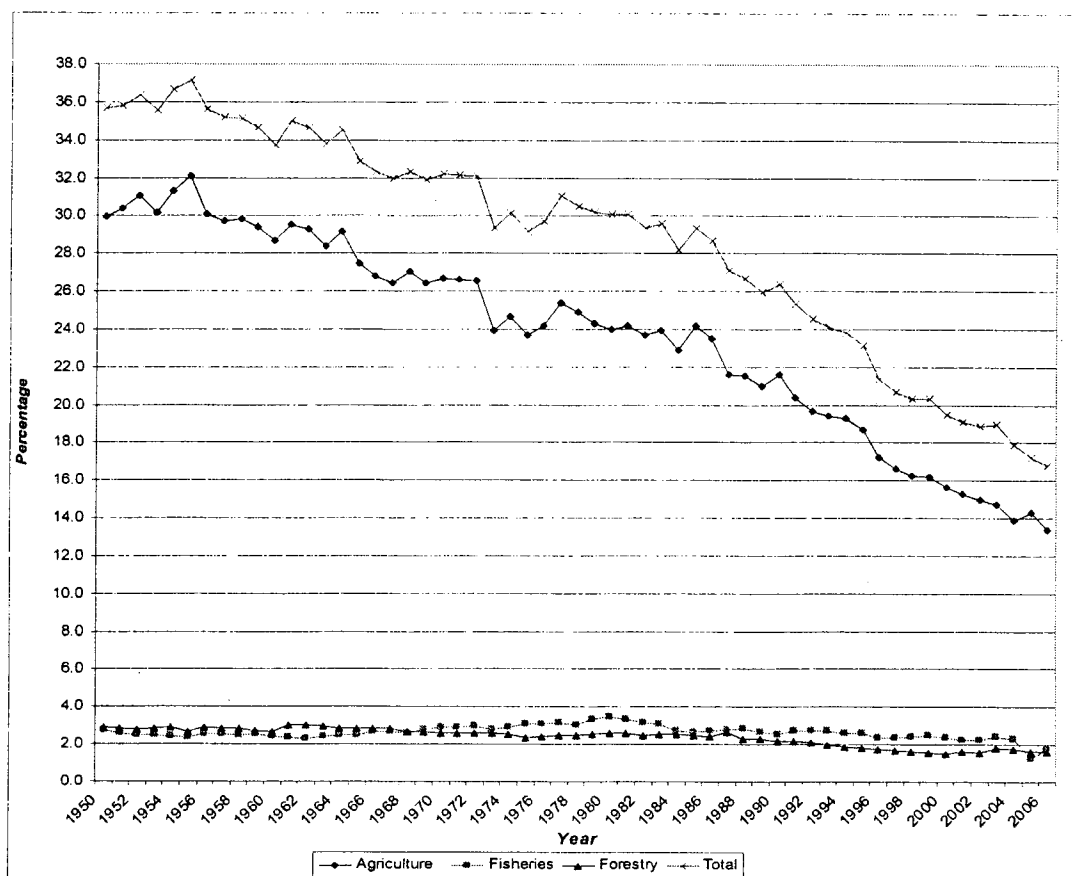
Has provincialisation contributed to further aggravate this decline or not? The share of agriculture (excluding fisheries and forestry), in the GDP has declined over the years from 30 per cent in the year 1950 to 21 per cent in 1990 to 13.4 per cent in 2006 (see figure 1.1 and table 1.2). Despite its declining share, the agriculture is a significant determinant of national GDP, and more so of provincial GDP. Farmers everywhere are exposed to the vagaries of the weather, of pests and diseases and of the market. But, during the post independence period, much has been done to mitigate the risks with government acting as the provider of technical and

extension services. The National Agricultural Policy for Food, Floriculture and Export Agricultural Crops of the Ministry of Agricultural Development and Agrarian Services adopted in 2007 lays down the following goals and objectives for smallholder agriculture:

- (i) Increase domestic agricultural production to ensure food and nutrition security of the nation.
- (ii) Promote agricultural productivity and ensure sustainable growth.
- (iii) Maximize benefits and minimize adverse effects of globalization on domestic and export agriculture.
- (iv) Adopt productive farming systems and improved agro-technologies with a view to reduce unit cost of production and increase profits.
- (v) Apply environmental friendly techniques in agriculture.
- (vi) Promote agro-based industries and increase employment opportunities thereof, and
- (vii) Enhance the income and the living standard of farming community¹.

This effort has to be shared by the Centre and Provincial Councils acting in partnership. Since agriculture and related subjects such as extension, research and development, land and irrigation etc. are devolved subjects after 1987, the functioning of Provincial Councils and their interactions with the Centre on the subject of agriculture are prime concerns for the future development of the agricultural sector.

Figure 1.1: Sectoral Contribution of Agriculture to the GDP



¹ Document available at the Ministry of Agricultural Development and Agrarian Services titled "National Agricultural Policy for Food, Export Agricultural Crops and Floriculture", 03 September 2007

Table 1.1: Employed Population by Major Industry Group (Percentage)

Year	Agriculture	Industry	Services	Total
1990*	46.7	19.4	33.9	100.0
1991*	42.5	21.2	36.3	100.0
1992*	42.2	20.1	37.7	100.0
1993*	41.5	19.7	38.8	100.0
1994*	39.5	19.8	40.7	100.0
1995*	36.7	22.2	41.1	100.0
1996*	37.4	22.0	40.6	100.0
1997*	36.2	24.2	39.6	100.0
1998*	39.3	21.9	38.8	100.0
1999*	36.3	21.9	41.8	100.0
2000*	36.1	23.6	40.3	100.0
2001*	32.6	23.9	43.5	100.0
2002*	34.5	22.4	43.1	100.0
2003**	34.0	23.0	43.0	100.0
2004***	33.5	24.1	42.4	100.0
2005****	30.7	25.6	43.7	100.0
2006*	32.2	26.6	41.2	100.0

* Excluding Northern and Eastern Provinces

** Including Eastern Province but Excluding Northern Province

*** Excluding Mullaitivu and Killinochchi Districts

**** All the Districts are included

Agriculture

1. Agriculture
2. Forestry and Fishery

Industries

1. Manufacturing
2. Construction
3. Mining and Quarrying
4. Electricity, Gas and Water Supply

Services

1. Wholesale and Retail Trade, Repair of Motor Vehicles, Motor Cycles and Personal and Household Goods
2. Hotels and Restaurants
3. Transport, Storage and Communications
4. Financial Intermediation and Real Estate, Renting and Business Activities
5. Public Administration and Defence, Compulsory Social Security
6. Education
7. Health and Social Work
8. Other Community, Social and Personal Service Activities
9. Private Households with Employed Persons
10. Miscellaneous Labour Work
11. Extra Territorial Organisations and Bodies
12. Industries not adequately described

Source: Department of Census and Statistics-Sri Lanka Labour Force Survey Second Quarter 2000 and Final Report, 2006

Nearly two decades have passed since the inception of Provincial Councils. During this period only a limited number of studies have been conducted on the general aspects of functioning of Provincial Councils. However, the performance of the smallholder agricultural sector under the process of devolution has never been studied in a comprehensive manner. Therefore, it is important to explore the performance of the Provincial Councils (PCs) and the constraints affecting their performance in order to make recommendations to improve the role of Provincial Councils in the smallholder agricultural sector.

Table 1.2: Sectoral Contribution of Agriculture to the GDP (Percentage) 1950-2006

Year	Agriculture	Fisheries	Forestry	Total
1950	30.0	2.8	2.9	35.7
1960	28.7	2.4	2.7	33.7
1970	26.7	2.9	2.6	32.2
1980	24.0	3.5	2.6	30.1
1990	21.6	2.5	2.2	26.3
2000	15.6	2.3	1.5	19.5
2006	13.4	1.8	1.6	16.8

- Notes: 1. Agricultural sector consists of tea, rubber, coconut, paddy and others
 2. From 1950-2002, GDP is estimated at 1999 prices
 From 2003-2006, GDP is estimated at 1996 prices
 3. 2006 data are provisional

Source: Calculated from data in tables 6, 7, 8, 9 and 10 in Terrence Savundranayagam, (2005) *Sri Lanka National Accounts 1950-2002*, Institute of Policy Studies, Macro-economic Policy Series, No. 15, Colombo and Central Bank of Sri Lanka, Annual Reports, 2006.

1.3 Research Objectives

The overall objective of this study is to assess the performance of Provincial Councils in terms of developing the smallholder agricultural sector. However, it does not claim to be an in depth appraisal of the performance of Provincial Councils vis-à-vis the smallholder agricultural sector. Instead, the study focuses on the question whether devolution, an essentially political process has helped the efficient implementation of the agricultural programme involving distribution of power and resources, both among different levels of state and different interests. Are the organizational structures at national and provincial levels compatible to the sound and effective functioning of the agricultural programmes? There is a hiatus in our understanding of the legal and institutional relationships.

The specific objectives of this study are to:

- Examine the compatibility of functions/subjects/institutions between the Centre and the Provincial Councils;
- Review the responsibilities and tasks performed by Provincial Councils;
- Assess the effectiveness of Provincial Councils in solving problems related to agriculture, R&D, extension, land and irrigation;
- Study the factors affecting the performance of Provincial Councils (e.g., gaps in devolved power, processes applied, conflict between the Centre and Provincial Councils, resource constraints including financial and human resources, political factors, institutional setup, etc.);
- Identify broad insights and explore practical and theoretical implications and recommend policy measures to improve the future functioning of Provincial Councils;
- Inform, educate and influence policy makers and planners.

1.4 Scope of the Study

Agriculture is broadly defined to indicate the production and management of crops, trees, livestock, fisheries and other renewable resources. It covers a diverse

range of activities such as annual and perennial cropping, cultivating orchards and plantations, floriculture, raising livestock, aquaculture, fisheries and forestry. It can be broadly categorized into the following sub-sectors in terms of type of activity:

- a. Smallholder agricultural sector that includes paddy and other field crops (OFCs) including cereals, pulses, oil-seeds, root crops, tubers, vegetables, fruits, flowers and cut flowers.
- b. Tree crop (plantation) sector that includes the three main tree crops namely, tea, rubber and coconut and export agricultural crops such as cinnamon, coffee, cocoa, pepper, cardamom, cloves, sugar cane, palmyrah and cashew, etc.
- c. Livestock sector
- d. Fishery sector that includes both inland and fresh-water fish
- e. Forestry sector that includes both planted and natural forests

Plantation crops such as tea, rubber and coconut are an important sub-sector of agriculture in Sri Lanka. However, since these major export crops are largely independent of the peasant food crop sub-sector in terms of irrigated agriculture, the plantation sub-sector is excluded when referring to agriculture throughout this study. By the term "agriculture" in this study, we refer to the domestic, smallholder, peasant food crop sub-sector where the operators are mostly small farmers who require government assistance through various policies such as price, research, extension, investment, credit, market development and information accessibility. We must caution against the "smallholder" definitions that appear in the census and numerous surveys which fixed the smallholder status by the extent of land owned². For instance, it is customary to refer to "tea smallholdings" as the tea areas not managed by the "estate", sector which latter category includes corporate sector plantations, state owned plantations (Janatha Estate Development Board (JEDB), Sri Lanka State Plantation (SLSPC) and Elkaduwa Plantations) and Private sector estates. The census of the smallholdings undertaken in 2005 show an area of 118,300 ha. under smallholder tea. This study excludes such tea smallholdings from "smallholder agriculture".

The study which is limited to the smallholder agricultural sector, concentrates on Provincial Council activities related to land, extension, research and development, irrigation, marketing activities related to paddy, OFC and vegetables sub-sectors. The foregoing analysis is accordingly aimed at addressing the three primary concerns and issues:

- What are the pros and cons of provincialisation on each of the above activities?
- Is the establishment of Provincial Councils (devolution) a good thing in terms of improving quality, equity and efficiency?
- How should devolutionary arrangements be implemented to minimize the problems accompanying such reforms?

² A smallholding is defined in the Tea Control Act, No. 51 of 1957 and the Sri Lanka Tea Board Act, No. 14 of 1975 as an area of land less than 10 acres in extent which is planted with tea. Similarly, the Rubber Control Act No. 11 of 1956 defines a smallholding as an area of land less than 10 acres in extent in which rubber is grown. The Department of Census and Statistics has adopted the following definition of "smallholding"

- 1952- a holding less than twenty acres and more than one acre
- 1962- under fifty acres as at 1st July 1962
- 1982- an agricultural holding less than 20 acres in extent
- 2002- an agricultural holding less than 20 acres in extent

1.5 Methodology

1.5.1 Data Collection Methods

Both primary and secondary data are used in the study. Primary data have been collected through methods such as questionnaire survey, rapid appraisal, key informant interview and focus group interview. Sources of secondary information include project reports, official documents and published research reports in addition to literature on decentralization. In addition, the output of the three symposia held during January-February 2007 at HARTI on agriculture, irrigation and land has been used in the study. The questionnaire is given in appendix II.

The interviewees comprised politicians and public officials at national and provincial levels related to land, agriculture, irrigation and rural development. The information elicited comprised distribution of physical and human resources at the Centre and provinces, institutional and political constraints/issues affecting the Provincial Council performance and suggestions to improve the performance of Provincial Councils.

The provincial level politicians and officials were consulted on such aspects as potential resource base which Provincial Councils have for rural and agricultural development, including finance, information, staff, technology, instruments, political authority and people's participation and type of support extended by the Centre. In addition to the interviewing and consulting the political and official actors involved in Provincial Councils and Government, the selected samples of farmers, including animal husbandry farmers were also interviewed.

1.5.2 Study Area

Selection of the farm households was done using multi-stage sampling methods as follows:

- (i) During the first stage, the four Provincial Councils, namely, North Western, North East, Uva and Southern were selected for the study. However, due to the situation that prevailed in the Northern and Eastern provinces, it was not possible to collect field data from these two provinces and hence had to be excluded from the study.

Southern province was selected, because of the renewed interest of the government in this Provincial Council for investment on major infrastructure development projects such as the Southern harbour, second international airport and Southern high-way. Other investment programmes under the Southern Development Authority of Sri Lanka are being implemented in the province. It was felt that these will have significant impacts, either boosting the activities of Provincial Council or nullifying its activities. So to capture any such effects, the Southern Provincial Council was selected.

Uva Provincial Council was selected, because agriculture plays a major role in its economy. Another reason being the high incidence of poverty at 37.3 per cent in Badulla district and at 37.1 per cent in Monaragala district and the potentially high agrarian poverty prevalent in both districts. Province is located interior; tea and rubber are grown on higher locations with a

significant proportion of Indian Tamil labour population located within the districts.

North Western province was selected, because it has introduced some innovative activities like agro-based industries, environmental legislation, activities launched with private sector, etc. Western Provincial Council was not selected as it has a relatively low agricultural component in comparison to other Provincial Councils. North Central Provincial Council has a high population of those engaged in smallholder farming, but a significant population is under major irrigation schemes which come under the Mahaweli Authority of Sri Lanka. Therefore, it was thought that, such a province would give relatively a little scope for active participation of the North Central Provincial Council. Similarly, Central and Sabaragamuwa Provincial Councils had a significant area under tea and rubber plantations that do not come under Provincial Councils.

- (ii) During the second stage, two districts from each province were selected for the study.
- (iii) During the third stage, eight Agrarian Development Centres (earlier Agrarian Service Centres/ASC) and two Veterinary Office areas from each district were selected.
- (iv) During the fourth stage, two Grama Niladhari³ Wasamas (GN Divisions) from each ASC area were selected
- (v) During the fifth stage, five farmers were selected from each area of authority of the GN. Selecting active members from Farmer Organizations (FOs) was considered important to obtain the range of information sought. From the two Veterinary Office areas, ten farmers were selected. Total sample size was six hundred. The selected areas of authority of the GNs are given in appendix III.

1.5.3 Study Period

The study commenced in March 2006 and was completed in August 2007. Field data were collected from April 2006 to September 2006.

1.5.4 Data Analysis

In analyzing the data of this study, "focus synthesis" technique and simple statistical methods were applied. Qualitative data obtained at symposia discussions and interviews with stakeholders were synthesized.

1.6 Structure of the Report

The report comprising seven chapters establishes the context and practice of smallholder agriculture in a Provincial Council context. This first chapter focuses on justification, scope, objectives and methodology of the study. Chapter two

³ Grama Niladhari (village officer) is the functionary and representative of the Government at the village level mainly for law and order administration.

introduces a conceptual framework linking decentralization, governance and development. It highlights the state of decentralization in Sri Lanka today. It looks at various measures of democracy, governance, decentralization and current development programmes island-wide in an attempt to illustrate the diverse practices of decentralization and democratic governance.

Chapter three juxtaposes the constitutional provisions in competence allocation amongst the subject areas of agriculture, irrigation and lands while setting out the multiple and overlapping definitions of important terms relating to the field of smallholder agriculture, livestock, irrigation and lands in agriculture. Chapter four examines the division of responsibilities between the Centre and the Provincial Councils by highlighting the delineation of subjects, functions and institutions and raises a number of important questions about administrative provisions vis-à-vis the constitutional provisions. Chapter five discusses the distribution of human, financial and physical resources as between the Centre and the Provincial Councils. Chapter six analyses the farmers' perceptions on various aspects of smallholder agriculture through an analysis of the responses to the questionnaire survey.

Chapter seven presents the conclusions, findings and recommendations for future actions. Undeniably, the findings raise more questions than they answer. The report as a whole, provides both an authoritative statement on which our problems of devolution lie and a review of stakeholder responses. It also gives a glimmer of hope that these problems are solvable if the politicians, policy makers, planners and the community make a genuine commitment to do so.

DECENTRALIZATION AND DEVOLUTION OF POWER: WHAT DO THEY MEAN?

2.1 What is Decentralization?

Devolution of power is one form of decentralization. Decentralization is the dispersion of Government functions and power from a Central authority to regional and local authorities. The terms decentralization and devolution are typically used as there were a broad consensus as to their meanings and implications, but, in fact, these words stand in for a much more complicated set of views and understandings. Evidently, the term 'decentralization' embraces a variety of meanings and concepts. B.C. Smith describes that in the study of politics, decentralization refers to the territorial distribution of power. *"It is concerned with the extent to which power and authority are dispersed through the geographical hierarchy of the state and the institutions and processes through which such dispersal occurs. Decentralization entails the sub-division of the state's territory into smaller areas and the creation of political and administrative institutions in those areas"* (Smith, 1985: 1).

There are many interpretations of decentralization. Rondinelli and Cheema (1983: 18-25) provide a widely accepted definition of decentralization as the transfer of the responsibility for planning, decision-making or administrative authority from Central Government to its field organizations. They distinguished four major forms of decentralization, viz.:

- i. Deconcentration
- ii. Devolution
- iii. Delegation to semi-autonomous or para-statal agencies
- iv. Transfer of functions from public to non-governmental institutions

Meenakshisundaram (1994: 10) identified five major forms of decentralization. They are:

- i. Deconcentration
- ii. Devolution
- iii. Delegation
- iv. Privatization
- v. De-regulation

The survey of literature reveals that there are three broad types of decentralization: administrative, political, fiscal; and four major forms of decentralization: deconcentration, devolution, delegation and divestment.

Administrative decentralization aims at transferring decision-making authority, resources and responsibilities for the delivery of select public services from the Central Government to other levels of government, agencies and field offices of Central Government line agencies. Administrative decentralization is often simultaneous with civil service reform. There are two major forms of administrative decentralization, viz., deconcentration and delegation.

Deconcentration refers to the transfer of decision making authority and financial and management responsibilities from one level of the Central Government to another while maintaining the same hierarchical level of accountability from the local units to the Central Government Ministry or agency, which has been decentralized. Thus, it is a dispersion of Governmental functions and powers from a central authority to regional and local authorities. It is a process by which decision making responsibilities are transferred from higher levels of Government to lower levels. It can merely shift responsibilities from the Central officials to those working in provinces and districts. Smith uses the term 'field administration' to identify such decentralized units of Government. Deconcentration is often considered to be the weakest form of decentralization and can be seen as the first step in a newly decentralizing Government to improve service delivery.

Delegation means the transfer of managerial responsibility for specified functions to other public organizations outside normal Central Government control, whether provincial or local government or parastatal entities. Delegation is the assignment by administrative decree of decision making authority and responsibility to semi-autonomous organizations or local units of Government or agencies that are not always necessarily branches or local offices of the delegating authority but ultimately accountable to it such as parastatal entities. While some transfer of accountability to the sub-national level units to which power is being delegated takes place, the bulk of accountability is still vertical and refers to the delegating Central unit.

Political decentralization normally refers to situations where political power and authority have been transferred to sub-national levels of Government. The most obvious manifestations of this type of decentralization are elected and empowered sub-national forms of Government ranging from Village Councils to State level bodies. Devolution is considered a form of political decentralization.

Devolution refers to the full transfer of authority for decision-making, finance and management to a local level public authority that is autonomous and fully independent of the devolving authority. Under devolution, the local units of Government are autonomous, independent and have legally recognized geographical boundaries. Through devolution, the Central Government relinquishes certain functions or creates new units of Government that are outside its direct control. Devolution is the most advanced form of decentralization. It transfers power to a local institution with broad autonomy, legal status and which is representative.

Fiscal decentralization, the resource reallocation to sub-national levels of Government is the most comprehensive and possibly traceable degree of decentralization since it is directly linked to budgetary practices. Arrangements for resource allocation are often negotiated between the Central and local authorities based on several factors including inter-regional equity, availability of resources at all levels of Government and local fiscal management capacity. Experience in fiscal decentralization has led to capacity building in expenditure and revenue assignment as well as the design of fiscal transfer formulas and sub-national borrowing.

Divestment involves the transfer of planning and administrative responsibilities of providing services from the public sector to voluntary, private or non-governmental institutions. It includes contracting out the provision of services to commercial

enterprises and financing public sector programmes through the capital market. The scope of privatization ranges from leaving the provision of goods and services entirely to the free operation of the market to public-private partnerships in which the Government and the private sector co-operate to provide the services or infrastructure. Privatization also means shifting property rights from the public domain to private enterprise.

The topic of the decentralization of power is attracting widespread discussions across all ethnic, political and social groups in Sri Lanka as a solution for a number of problems faced by the country. Decentralization of Government activities has been a major policy direction of the World Bank and the International Monetary Fund (IMF) as an adjunct to the Structural Adjustment Programme (SAP) imposed on low-income countries. Every type of decentralization has been introduced in Sri Lanka and these decentralization processes are at various stages of their development.

2.2 Early Efforts at Decentralization of Administration

At the outset, a description of the organization and purposes of the early efforts at decentralization of administration may be helpful. In 1833, the Colebrooke Reforms introduced a unified and Centralized administration for the whole country. It was directed by the British Governor and his colonial bureaucracy. At the apex of the administration was the Colonial Secretary in Colombo to whom the Government Agents (GAs) of the five provinces were accountable. This integrated prefectoral system of regional administration continued until 1930⁴. The system was characterized by deconcentration of authority with the pivotal power position of the GA and the prefectoral (Kachcheri) staff at all spatial levels of administration (Fernando, 1973: 5). During this period, the GA functioned as the hierarchical superior of the technical field directors of the departments in the provinces such as agriculture and irrigation. As the colonial administration was mainly oriented towards the maintenance of law and order and collection of revenue, a cadre of specialized technical specialists was not a priority at that time.

The Donoughmore Reforms of 1931 radically altered this administrative structure which lasted for nearly a hundred years (Wijeweera, 1988: 9). A Board of Ministers was introduced in place of the Colonial Secretariat with each Ministry representing the authority at the Centre in its own functional domain. The organization pattern that emerged came to reflect increasingly Centralized and vertically arranged departmental field structures which operated through their own functionaries ignoring the Kachcheris in the districts (Leitan, 1979: 21).

The attainment of independence and the demands for accelerated development after decades of colonial neglect gave rise to a rapid expansion of the public services which in turn began to challenge the delivery capacity of the services to the people. One such arrangement was the establishment of the District Agricultural Committee (DAC) in 1948 chaired by the GA to co-ordinate the agricultural

⁴ Smith describes two systems of field administration, as functional and prefectoral. In a functional system of field administration, the local heads of department in the provinces, such as agriculture, health and education are in charge of their functionally specific responsibilities. The prefectoral system, in contrast, involves the appointment of a general agent of the central executive to a province or a district. Smith, B.C. (1985) *Decentralization: The Territorial Dimension of the State*, George Allen and Unwin, London

activities of the district. It was a major effort at decentralization of decision-making. In 1953, the District Co-ordinating Committee (DCC) was established under the chairmanship of the Government Agent to supervise and co-ordinate all Governmental authorities. Clearly, this first major trend in decentralization was administrative de-concentration. In the context of the de-concentration process, the Government sought to bring its services closer to the people by assigning some responsibilities to sub-national authorities, which are a transfer of decision making powers to its own local agents.

During the period 1965-70, at the apex of the machinery for agricultural planning was a cabinet sub-committee, chaired by the Prime Minister, himself. A special division in the Ministry of Agriculture, headed by the Director of Agricultural Development (DOAD) handled this task. Activities such as the formulation of targets, implementation and progress control were effected through the district administration. This was organized on a three tier basis with the Government Agent co-ordinating the activities of all relevant departments at the district level. In order to secure greater inter-departmental co-ordination for increasing agricultural production under the "Food Drive", the Government Agent was appointed as the Deputy Head of Departments of Agrarian Services, Co-operative Development, Agriculture and Marketing Development. The Government Agent was also relieved of routine administrative and ceremonial functions by transferring such tasks to a newly created cadre of Additional Government Agents appointed to the kachcheris. At the divisional level, the Divisional Revenue Officer functioned as the Co-ordinating Officer, while supervising the authorities at the village level. The field officer at the village level gave the required guidance to the farmers and collected the data required for planning and progress control.

Farmer involvement in agricultural planning was sought during the period 1965-70, through measures such as consulting the farmers in preparing targets and conducting training classes. However, the political leadership felt that institutional changes were necessary to make the food production drive more effective as agricultural planning was largely in the hands of generalist public administrators. A contributory factor to this state of thinking was the lack of wholehearted co-operation from the technical and specialist officers in the district who questioned the wisdom of having a generalist administrator, without any formal training in agriculture as their institutional head.

What were the trends for decentralization after independence? The following passage quoted from Wijeweera, who uses his own experience as a professional civil servant in the Sri Lankan public service, provides a perceptive observation that the district administration after independence had been subjected to two opposing and conflicting trends.

"Since Independence, district administration has been subjected to two opposing and conflicting trends. The first was a continuation of the centralizing trend, which began in the Donoughmore period, of concentrating more and more decision-making power in the departmental head offices and Ministries in Colombo; resulting in a weakening of the district administration and its effectiveness. This was invariably accompanied by the setting up of new departments, functioning under the sole responsibility of Ministries, to manage many of the activities formerly entrusted to Government Agents" (Wijeweera, 1988: 14-15).

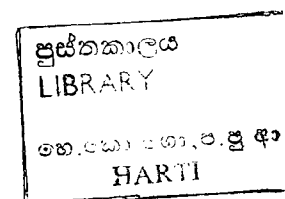
- District Political Authority System (DPA) -1973
- Decentralized Budget (DCB) -1974
- District Ministry System (DM) - 1978
- District Development Council (DDC) -1981
- Divisional Secretariat System (DSS)

"However, our contention is that in the institution of the District Political Authority there lies this germ of friction which could be a source of imitation and which, if allowed to grow could eventually lead to undermining of the coalition nature of any government" (Wijeweera,1980: 95).

In this background, the appointment of the District Political Authority, a political figure, was considered an innovative experience in the public administration system of Sri Lanka (Wijeweera, 1980: 91). The District Political Authority, instead of the Government Agent, chaired the district organization for planning and plan implementation. Undoubtedly, the introduction of the District Political Authority system was a challenge to the vertical organization of Ministries and Departments.

- formulating the district development plan;
- preparing the district budget;
- monitoring and evaluating the implementation of the plan;

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- (d) identifying bottle-necks in the implementation of governmental programmes and advising corrective action;
- (e) directly supervising inter-departmental activities within the region.

The District Minister was directly responsible to the President.

A parallel and complementary development is the Decentralized Budget (DCB) introduced in 1974. A block allocation of funds was apportioned from the national budget to be used for the capital works of a local nature by the district authorities. The Decentralized Budget was organized on the basis of the electorate. The monthly review meeting of the District Political Authority took the form of a close scrutiny of the activities of each department by the particular Member of Parliament. Decentralized Budget allocations were utilized mainly for road improvement, educational buildings, improvements to minor irrigation works, rural electrification and construction of Government buildings in terms of priorities and needs established at the electorate level. They supplemented other normal Ministry allocations provided under the annual budget.

The management of the decentralized budget became a responsibility of the District Political Authority and subsequently of the District Minister at district level but in practice the Member of Parliament dominated its formulation and implementation at electoral level. The Decentralized Budget provided the main resource base for the district administration for the formulation and implementation of its development plans. The Decentralized Budget system was considered as a step that altered the traditional conception of the organization of the budget in Sri Lanka (Weerakoon, 1980: 107). With the introduction of the District Political Authority and the Decentralized Budget, the political head of the district was given the authority to decide on local priorities. The Decentralized Budget system continues to date, having been subject to various improvements.

The District Development Council (DDC) which was established in 1981 consisted of the Members of Parliament in the district as its ex-officio members, and members elected on a district basis. The District Development Council incorporated the functions of the former Village Councils and the Town Councils that existed within the district. Basically the functions of the District Development Council were of a local government nature, but through its executive committee it was responsible for a wide range of development activities in the district. It was entrusted with the following functions

- (a) planning of district activities coming within the purview of a District Minister;
- (b) preparation of the district budget;
- (c) co-ordination of district activities;
- (d) implementation of district programmes of work;
- (e) evaluation of performance of district programmes;
- (f) expenditure of funds from decentralized budget and other moneys voted by Parliament.

The Council was chaired by an elected member, while its Executive Committee was chaired by the District Minister. Wijeweera (1989: 295) observes this as an effort to "bring the district administration under the parallel control of a local council (whilst retaining the link with the Centre) through the agency of the DM". Both the District Minister and the District Development Council systems ceased to exist with the introduction of the Provincial Council system in 1987.

2.3 From Deconcentration to Devolution

Those exasperated with Government's inability to solve the local problems insist that centralized governments are not the most effective way to deal with them. Governments, they argue, are simply far removed from local communities to understand completely the nature of a particular problem and to offer helpful solutions.

World has increasingly turned towards the practice of decentralization to ensure democratic governance for human development. It brings decision-making closer to the people and therefore yields programmes and services that better address the local needs. The processes of devolution and decentralization also assume special significance in solving socio-economic, political, ethnic and religious conflicts in the world as it could provide opportunities to marginalized groups to manage their affairs by themselves. This interest emanates from the evolving trend toward decentralization in both federated and unitary countries. It can be effective in divided societies because ethnic groups can gain a degree of autonomy on critical issues.

Moreover, the top-down approaches are less successful to promote rural development and poverty reduction as many rural development programmes are designed and executed by Central Government officials with little or no inputs from the concerned communities. Furthermore, the urban biased approach to development activities overlooks the needs of most vulnerable groups in the rural sector aggravating the disparities between the urban and rural sectors. To address these economic, social and political problems, the concerned governments worldwide began decentralizing some responsibilities, decision-making authority and resources to intermediate and local levels of Government.

Devolution of power is therefore seen not only as a solution for ethnic, religious, indigenous or grass root level conflicts, but also as a means of regional and local development. This is because the devolution of power facilitates the participation of local population in problem identification, planning, implementation and monitoring. Moreover, the devolution could help to promote planning, resource mobilization and development activities at a regional level. Effective poverty alleviation often hinges on improved sub-national growth and service delivery.

In the context of devolution of power, Sri Lanka has experimented with a number of attempts since 1928. For example, the idea of Provincial Councils introduced by the Donoughmore Commission, the District Council proposal submitted in 1947, Regional Council Proposal submitted by the Choksy Commission in 1955, the Rata Sabha proposal introduced under the Bandaranayake-Chelvanayagam agreement in 1958, and the District Council proposal in 1968 can be cited as early attempts and Provincial Council system in 1987 as the final attempt⁵.

Usually, the failures of the centralized forms of state intervention and the realization that deconcentration had its limits are the major reasons for turning towards devolution. Yet in Sri Lanka, the final transition from deconcentration to devolution did not occur in the above context. Devolution to Provincial Councils was offered

⁵ See A.M. Navarathna Bandara "Background of the Devolution of Power in Sri Lanka: Since Donoughmore Provincial Council Proposal in 1928 to Introducing the Provincial Council System in 1987" in **Symposium Proceedings on the Provincial Council System and Agricultural Development**, Occasional Publication (Sinhala) No. 20, HARTI, PP 10-22

as a solution to the agitation of ethnic groups, for a separate state. Provincial Councils in 1988 were legally established by Act, No. 42 of 1987. The Thirteenth Amendment to the Constitution of the Democratic Socialist Republic of Sri Lanka proposed to establish nine Provincial Councils. However, only eight Provincial Councils were established because the Northern and Eastern provinces were temporarily merged subsequently into one unit in terms of the Indo-Sri Lanka Accord. The subjects, which were under the purview of the Government, were divided between the Centre and the Provincial Councils. In the ninth schedule to the Thirteenth Amendment of the Constitution of 1978, subjects were allocated as follows:

1. **Provincial Council List** (subjects assigned only to Provincial Councils)
2. **Reserved List** (subjects assigned only to the Centre)
3. **Concurrent List** (subjects that concern both the Centre and the Provincial Councils)

More than two decades have elapsed since the Thirteenth Amendment to the Constitution and the Provincial Councils Act were enacted in 1987. It is indeed, timely to reflect upon the performance of the smallholder agricultural sector during this period. Despite the declining share of agriculture in the total GDP, from about 28 per cent in the early 1980s to about 16 per cent of the GDP in 2006, nearly one third of the labour force is still dependent on the agricultural sector for its income.

2.4 Structure of Devolution

The Thirteenth Amendment to the Constitution of Sri Lanka, certified on 14 November 1987 marks a watershed in our constitutional evolution⁶. It describes and codifies the distribution of power between the Centre and the sub-national elected tiers. By means of this amendment, the system of devolution of power to the Provincial Councils was entrenched in our constitution by protecting the areas for autonomy for each level of government. It transfers competence over large areas of public policy from the "supreme" Central legislature into elected provincial assemblies representing clearly defined spatial units.

Basic to the structure of devolution is the competence jurisdiction—the separation of subjects and functions assigned to the Provincial Council and the Centre. This separation is set out in the three lists under the Ninth Schedule to the Thirteenth Amendment to the Constitution. They are as follows:

- List I **Provincial Council List**: Enumerates the exclusive domain of devolved authority. The Parliament cannot legislate on these matters.
- List II **Reserved List**: Delineates the domain of the Centre indicating matters of national importance. This includes the national policy on all subjects and functions including those that are devolved to the sub-national units. Only the Parliament can legislate on these matters.

⁶ What makes the Thirteenth Amendment a watershed in our constitutional evolution is that it transfers powers over large areas of public policy from Parliament to elected Councils representing clearly defined sub-national units. Thus, parliamentary supremacy is no longer maintained as it has no right to legislate on devolved matters. By reason of the fact that there is a constitutional delineation of competencies between the centre and the provincial governments, this arrangement can be considered federal. It meets with K.C. Wheare's requirements of a federal polity that both the centre and the constituent units derive their powers from a constitution, 'each within a sphere, co-ordinate and independent'. See K.C. Wheare, (1964), **Federal Government**, Oxford University Press, New York, p. 10

List III **Concurrent List:** Comprises the areas where the Provincial Council along with Parliament can legislate on specified matters. Parliament may make laws with respect to any matter in list III after consultation with Provincial Councils or a Provincial Council may make statutes with regard to any matter in list III after consultation with Parliament.

The devolution of power is based on a three-tiered structure, namely, the national, provincial, and divisional levels. At each level there could be institutions which would enable the public to be represented in the decision making process. The national level is the concern of the Centre which is primarily responsible for national policy of all subjects and the subjects assigned to the reserved list which shall be binding on the sub national entities. National policy directives and guidelines should invariably be issued by the Executive President and the Cabinet of Ministers.

The second tier is the province where matters relating to sub-national development are assigned to the Provincial Council, together with the development of its resources, land, water, minerals, power and manpower. At the third and the lowest tier are the local authorities, namely, the Municipal Councils, the Urban Councils and the Pradeshiya Sabhas (Rural Councils). Their functions include public health, public utility services and thoroughfares.

While Parliament retains the law making power (Acts) in respect of the subjects in the reserved list, the Provincial Councils derive the law (statute) making power in respect of subjects in the provincial list. The executive power at the Centre is exercised by the President and the Cabinet of Ministers. At the provincial tier, the executive power is exercised by the Governor, Chief Minister and the Board of Four Ministers. With the Thirteenth Amendment 'Province' replaced the 'District' as the main sub-national level of administration.

The establishment of Provincial Councils has fundamentally altered the structure of sub-national administration with the Divisional Secretariat being the focal point of provincial administration. While the Provincial level is responsible for translating the national policies into provincial development plans and programmes, the divisional level operates as the implementation and operational base of the Provincial Council administration exercising regulatory, developmental and welfare activities. Hence, the division, the domain of the Divisional Secretary has emerged as the new unit of administration. The Divisional Secretary is responsible for all functions such as agriculture, agrarian services, co-operatives, industry, culture, social development, infrastructure and roads. In terms of the Transfer of Powers (Divisional Secretaries) Act, No. 58 of 1992, the Divisional Secretary becomes the linking pin in the partnership system of provincial and central administration.

Decentralization by devolution is therefore, the transfer of functions, resources and decision-making to the representative organization of the citizen, the Provincial Council. Subjects assigned to Provincial Councils specify matters of regional concern and include agriculture, agrarian services, land development, animal husbandry and intra-provincial irrigation.

While not attempting to enter into the controversy as to whether the Thirteenth Amendment brought about a federal or quasi federal constitutional arrangement, this study will use the term devolution to describe the establishment of Provincial Councils in Sri Lanka.

UNDERSTANDING CONSTITUTIONAL PROVISIONS AND LEGAL DEFINITIONS

3.1 Introduction

The structure of devolution is based on three tiers of administrative and institutional support. The Centre is primarily responsible for subjects and functions which affect the whole country and the mega policy on all subjects. Hence macro-planning, policy formulation, standard setting and evaluation functions would be the focus of the Centre. The second tier, the province, is concerned with the development of resources within its area of jurisdiction with responsibility for the formulation of micro policies, strategies and plans and their implementation. At the divisional level, the functions relate to the formulation of specific projects within the operational policies. Hence, operational planning, budgeting, monitoring and evaluation functions assume the importance at the divisional level, which is the third tier.

The typology of functions in the Thirteenth Amendment with regard to the subjects of agriculture, irrigation and lands which would be performed at each tier is placed in juxtaposition in tables 3.1, 3.2 and 3.3.

3.2 Agriculture under Devolution

With regard to the organization of agricultural production and advisory services, the structure of authority is as follows:

The Centre (National Government):

- (i) Agriculture in inter-provincial irrigation and land development schemes and state lands and plantation agriculture.
- (ii) Agrarian Development (Agrarian Services) (following upon the ruling by the Attorney General's Department).
- (iii) Export Agriculture (following upon the ruling by the Attorney General's Department)
- (iv) Agricultural Research.

Provincial Council:

- (i) Agriculture, including agricultural extension, promotion and education for provincial purposes and agricultural services.

It is important to note that agricultural extension activities have got disrupted by several changes. The withdrawal of the field extension workers comprising the *Krushikarma Vyapthi Sevakas* (KVSs)⁷ who were appointed as Grama Niladharis had disrupted village level extension activities even prior to the establishment of Provincial Councils. The Regional Technical Working Group (RTWG) which was the mechanism for planning and programming agricultural production and advisory

⁷ KVSs were the grass root level extension officers of the Department of Agriculture who provide face to face extension services, which facilitate the smooth transfer of technologies and information to the farming community.

services has got bifurcated by research remaining with the Centre and extension and education being transferred to Provincial Councils.

Further, with 'agrarian services' being declared non-devolved, the Agrarian Services Committee and the newly created Farmer Organizations charged with 'co-ordinating agricultural activities and implementing agricultural policies of the Government' are outside the purview of the Provincial Councils. As already noted, the Provincial Council is assigned the subject of agriculture, extension, promotion and education for provincial purposes and agricultural services.

Rural institutions for agriculture are therefore outside the purview of Provincial Councils. Implementation of the agrarian reform provisions under the Agrarian Development Act is therefore the responsibility of the central Department of Agrarian Development. Further, the agrarian reform also involves rights and liabilities of owners and tenant cultivators concerning dispensation of justice.

Table 3.1: Competence Jurisdiction relating to Agriculture in the Thirteenth Amendment

List-Provincial List	List II - Reserved List	List III - Concurrent List
Agriculture 9. Agriculture and Agrarian Services 9.1 Agriculture, including agricultural extension, promotion and education for provincial purposes and agricultural services (other than in inter-provincial irrigation and land settlement schemes, State land and plantation agriculture); 9.2 Rehabilitation and maintenance of minor irrigation works; 9.3 Agricultural research, save and except institutions designated as national agricultural research institutions.	National Policy on Agriculture	8. Agriculture and Agrarian Services 8.1 Establishment and promotion of agro-linked industries, the establishment and maintenance of farms and supervision, of private nurseries; 8.2 Soil conservation; 8.3 Plant pests.
20. Animal husbandry Preservation, protection and improvement of stock and prevention of animal diseases within the province.	National policy on animal husbandry	20. Animal husbandry Production, processing, distribution and sales of livestock and livestock products; Veterinary training services and research, inclusive of the provision of science laboratories and science equipment; Animal breeding, care and health; The establishment of pastures. 23 (b) Foodstuffs and cattle fodder. 35 Prevention of the extension from one province to another of infectious or contagious diseases or pests affecting human beings, animal or plants.

Source: The Constitution of the Democratic Socialist Republic of Sri Lanka, 1978

Administration of land development schemes is a further area that affects the organization of agricultural production. While inter-provincial land development schemes remain under the National Government (Centre), others come under the purview of the Provincial Council. In the North Central province, where the bulk of agricultural land comes under inter-provincial schemes, administrative arrangements have been worked out between the Ministry of Lands and the Provincial Council to provide for the day to day concerns of allottees through the Divisional Secretaries.

The division of competencies between the Centre and the Provincial Council with regard to agriculture is shown in table 3.1.

3.3 Irrigation under Devolution

Under the Thirteenth Amendment, the Provincial Councils (PCs) are empowered to undertake the following activities in respect of irrigation systems:

1. Rehabilitation and maintenance of minor irrigation works (Article 9.2 of the Provincial Council List)
2. Planning, designing, implementation, supervision and maintenance of all irrigation works other than irrigation schemes relating to rivers running through more than one province or inter-provincial irrigation and land development schemes (Article 19, Provincial Council List)
3. Even in inter-provincial irrigation schemes, a Provincial Council may initiate irrigation schemes within its province utilizing water from inter-provincial rivers [List I, Appendix II, 2:1(a)]

A Provincial Council has no power to make statutes in respect of the following matters relating to irrigation as they are included in the reserved list;

- (1) Inter-provincial irrigation projects,
 - (i) Where such a project is initiated by the State and which utilizes water from rivers flowing through more than one province.
 - (ii) Where a project is within the province which utilizes water through diversions from water systems from outside the province
 - (iii) All schemes where the command area falls within two or more provinces such as the Mahaweli Development Project (List I, Appendix II, 2:1).

The Provincial Council list in Appendix II clearly empowers the Centre (National Government) to handle inter-provincial irrigation and land development projects which utilize water from rivers flowing through more than one province. It also empowers the Centre to handle all schemes where the command area falls within two or three provinces such as the Mahaweli Development Project.

A Provincial Council may make statutes with respect to the following matters, only after consultation with Parliament.

- (i) Water storage and management, drainage and embankment, flood protection, planning and water resources (Ninth Schedule, List III, Article 17.1)
- (ii) Provide services for irrigation schemes in terms of rural development, health, education, vocational training, co-operative etc. (List III, Article 17.2)

Table 3.2: Competence Jurisdiction relating to Irrigation in the Thirteenth Amendment

List I - Provincial	List II - Reserved	List III - Concurrent
9.2 Rehabilitation and maintenance of minor irrigation works 19. Irrigation Planning, designing, implementation, supervision and maintenance of all irrigation works, other than irrigation schemes relating to rivers running through more than one province or inter-provincial irrigation and land development schemes.	National Policy on Irrigation Rivers and waterways; shipping and navigation; maritime zones including historical waters, territorial waters, exclusive economic zone and continental shelf and internal waters; state lands and foreshore, except to the extent specified in item 18 of list 1. Inter-Provincial Irrigation and Land Development Projects 2.1 Such projects would comprise irrigation and land development schemes- (a) within the province initiated by the State and which utilize water from rivers following through more than one province; a Provincial Council however, may also initiate irrigation and land development schemes within its province utilizing water from such rivers; (b) within the province which utilize water through diversions from water systems from outside the province; and (c) all schemes where the command area falls within two or more provinces such as the Mahaweli Development Project. 2.2 These projects will be the responsibility of the Government of Sri Lanka. 2.8 The administration and management of such projects will be done by the Government of Sri Lanka.	17. Irrigation - 17.1 Water storage and management, drainage and embankments, flood protection, planning of water resources; 17.2 Services provided for inter-provincial land and irrigation schemes, such as those relating to rural development, health, education, vocational training, co-operatives and other facilities

Source: The Constitution of the Democratic Socialist Republic of Sri Lanka, 1978

An important question that may arise is "who is managing irrigation schemes?" The provincial list vests this responsibility in the Provincial Councils with several important caveats. Are the farmers who use irrigation water the *de facto* managers of irrigation systems? Central and provincial politicians, central and provincial bureaucracy and the representatives of the Farmer Organizations are other contributors to the decision process to influence the direction of management. Yet, the reservoir based irrigation systems in Sri Lanka operate on a supply mode according to the availability of water for cultivation. Although the system design in large irrigation schemes is basically a technical matter, the focus should always be the farmers who operate, manage and benefit from the system.

The main purpose of operating an irrigation system is to deliver water equitably, adequately and reliably to the farmer for which a certain pattern of distribution must be agreed upon in consultation with the beneficiary water users. As irrigation systems are separated by provincial boundaries, upstream and downstream development invariably necessitates handling by central agencies to ensure holistic management. Hence, it is not surprising that *kanna* meetings are presided over by Project Managers and Farmer Organizations. Farmer Organizations are the responsibility of a Central Department of Agrarian Development with hardly any input from the Provincial Councils.

3.4 Towards Better Land Administration under the Thirteenth Amendment

Land administration involves multifarious activities such as land disposal, land alienation, land tenure, land registration, land acquisition, land development, land redistribution and land use planning. Land administration systems have to address social injustices and raise the country from poverty.

How does the Thirteenth Amendment clarify the roles and responsibilities of different tiers of government? Article 2.1 in Appendix II of the Provincial List retains the powers with the centre or in other words excludes Provincial Council jurisdiction with regard to irrigation and land development schemes within a province "which utilize water from rivers flowing through more than one province". There are 103 distinct river basins which cover over 90 per cent of the surface area of the island. Seventeen river basins account for sizes more than 1,000 square km. Around 14 river basins are of size less than 100 sq. km. Only most of these small basins are confined within provincial boundaries and located near the coastal belt. To illustrate this situation further, let us consider the rivers that flow across the Southern province. All major rivers such as Gin Ganga, Nilwala Ganga, Walawe Ganga, Menik Ganga and Kumbukkan Oya flow across the provincial boundary. Thus, any project for the integrated development of any of these river basins has necessarily to be undertaken by a central agency and not by the Provincial Council. The only river basins where Provincial Councils will have responsibility in the Southern province will be confined to a few such as Madu Ganga, Talwatta, Ratgama, Koggala, Sinimodera, Rekawa and Kosgama Oya, each of which is less than 100 sq. km in extent.

Moreover, Article 2.1(c) in Appendix II of the Provincial List excludes Provincial Council responsibility in "all schemes where the command area falls within two or more provinces such as the Mahaweli Development Project". And Mahaweli basin with 10,327 sq. km covers 16 per cent of the total area of the island.

What is problematic in this instance is not the constitutional provision but the physical configuration of the unit of devolution. Obviously, the development imperatives require that the entire hydro graphic unit, namely the river basin be taken as a whole for integrated planning. Land Commission of 1987 alluded to the desirability of provincial boundaries on the basis of natural river basin watersheds as a primary strategy for the conservation and development of land and water resources (Land Commission, 1987: p. 85).

Figure 3.1 illustrates the administrative trifurcation of the Walawe basin which shows that in the lower reaches, the Walawe Ganga flows through the Southern province, while at the higher reaches, the river forms the provincial boundary between Sabaragamuwa and Uva. Its right bank falls within Sabaragamuwa province and its left bank areas within Uva province. Consequently, for settlement activities under

the Walawe River, three provincial authorities must get together. To circumvent these difficulties, it is administered by a single central agency, the Mahaweli Authority of Sri Lanka. When the Walawe area is gazetted under the Mahaweli Authority as an inter-provincial scheme, the respective Provincial Councils are precluded from implementing the agricultural, irrigation and land development activities mentioned in the provincial list.

A watershed boundary carves out the most optimum natural region which permits decision makers to implement all activities relating to resource management in land use, crops, soil conservation, forests, irrigation, flood control and management of natural hazards and aquaculture. Any spatial policy which ignores production relations will not only fail but also add to a continued spiral of confrontation and conflict.

Figure 3.1: Administrative Trifurcation of the Walawe Basin

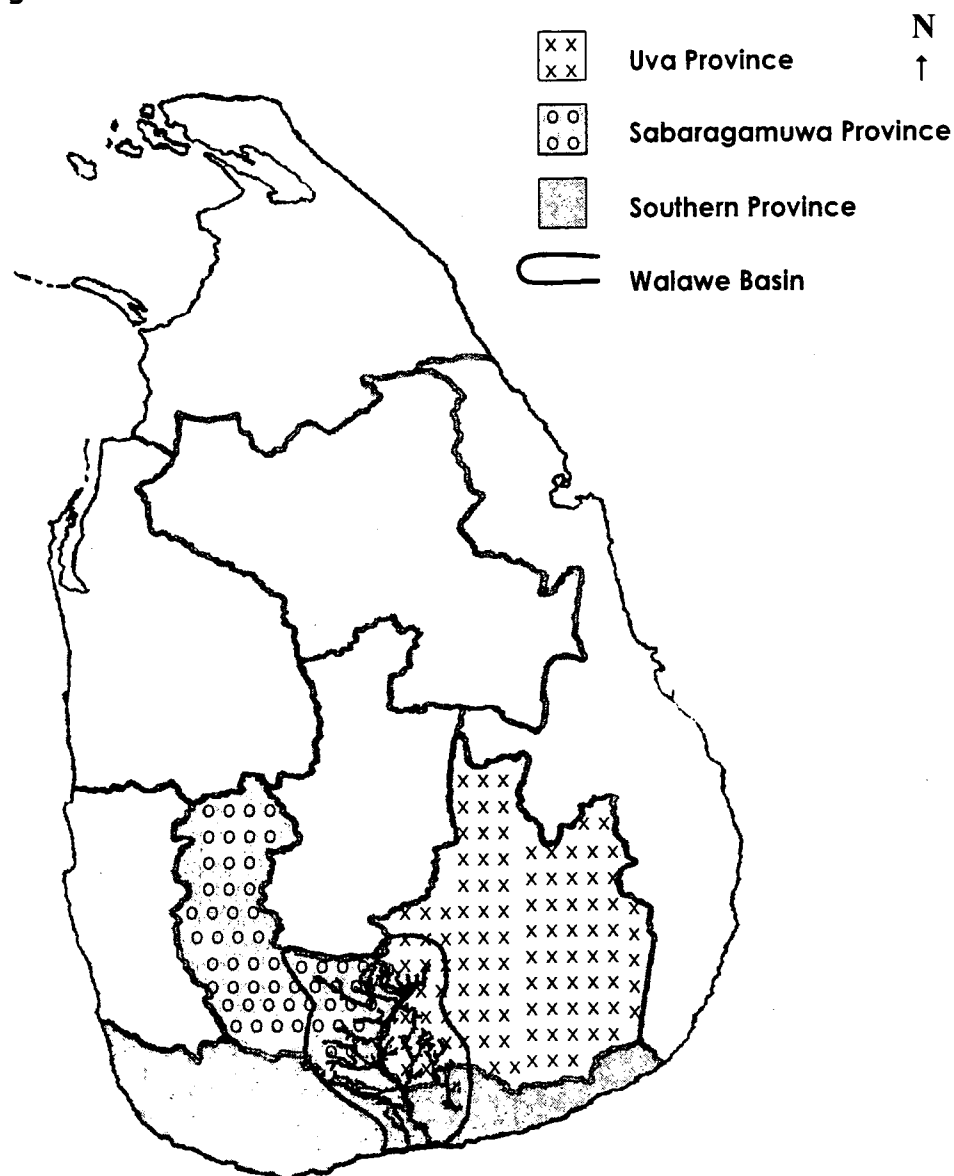


Table 3.3: Constitutional Provisions towards Land Administration

Province	Reserved	Concurrent
Land 18. Land - Land, that is to say, rights in or over land, tenure transfer and alienation of land, land use, land settlement and land improvement, to the extent set out in Appendix II.	National Policy on Lands	
Appendix II (List I) Subject as aforesaid, land shall be a Provincial Council subject, subject to the following special provisions:- 1. State land - 1:1 State land required for the purposes of the Government in a province, in respect of a reserved or concurrent subject may be utilized by the Government in accordance with the laws governing the matter. The Government shall consult the relevant Provincial Council with regard to the utilization of such land in respect of such subject. 1:2 Government shall make available to every Provincial Council State land within the province required by such Council for a Provincial Council subject. The Provincial Council shall administer, control and utilize such State land, in accordance with the laws and statutes governing the matter. 1:3 Alienation or disposition of the State land within a province to any citizen or to any organization shall be by the President, on the advice of the relevant Provincial Council, in accordance with laws governing the matter. 2:4 The selection of allottees for such lands will be determined by the Government of Sri Lanka having regard to settler selection criteria including degree of landlessness, income level, size of family and agricultural background of the applicants. The actual application of these principles, selection of allottees and other incidental matters	Appendix II (List I) State land shall continue to vest in the Republic and may be disposed of in accordance with Article 33 (d) and written law governing the matter. 2. Inter-Provincial Irrigation and Land Development Projects 2:1 Such projects would comprise irrigation and land development schemes : (a) within the province initiated by the State and which utilize water from rivers following through more than one province; a Provincial Council however, may also initiate irrigation and land development schemes within its province utilizing water from such rivers. (b) within the province which utilize water through diversions from water systems from outside the province; and (c) all schemes where the command area falls within two or more provinces such as the Mahaweli Development Project. 2:2 These projects will be the responsibility of the Government of Sri Lanka. 2:3 The principles and criteria regarding the size of holdings of agricultural and homestead lands arising out of these projects will be determined by the Government of Sri Lanka in consultation with the Provincial Councils. 2:6 Where the members of any community do not, or are unable to take their entitlements of allotments from any such project, they would be entitled to receive an equivalent number of allotments in another inter-provincial irrigation or Land Development Scheme. This unused quota should be utilized within a given time-frame.	

contd.

<p>connected thereto will be within the powers of the Provincial Councils.</p> <p>2:5 The distribution of all allotments of such land in such projects will be on the basis of national ethnic ration. In the distribution of allotments according to such ratio, the priority will be given to persons who are displaced by the project, landless of the district in which the project is situated and thereafter the landless of the province.</p> <p>2:7 The distribution of allotments in such projects on the basis of the aforesaid principles would be done as far as possible so as not to disturb very significantly the demographic pattern of the province and in accordance with the principle of ensuring community cohesiveness in human settlement</p>	<p>2:8 The administration and management of such projects will be done by the Government of Sri Lanka.</p> <p>3. National Land Commission</p> <p>3:1 The Government of Sri Lanka shall establish a National Land Commission which would be responsible for the formulation of national policy with regard to the use of State land. This Commission will include representatives of all Provincial Councils in the island.</p> <p>3:2 The National Land Commission will have a Technical Secretariat representing all the relevant disciplines required to evaluate the physical as well as the socio-economic factors that are relevant to natural resources management.</p> <p>3:3 National policy on land use will be based on technical aspects (not on political or communal aspects), and the Commission will lay down general norms in regard to the use of land, having regard to soil, climate, rainfall, soil erosion, forest cover, environmental factors, economic viability, etc.</p> <p>3:4 In the exercise of the powers devolved on them, the powers shall be exercised by the Provincial Councils have due regard to the national policy formulated by the National Land Commission.</p>	
<p>36.16 Land revenue, including the assessment and collection of revenue, and survey and maintenance of land records for revenue purposes;</p>		

Source: The Constitution of the Democratic Socialist Republic of Sri Lanka, 1978

Constitutional provisions relating to state land, clearly envisage a partnership arrangement and not a rigid demarcation of activities to be exercised solely by the Centre or solely by the Province. The Government and the Provincial Councils have to act on the advice of each other or consult each other before acting. For instance, while "land" is declared a provincial subject, the Government may utilize land within a province in respect of a reserved or concurrent subject after consulting the relevant Provincial Council. Similarly, any alienation or disposition of state land within a province shall be exercised by the President (Centre) but on the advice of the Provincial Council.

3.5 Definitions and Interpretation of Terms

Agriculture, irrigation and land sub-sectors are replete with terminological confusion with multiple and overlapping definitions used in different places and contexts which contribute to a poorer understanding of the issues.

Therefore, a clear definition and typology of the words, agriculture, lands and irrigation, as it is meant in the context of the diverse legislative enactments is essential for understanding the relevant issues. A collation and listing of the diverse definitions found in our legislative enactments to enlighten our understanding of issues of sub-national development is given in the appendix IV.

Before we examine the division of responsibilities between the Centre and the Provincial Councils relating to agriculture, we should clarify some definitions such as "agriculture" and "agricultural activity". It should be pointed out that the definitional area of agriculture is shared by a number of Ministries at the Centre. For instance, the subjects such as, food crops, OFCs and animal husbandry at times belonged to several Ministries at the national level while they are always administered by one Provincial Ministry. Chapters four and five further describe and explain the issues arising out of these multiple definitions.

3.6 Conclusion

Most of the subject matters of agriculture and animal husbandry have devolved under the list I of Appendix II in the Thirteenth Amendment to the Constitution. Although irrigation (minor and all irrigation works other than inter-provincial irrigation and land development schemes) is a devolved subject in the Provincial Council list Appendix II clearly empowers the Centre to handle inter-provincial irrigation and land development projects which utilize water from rivers flowing through more than one province.

There are 103 distinct river basins which cover over 90 per cent of the surface area of the island and all these major rivers cross the Provincial Council boundaries. Therefore, the existing unit of devolution is not conducive to implement agricultural, land and irrigation development activities within watershed boundaries. Paradoxically, the listing and the caveats mentioned in the three lists provide no rigid demarcation of activities to be exercised solely by the Government or solely by the Provincial Councils.

DIVISION OF RESPONSIBILITIES IN THE SMALLHOLDER AGRICULTURAL SECTOR

4.1 Introduction

Having completed that preliminary skirmish into the territory of definition, let us attempt to understand the provisions made in the constitution regarding the subject matters and functions allocated to both, the Centre and the Provincial Councils. In chapter three, the competence jurisdiction relating to agriculture, irrigation and lands in the Thirteenth Amendment to the Constitution was presented. However, many adjustments regarding devolved powers have been affected by Acts of Parliament and administrative circulars. It is necessary to be clear about what is devolved. Inevitably, a certain degree of natural tension is bound to exist between various tiers of government. Any ambiguity and tension could result in control being wrested back by the Centre. By taking into account the constitutional and other legal provisions made in the constitution as well as the changes effected by circulars, acts and ordinances, this chapter examines the impacts and implications of the devolution of power on smallholder agricultural development that includes livestock, irrigation and lands.

4.2 Responsibilities for Smallholder Agriculture and Agrarian Services

As discussed in chapter three, agriculture and agrarian services are devolved subjects. However, even after the devolution of powers, a multiplicity of Ministries is entrusted with the subject of agriculture and agrarian services. For instance, currently there are nine Cabinet Ministries responsible for the implementation of various aspects regarding agricultural and agrarian development⁸. One of these Cabinet portfolios, namely the Ministry of Agricultural Development and Agrarian Services (MADAS) is directly entrusted with the subject area of smallholder agricultural development. Table 4.1 shows the subjects, functions and institutions assigned to the MADAS.

⁸ The following Ministries are in existence as per Gazette Extra-ordinary No.1482/9 of January 29, 2007.

- i. Ministry of Agricultural Development and Agrarian Services
- ii. Ministry of Plantation Industries
- iii. Ministry of Supplementary Plantation Crops Development
- iv. Ministry of Public Estate Management and Development
- v. Ministry of Fisheries and Aquatic Resources
- vi. Ministry of Nation Building and Estate Infrastructure Development
- vii. Ministry of Livestock and Livestock Development
- viii. Ministry of Land and Land Development
- ix. Ministry of Irrigation and Water Management

Table 4.1: Subjects, Functions and Institutions Assigned to the Ministry of Agricultural Development and Agrarian Services

Institutions	Subjects and Functions
<ol style="list-style-type: none"> 1. Department of Agriculture 2. Department of Agrarian Services. 3. CARP 4. Hadabima 5. HARTI 6. IPHT 7. Vegetable Development Board 8. Fruit Development Board 9. National Fertilizer Secretariat 10. Mahaweli Authority of Sri Lanka and Agencies created under the Mahaweli Authority Act. 11. Ceylon Fertilizer Co. Ltd 12. Janatha Fertilizer Enterprises Ltd 13. Colombo Commercial Fertilizer Co. Ltd 14. Thamankaduwa Agro Fertilizer Company 15. Agriculture and Agrarian Insurance Board 16. Sri Lanka National Freedom from Hunger Campaign Board. 17. Pulses and Grain Research and Production Authority 18. Spices and Allied Production Marketing Board 	<ol style="list-style-type: none"> 1. Implementation of policies, plans and programmers in respect of agricultural development and Mahaweli. 2. Agricultural diversification. 3. Agricultural production improvement. 4. Agricultural education. 5. Administration and operation of the Soil Conservation Act. 6. Agriculture research and extension. 7. Development of export agricultural crops. 8. Development of high tech agriculture. 9. Plant quarantine. 10. Work connected with Food and Agricultural Organization of the United Nations Food Council and International Funds for Agricultural Development. 11. Import and export of planting material. 12. Administration and operation of the Control of Pesticides Act. 13. Administration and operation of Plant Protection Ordinance. 14. Administration and operation of the Felling of Trees (Control) Act. 15. Agricultural enterprise development. 16. Measures for increased production of food. 17. Post harvest technology and research. 18. Floor price scheme for agriculture products. 19. Implementation of policies, plans and programmes in respect of agriculture marketing development. 20. Administration and operation of the Agrarian Services Act. 21. Agrarian services. 22. Farmers social security benefit scheme. 23. Agricultural insurance. 24. Administration of the National Freedom from Hunger Campaign Board Act. 25. Paddy land tenure. 26. Re-development and maintenance of Mahaweli areas. 27. Administration and operation of Mahaweli Authority Act.

Source: Gazette of the Democratic Socialist Republic of Sri Lanka, Extra-ordinary, No.1482/9, 29.01.2007

The Thirteenth Amendment to the Constitution devolved the subject of "agrarian services" on the Provincial Councils. However, the functions and subjects related to agrarian services are implemented by the Central Government. A listing in the Gazette Extra-ordinary No.1482/9 of 29.01.2007 deviates from the constitutional provisions. The Gazette assigns to the Cabinet portfolio of 'Agricultural Development and Agrarian Services', the subject of "administration and operation of the Agrarian Services Act" contradicting thereby the provisions in the Thirteenth Amendment. Even though, this subject was assigned to the Cabinet Minister, the Agrarian Services

Act, No. 58 of 1979 was repealed and replaced by the passage of the Agrarian Development Act, No. 46 of 2000 (Section 99 of Agrarian Development Act). Therefore, it appears that powers of agrarian services are vested with the Cabinet Minister even though the enabling Act is no longer in existence. Further, this Gazette notification refers to an Act already repealed, the wording being, "Administration and operation of the Agrarian Services Act".

In terms of the Provincial Councils (Consequential Provision) Act, No. 12 of 1989 a Provincial Council could exercise the functions conferred by a written law made prior to Nov. 14, 1987 on any matters set out in list I of the ninth schedule. As the Agrarian Services Act, No. 58 of 1979 now stands repealed with section 99(1) of the Agrarian Development Act, No. 46 of 2000, no Provincial Council is today in a position to confer such powers on the provincial officials.

As table 4.1 demonstrates, the Ministry of Agricultural Development and Agrarian Services covers a range of functions and powers regarding smallholder agricultural development including preparation and implementation of policies, plans and programmes, research and extension, agricultural education, production improvement, agricultural enterprise development, etc. As already noted, some of these subjects such as extension (other than those that come under inter-provincial irrigation schemes), agricultural education, etc. were devolved to the Provincial Councils under the Thirteenth Amendment resulting in overlaps or contradictions.

In addition to the Ministry of Agricultural Development and Agrarian Services, the Divisional and District Officers of the Ministry of Public Administration and Home Affairs have some responsibilities regarding the development of smallholder agriculture such as the co-ordination of Divisional and District Agricultural Committees. These responsibilities are implemented through Divisional Secretaries and District Secretaries respectively. In addition to above, the Ministry of Nation Building and Estate Infrastructure Development have responsibilities regarding smallholder agricultural development. For instance, Gazette extra-ordinary No. 1482/9 of 29.01.2007 described its functions and subjects as follows:

- (i) Setting up of rural development institutions for the purpose of co-ordinating, supervising and administering the functioning of agricultural credit and extension services to small farmers and the provision of marketing facilities.
- (ii) Implementation of training programmes designed for development of farmer community.

In addition to the above Central Ministries, a few other Government institutions, such as the Samurdhi Development Authority, implement activities and programmes for smallholder agricultural development.

Thus, we can identify significant overlapping or duplication of responsibilities and functions in smallholder agricultural development not only between the Centre and Provincial Councils, but within Central Ministries of the Government of Sri Lanka. The tables that follow seek to examine these practical aspects by setting down the relevant constitutional provisions against legislation and amendments, circulars that amplify extend and often duplicate functions and responsibilities. Table 4.2 shows the legal provisions, boosting or nullifying the activities of devolved matters related to smallholder agricultural development.

Provincial Councils are enabled to pass statutes to implement the powers devolved on them by the constitution. Even though the subject of agriculture and agrarian services was devolved on the Provincial Councils, most of the Provincial Councils have not taken action to pass statutes regarding agricultural and agrarian services. At initial stage of devolution of power, the Government transferred personnel and administrative documents and other resources relating to agrarian services to the Provincial Councils. Some Provincial Councils such as North-Western Provincial Council started implementing activities related to agrarian services. However, except for North Central Provincial Council, no other Provincial Council has passed an Agrarian Services Statute enabling the setting up of a department.

On 22nd January 1991, the Government introduced a Bill to amend the Act, No. 58 of 1979 to transfer back the powers and functions relating to provision of agrarian services. Some stakeholders protested at this move and filed a case against the Bill intended for reassigning of powers. Plaintiffs used provisions under Article of 121 of the Constitution. Petitioners challenged that the proposed Act did not follow the procedures detailed in the Article 154 (g) in the Constitution in preparation of the Bill. However, the Supreme Court decided against litigation on the ground that though the name of the proposed Act involved "Agrarian Services," it in effect involved rights and liabilities of owners and tenant cultivators than the service itself and thus the legislation was within the ambit of list two. Later the Parliament acted upon the Supreme Court decision and passed the "Agrarian Development Act" by repealing the "Agrarian Services Act, No. 58 of 1979" allowing the re-transfer of personnel administrative documents, properties, other assets, etc from Provincial Councils to the Department of Agrarian Services which were thereafter vested in the Ministry of Agriculture. According to Dasanayake, Sampath M. (2007) this situation might have emerged due to a misunderstanding. For instance, he cites a letter from the Attorney General to the Secretary, Ministry of Agricultural Development and Research:

22nd Feb. 1991
Secretary,
Ministry of Agricultural Development and Research.

I refer to the previous correspondence on the above subject. The Bill to amend the Agrarian Services Act, No. 58 of 1979 presented by the Minister of Agricultural Development and Research on 22nd January 1991 in Parliament was challenged in the Supreme Court. The court has held that "the matters dealt within the bill are all matters of National Policy in regard to the rights and liabilities of owners and tenant cultivators and thus all within list two".

In view of the decision of the Supreme Court, you can proceed on the basis that the Agrarian Service is not a devolved subject.

Additional Solicitor General
For A.G.

Above misunderstanding was corrected by the Attorney General in December 1991. Thereupon, he sends the following letter to the Secretary to the Ministry of Agriculture:

"The Agrarian Services Department which until the 13th Amendment was performing all its functions island wide should therefore be restructured so that the functions which fall within the competence of a Provincial Council and the functions related to other activity undertaken at a provincial level could be performed by a Provincial Agrarian Services Department." (Dasanayake, Sampath M., 2007; 35).

Despite this ruling by the Attorney General, not much progress has been made in establishing Provincial Departments of Agrarian Services to perform such functions.

4.2.1 Agricultural Research and Extension

While improving research capabilities, which is essentially a function for the research institutes at the Centre, a proper extension system should be in place to convey the research findings to farmers. Until the enactment of the 13th Amendment in 1987, the extension system for smallholder agriculture remained an exclusive function of the Department of Agriculture. In 1963, extension was formally established as a separate unit in the Department of Agriculture. The adoption of the Training and Visit (T and V) extension system resulted in an expansion of the human resources within the system. It created a united professional extension service covering all crops with a line of command from the Deputy Director (Extension) to village level extension worker. This system witnessed a significant growth in agricultural productivity, particularly the yield of paddy.

As discussed in chapter three, the agricultural extension other than in areas belonging to Inter-Provincial Irrigation Schemes (IPIS) is a devolved subject. Therefore, other than Inter-Provincial Irrigation Scheme areas, nine Provincial Departments of Agriculture perform an important role in implementing extension activities for the food crops in their own provinces.

After devolution of extension functions, the Provincial Councils now have the primary responsibility for implementing agricultural extension in the nine provinces. An extension staff of about 875, work in the nine provinces. Within each division, Agricultural Instructors are responsible for field extension work.

In 1988, the Government transferred 2,400 *Krushikarma Vyapthi Sevakas* (KVSs), the village level extension workers to the Ministry of Home Affairs to be posted as *Grama Sevakas*. Thus, the Department of Agriculture lost its village level extension arm. Instead, the Department of Agrarian Development has now a cadre of 9,000 Agrarian Research and Production Assistants, who are part-time village level extension workers, amongst their other activities. They were required to devote three days a week for extension work. See appendix V for the departmental circular which specified this function.

Figure 5.5 illustrates the structure of the Extension and Training Centre of the Department of Agriculture. An external review of Sri Lanka's agricultural research and extension system referred to this fragmented system in the following manner:

"Sri Lanka's agricultural research and extension system is highly fragmented, reflecting a high level of fragmentation in government in general. Among the 53 Cabinet Ministries and 33 non-Cabinet Ministries, 9 deal with agriculture and rural development; of these, nearly all are involved in some type of agricultural research or extension. In addition,

eight Provincial Councils run provincial extension services, the Ministry of Education deals with the university sector (including various faculties of agriculture), and the Ministry of Science and Technology establishes science and technology (S&T) policies and provides funds, some of which affect agriculture. This fragmented approach makes it very difficult to prioritize and pursue objectives effectively throughout the research and extension system." (World Bank, 2007: 14).

Agricultural productivity is closely linked to investment in agricultural research and development. How are responsibilities shared with regard to agricultural research? Despite reference to agricultural research in the Provincial Council list, the research system remains highly centralized. It is desirable to remain so for several reasons. First, a number of activities such as the exchange of germplasm and breeding material, exchange of technologists and scientists, exchange of scientific information and training of scientists involve linkages with international research institutions. Secondly, it also involves linkages with the national university system which supports strategic, basic and collaborative agricultural research. The university system remains in the domain of the Centre. Thirdly, the human and physical resource constraints render it virtually impossible for Provincial Councils to organize agricultural research. It is noted that it is difficult for even prestigious research institutes at the Centre to fill the vacant slots of scientists.

Agricultural research is a scientific activity. It is the creativity and the scientific quality of the system's resources that determines the effectiveness of the research efforts. In 2005, the National Agricultural Research System employed about 480 scientists which is a figure far from adequate for effective research assignment (INFORM 2005:26). Although qualified and competent human resources are essential for implementing research programmes, the majority of research staff is untrained even in the central research institutes. Therefore, it may not be worthwhile for the Provincial Councils to attempt to replicate research infrastructure such as laboratories and information facilities and support services such as library services, leave alone competent professional staff which are essential for productive research. The national research effort is co-ordinated by Sri Lanka Council for Agricultural Research Policy to avoid wasteful repetition of efforts.

According to Article No. 9.3 of Provincial Council list in the Thirteenth Amendment, agricultural research, except institutions designated as national agricultural research institutions is a Provincial Council subject. Therefore, Provincial Councils have the responsibility for implementing agricultural research for provincial agricultural development. But, it is difficult to find research activities conducted by Provincial Councils other than field trials or demonstrations. On the other hand, the Centre conducts research through various institutions. For instance, the Department of Agriculture conducts its crop research and some aspects of socio-economic research, Hector Kobbekaduwa Agrarian Research and Training Institute conducts socio-economic research, Institute of Post Harvest Technology conducts research of post harvest technologies and Sri Lanka Council for Agricultural Research Policy intervenes to co-ordinate agricultural research policy.

4.2.2 Agricultural Planning

"Planning-Implementation of provincial economic plan" is a devolved subject (Ninth Schedule - List I). Accordingly, the agricultural planning and implementation are responsibilities of the Provincial Councils. At the Centre, the agricultural planning

is mainly concerned with strategy formulation and national policy making. The main administrative mechanism for planning is the Provincial Development Committee headed by the Chief Secretary. Secretaries of other Provincial Ministries are members of this committee.

Implementation of programmes and projects is the responsibility of the Divisional Secretaries. In respect of development action, the Division thus constitutes the unit for managing agricultural development. The Division although originally constituted as the unit of devolved administration, changed its character to represent the Centre. The Divisional Secretary has thus become the linking pin in the partnership system of action at the sub-national level.

In the scheme of devolved administration, the divisional level has taken a new meaning and significance. It constitutes a focal point between the national development strategies percolating through the District Secretary and the provincial planning authorities on one hand and for identifying community needs.

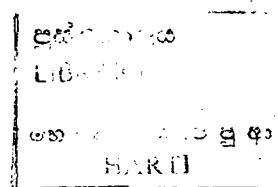


Table 4.2: Legal Provisions relating to the Smallholder Agricultural Sector

Provisions in the 13 th Amendment to the Constitution	Relevant Subject Matter Amplified by Acts/Ordinances/ Circulars	Remarks
<p>Ninth schedule, List I, Article 9.1</p> <p>Agriculture, including agricultural extension, promotion and education for provincial purposes and agricultural services (other than in inter-provincial irrigation and land settlement schemes, state land and plantation agriculture)</p>	<p>By Ordinance No. 37 of 1921, a Department of Agriculture was established.</p> <p>Agrarian Development Act, No. 46 of 2000</p> <p>There may be established one or more Farmers' Organizations for any area determined by the Commissioner General and consisting of persons who are eligible to be members thereof (Section 43 (1), Agrarian Development Act, No. 46 of 2000).</p> <p>Section 51 (1): There shall be an established Agrarian Development Council and the office of that council shall be established in the agrarian center for each such area as may be determined by the Commissioner-General.</p> <p>Section 51(2): Every Agrarian Development Council shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.</p> <p>Section 51(3) (i): At least one representative from each Farmers' Organisation established under this Act in the Agrarian Development Area for which that Council is established; and</p> <p>Section 51 (3) (ii): Such number of persons appointed by the Commissioner-General to represent government departments and public corporations engaged in the field of agriculture in that agrarian development area.</p> <p>Section 52 (1): Before every cultivation season Every Agrarian Development Council shall formulate an agricultural</p>	<p>By Agriculture Statute No. 11 of 1990, the Central Provincial Council has established a Department of Agriculture for the province (Governors assent received on 31 May 1991)</p> <p>Farmers' Organizations were established as independent bodies. These have an important role at the grassroot level for agricultural development. Although agriculture is a devolved subject, there is no mechanism to co-ordinate between Farmer Organizations and Provincial Councils. In contrast, Farmer Organizations are closely related with the Department of Agrarian Development for establishment, registration and functioning. The Department of Agrarian Development functions as a department, not with Provincial Councils but at the Centre.</p>

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	<p>programme for its agrarian development area and prepare necessary development plans. A copy of same shall be submitted to the Divisional Agriculture Committee.</p> <p>Section 52 (2) (vii): An Agrarian Development Council shall have the power to educate Farmers' Organizations and agriculturalists by means of workshops</p> <p>Section 29(1): The Commissioner General shall identify paddy lands from which sufficient production can be obtained when cultivated with paddy and paddy lands from which sufficient production can be obtained when cultivated with other agricultural crops.</p> <p>Seed Act, No. 22 of 2003 An Act to regulate the quality of seed and planting materials; National Seed Council established under the Act reviews quality standards of seeds and planting materials and establish guidelines for their production and distribution. The Director General of Agriculture is in charge of general administration of this Act.</p> <p>Agricultural and Agrarian Insurance Act, No. 20 of 1999 The Act provides insurance of agricultural and horticultural crops and medicinal plants, livestock, fisheries and forestry, agricultural equipment and implements and the storage and preservation of agricultural and horticultural produce and the products of medicinal plants, fisheries and forest produce; to provide medical benefits and social security schemes for agriculturalists.</p>	<p>Since, the subject of agriculture is assigned to Provincial Councils, it follows that agricultural planning is a devolved activity. However, the Agrarian Development Council consists of a community of persons appointed by the Commissioner General to represent Government departments and public corporations engaged in the field of agriculture. Therefore, agricultural planning at a divisional level is effectively organized/ implemented by the Centre. This violates the spirit of the devolved provisions.</p> <p>Although agricultural promotion and education is a subject of a Provincial Council, Central Department namely, the Department of Agrarian Development implements this subject. Therefore, it is a contradiction with the 13th Amendment.</p> <p>Commissioner General is vested with the responsibility to determine the cultivation of crops other than paddy in paddy lands. Yet, local needs determined by the Provincial Councils are not given effect by this provision. Hence, there are no co-ordination linkages except for officers personal relationship. Even though agricultural planning is a responsibility of the Provincial Councils, the cultivation of paddy or any other crops in paddy lands is a decision of the Department of Agrarian Development, which is a central agency.</p> <p>Subject matter of "seeds" is not specifically mentioned in the Provincial Council list. Under the subject of Agriculture and Agrarian Services in the concurrent list the Centre can undertake the subject of seeds. These responsibilities are administered by the Director General of Agriculture and National Seed Council. It does not contradict the provisions of the 13th Amendment.</p> <p>This subject is also not specifically mentioned in Provincial Council list. However, the term "Agricultural Services" in the Provincial Councils list has some bearing. It may include agriculture and agrarian insurance at the Provincial Council level. On the other hand, agriculture and agrarian services are mentioned as a concurrent subject. Therefore,</p>
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		agriculture and agrarian insurance schemes are implemented under the Agriculture and Agrarian Insurance Board at a national level. It does not contradict the provisions of the 13 th Amendment.
Article 9.3 Agricultural research, save and except institutions designated as national agricultural research institutes	Sri Lanka Council for Agricultural Research Policy, Department of Agriculture, Department of Export Agriculture, Hector Kobbekaduwa Agrarian Research and Training Institute and Institute of Post Harvest Technology are designated National Agricultural Research Institutes.	Responsibilities are given to both Provincial Councils and the Centre
Article 15 Markets and fairs	<p>Municipal Council Ordinance For the purpose of the discharge of its duties under this ordinance, a Municipal Council (without prejudice to any other powers specially conferred upon it) shall have the following powers. To establish and maintain any of the following public services</p> <p>Section 40 (U): (iv) Markets (Municipal Council Ordinance, 1947, Legislative Enactments of the Democratic Socialist Republic of Sri Lanka, Chapter 576, Vol.XVIII, p.12)</p> <p>Section 155-160: Part VII- Markets and Sales of Articles (Municipal council Ordinance, 1947, Legislative Enactments of the Democratic Socialist Republic of Sri Lanka, Chapter 576, Vol. XVIII). Same powers were given to the Pradeshiya Sabhas and Urban Councils by Pradeshiya Sabha Act and Urban Council Ordinance respectively.</p>	Markets and fairs play an important role in rural agricultural areas, due to marketing of agricultural commodities of farmers. Markets and fairs are functioning under the local government bodies (Municipal Councils, Pradeshiya Sabhas and Urban Councils) It does not contradict the provisions of the Thirteenth Amendment.
Ninth Schdule, List II, Article 21 Subject to the formulation and implementation of National Policy in regard to development and planning, the power to promote, establish and engage in agricultural,		

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<p>industrial, commercial and trading enterprises and other income generating projects, within the province without prejudice to the power of the Government and public corporations to have such enterprises and projects.</p> <p>Ninth Schedule, List III, Article 8.1 Establishment and promotion of agro-linked industries, the establishment and maintenance of farms and supervision of private nurseries.</p>		<p>Since this is a concurrent subject, Provincial Councils can implement this activity after enactment of statutes.</p>
<p>Article 8.2 Soil conservation</p>	<p>Soil Conservation Act, No. 25 of 1951, Section 2: It shall be the duty of the Director to cause survey and investigations to be made for the purposes of ascertaining the nature and extent of soil erosion and of damage to land by floods and droughts and of enabling the Minister to determine the areas which should be declared under this Act to be erodible areas.</p> <p>Agrarian Development Act, No. 46 of 2000, Section 86 (1) (f): Every Farmers' Organization shall, within its area of authority take measure for the conservation of soil and the protection of crops against pests and diseases</p>	<p>Responsibilities of soil conservation are given to both the Centre and Provincial Councils.</p> <p>Under the Act, No. 25 of 1951, the authority had been given to Director General of Agriculture. However, the Central Government is not well placed to respond properly to these local problems. Provincial Councils can implement soil conservation measures after enacting a statute as this is a concurrent subject.</p> <p>Control of soil erosion by the Director, which is a non-point source of pollution, can be ineffective. Instead, for the problem to be dealt with adequately, erodible lands in all watersheds must be brought under some form of erosion control, best administered by the Provincial Authorities and Farmer Organizations.</p>
<p>Article 8.3 Plant pests</p>	<p>Plant Protection Act, No. 35 of 1999, Section 2: The Director-General of Agriculture shall be in charge of general administration of this Act by performing the functions assigned or transferred to him by this Act</p>	<p>Responsibilities are given to both the Centre and Provincial Councils.</p>

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	<p>Plant Protection Ordinance, Chapter 447, 1956, Section 4:</p> <p>It shall be lawful for the Director of Agriculture, or for any persons authorized by him in writing or for any inspector or sub-inspector, with or without assistance, to enter at all reasonable times, upon any land for the purpose of inspecting and examining whether plant pests, diseases, or weeds exist thereon, and the owner or occupier of such land shall afford all reasonable facilities for such inspection and examination</p>	<p>Authority had been given to Director General of Agriculture. However, after the passing of a Statute, a Provincial Council can implement activities regarding plant pests.</p>
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4.3 Responsibilities in the Livestock Sector

As discussed in chapter three, livestock is a major aspect of agriculture and is a devolved subject in the constitution. However, at present the livestock development comes under a separate Cabinet Ministry. Table 4.3 lists the assigned subjects, functions and institutions of the Ministry of Livestock Development (MLD).

Table 4.3: Subjects, Functions and Institutions Assigned to the Ministry of Livestock Development

Institutions	Subjects and Functions
<ol style="list-style-type: none"> 1. Department of Animal Production and Health 2. National Livestock Development Board 3. Sri Lanka Libya Agriculture and Livestock Development Company 4. Kiriya/Milk Industries of Lanka (Pvt) Ltd 5. Milk Industries of Lanka Ltd 6. Mahaweli Livestock Enterprise Co. Ltd 	<ol style="list-style-type: none"> 1. Implementation of policies, plans and programmes in respect of the livestock development. 2. Development of livestock industry. 3. Milk production and distribution. 4. Planning and execution of veterinary services and research. 5. Provisions of assistance for animal breeding and cattle breeding. 6. Protection from animal diseases and quarantine of animal. 7. Administration and operation of the Animals Act.

Source: Gazette Extra-ordinary of the Democratic Socialist Republic of Sri Lanka, No. 1482/9, 29.01.2007

As agricultural extension is devolved, it naturally follows that livestock extension too is devolved to the Provincial Councils. However, as table 4.3 shows, the planning and execution of veterinary service and research are subjects assigned to the Ministry of Livestock Development. It means execution of activities related to livestock extension is handled by the Centre. The assigned subjects of the Ministry of Livestock Development such as protection from animal diseases and quarantine of animal, administration and operation of Animals Act and implementation of programmes, plans and policies, etc. come under the concurrent list (Article 20). Therefore, both the Centre and the Provincial Councils are in a position to derive power to execute these functions. These functions and subjects do not contradict the provisions of the Thirteenth Amendment. Table 4.4 describes the other legal enactments related to livestock development which are boosting or nullifying the devolved functions in the livestock sector.

Table 4.4: Legal Provisions Relating to the Livestock Sector

Provisions in the 13th Amendment to the Constitution	Relevant Subject Matter Amplified by Acts/Ordinances/ Circulars	Remarks
Ninth Schedule, List I, Article 20: Preservation, protection and improvement of stock and prevention of animal diseases within the provinces		Responsibilities are given to both the Government and Provincial Councils. It does not contradict the Provisions of the Thirteenth Amendment
Ninth Schedule, List III Article 20.1: Production, processing, distribution and sale of livestock and livestock products	Animals Act, No. 29 of 1958 The regulation of slaughter of animals, branding of animals, to provide for measures for the improvement of breed of animals.	According to the Thirteenth Amendment to the constitution, responsibilities are given to both the National Government and Provincial Councils Therefore, the provision made by the Animals Act, No.29 of 1958, does not contradict the provisions of the Thirteenth Amendment.
Ninth Schedule, List III, Article 20.2: Veterinary training services and research, inclusive of provision of science, laboratories and science equipment		According to the Thirteenth Amendment to constitution, the responsibilities are given to both the Centre and Provincial Councils.
Ninth Schedule, List III, Article 20.3: Animal breeding, care and health	Animal Diseases Act, No. 59 of 1992, Section 2 (1): There may be appointed for the purposes of this Act, a person to be or to act as the Director of Animal Production (hereinafter referred to as "the Director") who shall be in charge of the general administration of this Act (Animal Diseases Act, No. 59 of 1992. (Section 4 (1), Contagious Diseases (Animals) Ordinance, No. 25 of 1909	According to the Thirteenth Amendment to the constitution, the responsibilities are given to both the Centre and Provincial Councils. Under the provisions made by the Animal Diseases Act, No. 59 of 1992, the powers of prevention of the extension of infections or contagious diseases are given to the Director of Animal Production. It is compatible with provisions of the Thirteenth Amendment.
Ninth Schedule, List III Article 23 (a): Trade and commerce in, and the production, supply and distribution of foodstuff and cattle fodder		According to the Thirteenth Amendment to constitution, the responsibilities are given to both the Centre and Provincial Councils.

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Ninth Schedule, List III, Article 20.4: The establishment of pasture		According to the Thirteenth Amendment to the Constitution, the responsibilities are given to both the Centre and Provincial Councils.
Ninth Schedule, List III, Article 35: Prevention of the extension from one province to another of infectious or contagious diseases or pests affecting human beings, animal or plants		According to the Thirteenth Amendment to the Constitution the responsibilities are given to both the Centre and Provincial Councils.

4.4 Responsibilities in the Irrigation Sector

Prior to the establishment of the Irrigation Department in 1900, during the period 1856-1900, the Public Works Department (PWD) handled the activities relating to irrigation rehabilitation. In the 1930s, the then Minister of Agriculture and Lands in the State Council, Hon. D.S. Senanayake commenced the restoration of abandoned ancient irrigation works ushering an era of modern irrigation development in the country.

The significant milestones in irrigation administration which have passed through a phase of administrative decentralization to devolution are as follows:

- 1900 - Establishment of the Department of Irrigation
- 1946 - Establishment of the District Agricultural Committees
- 1957 - Establishment of the Department of Agrarian Services for managing minor irrigation works
- 1970 - Establishment of the Mahaweli Development Board
- 1971 - Establishment of the Territorial Civil Engineering Organization (TCEO) entrusted with maintenance of irrigation works. This resulted in deconcentration of irrigation activities.
- 1977 - Disbanding the TCEO. All irrigation works handed back to the Department of Irrigation
- 1987 - Establishment of Provincial Councils
- 1991 - Re-transfer to Irrigation Department. The inter provincial irrigation schemes handed over to Provincial Councils
- 1994 - Establishment of Project Management committees

As discussed in chapter three, irrigation is a concurrent subject, whereas the minor irrigation is a provincial subject. Further, according to Article 19 in list I, planning, designing, implementing, supervising and maintaining of all irrigation works, other than irrigation schemes relating to rivers running through more than one province or inter-provincial irrigation are provincial subjects. The policy implication of this is the fact that most of the irrigation and land development schemes outside the major irrigation schemes also fall within the responsibility of the Centre in view of rivers and streams crossing the provincial boundaries.

Despite such provisions in the Thirteenth Amendment, the then Minister in charge of irrigation (Mr. Gamini Dissanayake) decided to hand over the administration of inter-provincial schemes with a command area less than 1,000 acres to Provincial Councils. Accordingly, the maintenance of such schemes was handed over to Provincial Councils with the buildings, vehicles and staff. Yet, by 1991 it was apparent that the Provincial Councils possessed neither the financial resources nor the expertise to properly manage such schemes. Another adverse impact of such change-over of administrative responsibility was the loss of documents such as engineering data and plans, files relating to operation and maintenance.

Major irrigation schemes very often extend beyond the Provincial Council limits. An understanding of the water source and the distribution systems rests with the organization that handles the operation and maintenance, which is often a central institution. In acceding to requests for a scheme by local inhabitants, Provincial Council decisions are often not subject to a proper discussion of the implications of such development activities with the central organizations. A case in point is the Bomarella Wewa, in the Welimada electorate which irrigates 2,005 acres through an anicut built across Uma Oya. Yet, the Provincial Council irrigates 80 acres through Perawella anicut built across Uma Oya in between Bomarella Wewa and Uma Oya. On the right bank of the Uma Oya system, the Department of Agrarian Development irrigates 30 acres under Dehipola anicut and on the left bank 40 acres under Dabuldena anicut. Although, these schemes affect the water management of the main system, these organizations do not represent the Uma Oya Project Committee (Kamaladasa, Bhadra, 2007).

Currently, two Cabinet Ministries namely, the Ministry of Irrigation and Water Management (MIWM) and the Ministry of Agricultural Development and Agrarian Services share the responsibility for central irrigation. The Ministry of Irrigation and Water Management has four national level institutions for implementation of its functions including the Department of Irrigation and the Water Resources Board (see table 4.5). Under the Ministry of Agriculture Development and Agrarian Services, the Department of Agrarian Development has been the major national level institute entrusted with irrigation schemes with command area of less than two hundred acres. So, the construction/rehabilitation, maintenance and water management of all minor irrigation schemes were the responsibilities of the Department of Agrarian Development (table 4.6). Recently, the Mahaweli Authority of Sri Lanka, entrusted with the construction/rehabilitation, maintenance, water management as well as community development has been brought under the Ministry of Agricultural Development and Agrarian Services. District Secretary brings into play his/her responsibility or powers in co-ordination of irrigation works as a chairperson of the District Agricultural Committee. Although the Provincial Ministries of Agriculture have the responsibilities regarding all irrigation works other than inter-provincial schemes, the role they play in the District Agricultural Committee seems to be minimal.

Farmer Organizations provide an opportunity for dialogue and interaction between the farmers and the officers. They share management decision and responsibilities and contribute to holding of orderly and regular cultivation meetings to finalize and follow the cultivation calendar.

Farmer participatory organizations in the irrigated sector constitute the mechanism for social mobilization. The establishment of the Project Committees and the Advisory Committees is the responsibility of the Department of Irrigation, while the

establishment of the Farmer Organizations is the responsibility of the Department of Agrarian Development. The Social Mobilization experiences are available elsewhere, notably with the Rural Development Training and Research Institute's Change Agent Programme. It is noted that the experience is yet to be transferred to Provincial Council programmes.

Planning, budgeting and programme management systems and procedures for managing irrigated agriculture constitute the cross-sectoral functions for integration and co-ordination and take place within the framework of the larger planning, budgeting and programme management framework. Table 4.5 shows the assigned subjects, functions and institutions for the two central Ministries.

Table 4.5: Subjects, Functions and Institutions Assigned to the Cabinet Ministries for the Irrigation Works

Institutions	Subjects and Functions
Ministry of Irrigation and Water Management 1. Department of Irrigation 2. Water Resources Board 3. Central Engineering and Consultancy Bureau 4. Mahaweli Venture Capital Co. Ltd	1. Formulation and Implementation of policies, plans and programmes in respect of irrigation, reservoirs and water management. 2. Irrigation and drainage work. 3. Salt water exclusion schemes. 4. Rain water harvesting. 5. Flood protection. 6. Prevention of the pollution of rivers streams and other water courses. 7. Promotion, construction, operation and maintenance of schemes of irrigation, drainage, flood control. 8. Engineering consultancy services and construction.
Ministry of Agricultural Development and Agrarian Services 1. Department of Agrarian Development 2. Mahaweli Authority of Sri Lanka and Agencies Created under the Mahaweli Act	1. Administration and operation of the Agrarian Services Act. 2. Implementation of policies, plans and programmes in respect of Mahaweli. 3. Administration and operation of the Mahaweli Authority Act.

Source: Gazette Extra-ordinary of the Democratic Socialist Republic of Sri Lanka, No. 1482/9, 29.01.2007

Regarding rehabilitation and management of minor irrigation schemes, there is a major contradiction. Under the Thirteenth Amendment, the minor irrigation is a devolved subject, and therefore the responsibility of the individual Provincial Councils. However, in practice the responsibilities related to minor irrigation are undertaken by the Department of Agrarian Development. This is done with the pretext of the Department of Agrarian Development having the authority to involve in "rural tanks and irrigation". However, there is no legal definition of what "rural tanks and irrigation" is. Practically, rural tanks and irrigation means "minor irrigation". On the other hand, Provincial Councils have the mandate provided by the Thirteenth Amendment for construction, maintenance and management of minor

irrigation. Indeed, both the Department of Agrarian Development and Provincial Councils are involved in these activities. This situation gives rise to duplication of work, waste, and even neglect of some tanks due to a lack of co-ordination and poor accountability.

As already noted, inter-provincial irrigation works traditionally have been the responsibility of the Ministry of Irrigation and at present this subject comes under the Ministry of Irrigation and Water Management. However, under provisions made in section 62 (1) of the Irrigation Ordinance, the Minister holding the Irrigation Portfolio, and therefore the present Ministry of Irrigation and Water Management can handle minor irrigation maintenance work. Section 62 (1) of the Irrigation Ordinance confers powers on the Ministry of Irrigation to intervene with the management of minor irrigation schemes when defectively maintained by the proprietors or if, in the opinion of the Director of Irrigation, it endangers or impairs the effectiveness of any major irrigation work with which minor works are connected.

Table 4.6 describes the other legal provisions boosting or nullifying the functions of devolved matters in irrigation.

Table 4.6: Legal Provisions Related to Irrigation Works

Provisions in the 13 th Amendment to the Constitution	Relevant Subject Matter Amplified by Acts/Ordinances/ Circulars	Remarks
Ninth Schedule, List I, Article 9.2: Rehabilitation and maintenance of minor irrigation works	<p>Agrarian Development Act, No. 46 of 2000 Section 52 (2) (xiv): An Agriculture Development Council shall have the power to utilize its funds to repair, maintain and develop irrigation works within its area of authority</p> <p>Section 52 (2) (xv): Every Farmers' Organization shall, within its area of authority, ensure the management of water, irrigation works and water used for agricultural activities</p> <p>Irrigation Ordinance No. 32 of 1946 Section 62 (1): Where any minor irrigation work is so defectively maintained by the proprietors as, in the opinion the Director of Irrigation, to endanger or impair the effectiveness of any major irrigation work with which such minor work is connected, the Minister may give notice that unless within a time fixed by the notice the arrangements for the maintenance of such minor work are made effective, and unless such work is thereafter effectively maintained, such work will be</p>	<p>Although agriculture and agrarian services are subjects of both Provincial Councils and the Centre (Article 8, List III, 9th schedule) rehabilitation and maintenance of minor irrigation work was given to the Provincial Councils by the 13th Amendment. But the Central Dept. (Department of Agrarian Development) has made arrangements to implement this subject through Agrarian Development Centres which are originated by the Agrarian Development Act. Therefore, it appears to be a Central intervention in a Provincial Council subject. It also contradicts with the 13th Amendment.</p> <p>Section 62 confers powers on the Centre to intervene in provincial irrigation where it endangers major irrigation. This seems to be a legitimate power of intervention for proper maintenance where it threatens inter provincial irrigation.</p>

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	<p>made subject to a maintenance rate under section 56</p> <p>Section 63 (I) Where the Government Agent is satisfied that condition of any minor irrigation work is so defective, or that such work is so defectively maintained as to endanger or impair the effectiveness of any other such work, or as to prejudice or be likely to prejudice the interests of the proprietors of the lands irrigated by that other work, the Government agent shall summon a meeting of the proprietors of lands irrigated by the first- mentioned work and shall explain to them the requirements of the situation, and shall call upon them to make arrangements, either by the framing of rules or otherwise, to remedy the defect to his satisfaction</p>	<p>On the contrary based on Provincial Council (Consequential Provisions) Act, No.12 of 1989, the Provincial Irrigation Minister and Provincial Irrigation Director can implement the Irrigation Ordinance No. 32 of 1946</p> <p>The Irrigation Ordinance grants some powers of irrigation works, to the GA. According to the Irrigation (Amendment) Act, No. 34 of 1990, "Government Agent" is defined as follows: "Government Agent" includes an Additional Government Agent, Secretary to the Minister of the Board of Ministers of a Province in charge of the subject of Irrigation and Divisional Secretary of a Provincial Council (Section 3, Irrigation (Amendment) Act, No. 34 of 1990)</p> <p>However in 1991, Divisional Secretaries were re-attached to the Home Ministry and the provincial role seems to be minimal in the functions provided in Section 63 (1) of the Irrigation Ordinance of 1946.</p>
<p>Ninth Schedule, List I, Article 19: Planning, designing, implementation, supervision and maintenance of all irrigation works, other than irrigation schemes relating to rivers running through more than one province or inter provincial irrigation and land development schemes</p>	<p>Agrarian Development Act, No. 46 of 2000, Section 81 (1): Every tank, dam, canal, water course, embankment reservation or other irrigation work, within the area of authority of any Farmers' Organization, shall be subject to the supervision of that Farmers' Organization</p> <p>Section 82 (1): Where any government department, public corporation, person or body of persons proposes to construct a tank, dam, canal, water course or commence any development project, within the area of authority of Farmers' Organization, it shall be the duty of the head of such department or corporation or such person or such body of persons to inform the Farmers' Organization of the proposed construction or project and invite its comments thereon</p>	<p>With regard to the Article No.19 of 9th schedule in the 13th Amendment, the maintenance and supervision of all irrigation works of intra-provincial nature is a subject of Provincial Councils. However, according to the Agrarian Development Act, No. 46 of 2000, the power of supervision of irrigation works is given to Farmer Organizations. But, there is no direct linkages built up between Farmer Organizations and Provincial Councils. Hence, this contradicts with the 13th Amendment.</p> <p>This is an example of de-concentration of activity and not devolution.</p>

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	<p>Irrigation Amendment Act, No.13 of 1994, Section 5A (1): In respect of every major irrigation work being a part of an inter-provincial irrigation and land development scheme which is specified by Secretary to the Minister in charge of the subject of Irrigation, there shall be a Project Management Committee consisting of-</p> <p>(a) Such number of representatives of the Farmers' Organizations in that area as, may be necessary to make the number of farmer representatives in the Committee not less than fifty per centum of the total membership of the Committee;</p> <p>(b) a Project Manager appointed by the Secretary to the Ministry of the Minister in Charge of the subject of irrigation who shall function as the Chairman or Secretary of the Committee;</p> <p>(c) a representative appointed by each of the following officers:</p> <ul style="list-style-type: none"> (i) the Director of Irrigation (ii) the Land Commissioner (iii) the Commissioner of Agrarian Services (iv) the Director of the Agriculture, and (v) the Commissioner of Co-operative Development <p>(d) representatives from any other related agencies as may be determined by the Secretary to the Ministry of the Minister in charge of the subject of irrigation;</p> <p>(e) the Divisional Secretary or Secretaries of the Divisional Secretary's division or divisions within which that irrigation work is situated</p>	<p>The provisions made by Section 5A (1) of the Irrigation Amendment Act, No. 13 of 1994, is compatible with the 13th Amendment. However, there is no relevant Provincial Council representative in the Project Management Committee. It should represent the relevant Provincial Councils, because according to their mandate, they can implement irrigation works which can effect the major irrigation schemes.</p> <p>The official element mentioned in Section 5A I (b), (c), (d) and (e) belongs to the Centre. Hence, the Project Management Committee is directed by the officers at the Centre.</p>
<p>Ninth Schedule, List III, Article 17.1: Water storage and management, drainage and embankments flood protection, Planning of water resources</p>	<p>Flood Protection Ordinance, No. 4 of 1924 Section 4 (1): Where any area is declared to be a flood area, the Director shall prepare a scheme for the efficient protection of such area against floods, and also a statement of the estimated cost of the necessary work</p> <p>Section 4 (2): The Director shall also delineate in distinguishing colours on a plan of such flood area the lands within the area liable to submergence and dams, draining trenches, outfalls, sluices, locks, and other works which it is proposed to make or maintain, and, where it is expedient to change the position of any thoroughfare or portion thereof, shall delineate in distinguishing colours on the plan, the best position and line for the proposed new thoroughfare</p> <p>Section 7: The Government Agent of the administrative district in which the flood area is situated, or, if such flood area is situated in more districts than one, then such one of the Government Agents thereof as may be nominated by the Minister, shall be the flood authority for such area: Provided that where any flood area falls, either wholly or in part, within the limits of a Municipality the</p>	<p>Interpretation of "the Director" – means the Director of Irrigation or any other person appointed to prepare and carry out a scheme under this Ordinance (Section 2, Flood Protection Ordinance, Legislative Enactments of Ceylon, Chapter 449, 1956).</p> <p>Flood protection responsibilities are given to both the Centre and Provincial Councils. According to the Irrigation Ordinance, the Centre can handle this subject. However, for the Provincial Councils to execute these functions, a statute has to be passed.</p>

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4.5 Responsibilities in the Land Sector

Table 3.3 highlighted the fact as to how provisions in the Appendix II of the Provincial Council list strengthened the Centre despite the reference to land as a provincial subject.

Nearly 80 per cent of the land in the country is vested with the Government and governed by at least thirty nine Acts and Ordinances presenting an intricate situation (see table 4.7). As pointed out in chapter three, the subject of land is one that is devolved in the Thirteenth Amendment. However, Article 33(d) of the 1978 constitution vests absolute power of disposition of land with the President of the Republic and seriously limits the role of Provincial Councils on land matters. In other words, power to control State lands is vested in the Centre via powers vested with the President. Thus, even though the subject of land is included in the Provincial Council list in the Thirteenth Amendment to the Constitution, actual powers concerning the management of state owned land continue to be vested with the President. However, two Provincial Councils (Western and North-Central) have passed statutes for undertaking these responsibilities. Land Development Statute No. 07 of 2002 of the Western Provincial Council makes provision for any state land already used by the Provincial Council to be considered as a grant to the Provincial Council as per 1.2 of the Appendix II of the Provincial Council list in the 9th schedule of the Thirteenth Amendment. This seems to contradict the above constitutional provisions.

Table 4.7: Operational Laws Relating to Land

1. Encroachment upon Crown Lands Ordinance (1840)
2. Definition of Boundaries Ordinance (1844)
3. Service 'Praveni' Land Ordinance (1852)
4. Registration of Temple Lands Ordinance (1856)
5. Land Surveys Ordinance (1866)
6. Service Tenures Ordinance (1870)
7. Prescriptions Ordinance (1871)
8. Land Resumption Ordinance (1877)
9. Forest Ordinance (1907)
10. Plant Protection Ordinance (1924)
11. Flood Protection Ordinance (1924)
12. Tea Research Ordinance (1925)
13. Coconut Research Ordinance (1925)
14. Rubber Research Ordinance (1930)
15. Crown Land Marks Ordinance (1930)
16. Crown Lands (Claims) Ordinance (1931)
17. Land Settlement Ordinance (1931)
18. Land Development Ordinance (1935)
19. Fauna and Flora Protection Ordinance (1937)
20. Temple Land (Compensation) Ordinance (1944)
21. Irrigation Ordinance (1946)
22. Crown Lands Ordinance (1947)
23. Tea Control Act (1949)
24. Land Acquisition Act (1950)
25. Requisitioning of Lands Act (1950)
26. Soil Conservation Act (1951)
27. Rubber Replanting (Subsidy) Act (1953)
28. Food Protection (Estates) Act (1954)
29. Rubber Control Act (1956)
30. Tea and Rubber Lands Fragmentation Act (1958)
31. Colombo District (Low Lying Areas) Reclamation and Development Board Act (1968)
32. Land Reform Law, No. 01 (1972)
33. Urban Development Authority Act (1978)
34. State Lands (Recovery of Possession) Act (1979)
35. Land Grants (Special Provisions) Act (1979)
36. Agrarian Services Act (1979)
37. Mahaweli Authority Act (1979)
38. National Housing Development Authority Act (1979)
39. Coast Conservation Act (1981)

Source: GOSL, Report of the Land Commission – 1987, Sessional Paper No. III – 1990, pp. 151-152

The Government of Sri Lanka has a Cabinet Ministry for the subject of land and land development. Table 4.8 lists the subjects, functions and institutions attached to the Ministry of Land and Land Development.

Table 4.8: Subjects, Functions and Institutions Assigned to the Ministry of Land and Land Development

Institutions	Subjects and Functions
1. Department of Land Commissioner 2. Department of Land Settlement 3. Department of Surveyor General 4. Land Use Planning Division 5. Institute of Surveying and Mapping	1. Formulation and implementation of policies, plans and programmes in respect of land and land development 2. Administration of State land 3. Land Settlement 4. Land acquisition 5. Surveying and resources survey 6. Land use Planning 7. Alienation of land and land development of settlement projects as prescribed by law.

Source: Gazette Extra-ordinary of the Democratic Socialist Republic of Sri Lanka, No.1482/9, 29.01.2007

According to legal provisions in the Thirteenth Amendment to the constitution, the Centre can use state land located in specific provinces for activities demarcated in the reserved or concurrent list. However, before the utilization of powers vested with the Centre, it should inform and consult the respective Provincial Council. This is more customary than the rule. Provincial Councils are expected to respond to such inquiries within forty two days. If the Provincial Council does not answer within the specified period, it is deemed to have given its concurrence⁹ (Damayanthi, M.K.N, Lurdu, M.D.S, 2007, p.93). If the Provincial Council does not agree with the Government request, it can propose any alternative land to the Government for the required purpose.

Article 18 in List I in the Thirteenth Amendment to the Constitution describes that Provincial Councils have the "rights in or over land, land tenure, transfer and alienation of land, land use, land settlement and land improvement to the extent set out in Appendix II". However, it is not possible to identify and demarcate the land under the Central ownership and Provincial Council ownership. In 1989, Land Commissioner Department (LCD) issued a circular to mitigate this complexity. Before the establishment of Provincial Councils, the Land Commissioner Department has administered about 2,800,000 allotments in the land settlement schemes¹⁰. According to the above circular, administration of land settlements, except inter-provincial schemes was transferred from Land Commissioner Department to Provincial Councils. In this instance, the Land Commissioner Department provided human resources, physical resources including buildings, maps, documents and other properties to relevant Provincial Councils. After this transference, the Land Commissioner Department has only 150,000 allotments of inter-provincial schemes as indicated in table 4.9.

⁹ Quoting S. D. A. B. Boralessa, Land Commissioner General at the **Symposium on the Land Administration within the Provincial Council System, 19 February 2007**, at HARTI. See Nadeeka Damayanthi, M.K. and Lurdu M. D. S, Occasional Publication (Sinhala)No. 21, HARTI.

¹⁰ Ibid, p. 92

Table 4.9: Land Development Schemes Administrated by the Department of Land Commissioner General (After 1989)

Zone	Area
Anuradhapura (part)	Anuradhapura, Mannar, Vavuniya, Kurunegala, Puttalam, Makandura
Pollonnaruwa	Pollonnaruwa
Mahiyanganaya	Kandy, Badulla, Matale (part of Matale)
Ampara	Ampara, Batticalo
Deberawewa	Hambantota, Monaragala, Ratnapura
Trincomalee	Trincomalee

Source: Borelessa, A.D.A.B, in Symposium Proceedings on The Provincial Council System and Land Administration within the Provincial Council System (Sinhala Publication), 2007, HARTI, p.50

The land policy was reoriented in favour of the peasantry by the first Land Commission of 1927 which recommended the institution of the Land Commissioner as the custodian of State lands.

Under Section 20 (a) of the Land Development Ordinance, the Land Commissioner General is vested with the power of selecting persons and issuing of permits for State land without a land Kachcheri. After 1989, this authority was transferred to Provincial Land Commissioners (PLCs) except in inter-provincial schemes (Boralessa, A.B.A.D., 2007, p.50). In addition to these arrangements, the Provincial Councils were empowered by the Provincial Council (Consequential Provisions) Act, No.12 of 1989 (appendix VI).

However, some of these subjects and functions such as land settlement, land use, land development of (non-inter provincial) settlement projects are overlapping with Provincial Council's functions and subjects. Table 4.10 describes the legal provisions for the land and land development with shared responsibilities.

Table 4.10: Legal Provisions Relating to Land and Land Development

Provisions in the 13 th Amendment to the Constitution	Relevant Subject Matter Amplified by the Constitution/Acts/Ordinances and Circulars	Remarks
Article 18, Ninth schedule, List I Land, that is to say, right in or over land, land tenure transfer and alienation of land, land use, land settlement and land improvement to the extent set out in appendix II.		Although the responsibilities relating to land are given to Provincial Councils by Article 18 in list I, Appendix II in the same list seriously limits the powers given to Provincial Councils.
Appendix II: State land shall continue to vest in the republic and may be disposed of in accordance with	Article 33 (d) of the Constitution of the Democratic Socialist Republic of Sri Lanka, 1978, p.21 states: In addition to power and functions expressly conferred on or assigned to him by the constitution or by any written law whether enacted before or after the commencement of	Grants and dispositions of State lands remain a central subject, by virtue of the powers vested in the

Contd.

<p>article 33(d) and written law governing the matter.</p>	<p>the constitution, the President shall have the power-</p>	<p>President. However, the Western Provincial Council has enacted a Land Development Statute No. 7 of 2002 which states that any State land already used by the Provincial Council at the commencement of this statute is deemed to be a land granted to the Provincial Council. This seems a contradictory provision vis-a-vis the Article 33 (d) of the Constitution.</p>
	<p>(a) to keep the public seal of the republic, and to make and execute under the public seal, the acts of appointment of the Prime minister and other Ministers of the Cabinet of Ministers, the Chief Justice and other Judges of the Supreme Court, such grants and dispositions of lands and immovable property vested in the republic as he is by law required or empowered to do, and to use the Public seal for sealing all things whatsoever that shall pass that seal;</p>	
	<p>Section 2 (1) of the Land Development Statute of the Western Provincial Council states: Any State land which had already been used by the Provincial Council for the Provincial Council subjects at the commencement of operation of this statute such land shall be considered as a land granted to the Provincial council by the government as per 1.2 of the appendix II in the Provincial Council list of the 9th Schedule of the Constitution. After obtaining the land formally from the President, the Minister in-charge of the subject of Lands in the Provincial Council shall proceed to publish the same in the Gazette of the Democratic Socialist Republic of Sri Lanka.</p>	<p>The Land Development Ordinance No. 19 of 1935 made provision for alienation of State land to allottees, called colonists, under restrictive conditions including prohibition on fragmentation, transfer/sale. It provided for a long-term lease rather than a free hold tenure. The office of the Land Commissioner General represents the apex of the system of land administration.</p>
	<p>Section 2 (b), Land Development Ordinance, No. 19 of 1935 states: There may be an appointed Land Commissioner who shall be responsible -</p> <p>(a) for the general supervision and control of all Government Agents and Land Officers in the administration of Crown land and in the exercise and discharge of the powers and duties conferred and imposed upon them by this Ordinance</p>	<p>According to the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989, the Provincial Land Commissioners can implement the responsibilities of the Land Commissioner given under the Land Development Ordinance.</p> <p>In terms of the Transfer of Powers (Divisional Secretaries) Act, No. 58 of 1992 any powers conferred on the Government Agent can be exercised by the Divisional Secretary.</p> <p>However, at the symposium held on 19th February 2007 at HARTI, the observation was made that the Divisional Secretary being directly accountable to the Ministry of Home Affairs through the District Secretary, sufficient attention was not paid to directives from the Ministry of Lands.</p>

Contd.

<p>Ninth Schedule Appendix II, Article 2.3:</p> <p>The principles and criteria regarding the size of holdings of agricultural and homestead lands arising out of these projects will be determined by the Government of Sri Lanka in consultation with the Provincial Council</p>	<p>Section 20, Land Development Ordinance, No.19 of 1935 states:</p> <p>No land shall be alienated by grant except at land Kachcheri</p> <p>Section 22 (1), Land Development Ordinance, No. 35 of 1935 states:</p> <p>The Government Agent may in notification under section 21 fix a date before which application shall be made to him for the land proposed to be alienated at the Land Kachcheri appointed to be held by such notification</p> <p>Section 23 (1) (a),(b) and (c), Land Development Ordinance, No.19 of 1935 states:</p> <p>At a Land Kachcheri, the Government Agent may in his discretion-</p> <ul style="list-style-type: none"> (a) select any applicant to receive a permit or a grant of Crown land either immediately, or on, or before, a future date; (b) postpone consideration of any application; (c) reject any application 	<p>Source: Damayanathi, M.K.N., Lurdu, M.D.S., Symposium Proceedings on Land Administration within the Provincial Council System, HARTI, Occasional Publication (Sinhala) No. 21, 2007, p.56)</p>
<p>Ninth Schedule, Appendix II, Article 2.4:</p> <p>The selection of allottees for such lands will be determined by the Government of Sri Lanka having regard to settler selection criteria including degree of landlessness, income level, size of family and agricultural background of the applicants. The actual application of these principles, selection of allottees and other incidental matters connected thereto will be within the power of the Provincial Council</p>	<p>Section 23B, Land Development (Amendment) Act, No. 22 of 1993 states:</p> <p>The Land Commissioner may, within one year from the date of notification of selection of a person for alienation of State land, set aside such selection in the opinion of the Land Commissioner, such person has failed or neglected to develop such land or failed to take up residence on such land</p> <p>Section 29 (1), Land Development Ordinance, No.19 of 1935 states:</p> <p>Every grant, when issued, shall be registered at the instance of the Government Agent in such manner as may be prescribed</p> <p>Section 88, Land Development Ordinance, No.19 of 1935 states:</p> <p>If it appears to the Government Agent that the owner of a holding has failed to observe a condition of ownership, the Government Agent may issue a notice in the prescribed form intimating to such owner that a recommendation</p>	<p>There is no conflict between the Centre and the provinces with regard to the implementation of the provision relating to selection of allottees.</p>

Contd.

	will be made to the Governor-General for the cancellation of the grant of such holding unless contrary is shown to the Government Agent on a date and at a time and place specified in such notice	
<p>Ninth Schedule, Appendix II</p> <p>3. National Land Commission</p> <p>3.1 The Government of Sri Lanka shall establish a National Land Commission which would be responsible for the formulation of national policy with regard to the use of State land. This Commission will include representatives of all Provincial Councils in the island.</p> <p>Ninth Schedule, List I, Article 26:</p> <p>The regulation of mines and mineral development to the extent permitted by or under any law Parliament, within the Province</p> <p>Ninth Schedule, List I, Article 36.13:</p> <p>Fees on lands alienated under the Land Development Ordinance and Crown Lands Ordinance</p> <p>Ninth Schedule, List I, Article 36.16:</p> <p>Land revenue, including the assessment and collection of revenue, and survey and maintenance of land records for revenue purposes</p>	<p>Section 11, Crown Lands Ordinance, 1947 states:</p> <p>No disposition of Crown land made under this Ordinance shall be deemed to confer any right to any mineral, mineral product or mineral oil in, under, or upon such Crown land unless otherwise expressly provided, in the instrument of disposition, and, save as so expressly provided, all such minerals, mineral products and mineral oils shall, notwithstanding any such disposition, be deemed to remain, and shall remain, the absolute property of Her Majesty</p>	<p>Since the National Land Commission has not been established, the opportunity for joint and co-operative action has been denied.</p>

Contd.

<p>Ninth Schedule, List I, Article 36.17: Taxes on lands and buildings, including the property of the State to the extent permitted by law made by Parliament</p> <p>Ninth Schedule, List I, Article 36.18: Taxes on mineral rights within such limits and subject to such exemptions as may be prescribed by law made by Parliament</p> <p>Ninth Schedule, List II: Regulation and development of oilfields and mineral oil resources; petroleum and petroleum products; other liquids and substances declared by Parliament by law to be dangerously inflammable; and Regulation of mines and mineral development to the extent to which such regulation and development under the control of the Government of Sri Lanka is declared by Parliament by law to be expedient in the public interest</p>		<p>Responsibilities are given only to the Centre</p>
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4.6 Conclusion

Agriculture and related subjects such as livestock, irrigation and lands were devolved by the 13th Amendment. However, many adjustments regarding devolved powers have been effected by the Acts of the Parliament and administrative circulars. Although agriculture and agrarian services are devolved subjects, the Government of Sri Lanka continued to appoint a plethora of Ministries entrusted with agriculture and agrarian services. Many devolved subject matters such as extension, agricultural education and agricultural planning etc. overlap or contradict with a range of functions and powers covered by central Ministries such as the Ministry of Agricultural Development and Agrarian Services or its Departments like Department of Agrarian Development and Department of Agriculture and the Ministry of Livestock Development and its Departments. Rehabilitation of minor irrigation works was given to the Provincial Councils by the 13th Amendment, but the Centre (Department of Agrarian Development) has made arrangements to implement this subject through Agrarian Development Centres, created by the Agrarian Development Act. It seems to be a central intervention in a Provincial Council subject, while contradicting the 13th Amendment. The subject of land is one that is devolved in the 13th Amendment. However, the Article 33(d) of the 1978 Constitution seriously limits the role of Provincial Councils on land matters.

Even though Provincial Councils are enabled to pass statutes to implement the powers devolved on them by the Constitution, most of the Provincial Councils have not taken action to pass statutes regarding agriculture and related subject areas. However, only Central Provincial Council has passed a statute for agriculture and North Central Provincial Council has passed a statute for agrarian services and Western and North Central Provincial Councils have passed statutes for undertaking land development responsibilities. But, some provisions of these land statutes contradict the constitutional provisions.

Agricultural research and extension system was further fragmented after the subjects were devolved. Although agriculture is a devolved subject, there is no mechanism to co-ordinate between Farmer Organizations and Provincial Councils which play an important role at the grass root level for agricultural development. This situation gives rise to duplication of works, waste and even neglect of work due to poor accountability for service delivery as well as lack of co-ordination.

INSTITUTIONAL ARRANGEMENTS AND DISTRIBUTION OF RESOURCES

5.1 Introduction

This chapter examines the institutional arrangements for smallholder agricultural development at both the Central and Provincial Council levels, in terms of agricultural extension and other support systems, agricultural development planning, livestock, land and irrigation sectors. It also examines and analyses the extent of resource allocation to the Provincial Councils and constraints, limitations and trends towards the smallholder agricultural development of Provincial Councils.

5.2 Institutional Arrangements at National and Provincial Levels for Smallholder Agricultural Development

As discussed in chapter four, both the Centre and Provincial Councils are involved in the smallholder agricultural development activities. A number of Ministries, departments, institutions and boards are entrusted with implementing responsibilities for smallholder agricultural development. As noted in chapter four, the Ministry of Agricultural Development and Agrarian Services has the primary responsibility for smallholder agricultural development. In addition to the Ministry of Agricultural Development and Agrarian Services, the Ministry of Nation Building and Estate Infrastructure Development shares some responsibilities for agricultural development.

The Ministry of Agrarian Development and Agrarian Services has two Departments, namely the Department of Agriculture and the Department of Agrarian Services (Department of Agrarian Development) and fifteen other institutions or boards (table 5.1). Above two departments have deconcentrated their functions and responsibilities to the field level. The Department of Agrarian Development is administered under the Commissioner General of Agrarian Development. The administrative districts are headed by Deputy Commissioners in Anuradhapura, Kandy, Kurunegala and Matara districts and Assistant Commissioners in remaining districts. The Department of Agrarian Development has about 547 Agrarian Development Centres/Agrarian Service Centres island wide. On an average, about 2-3 ADCs are established in a Divisional Secretariat Division. As grassroot level (Grama Niladhari Division) officers, 9,600 Agricultural Research and Production Assistants (ARPA) function under the Department of Agrarian Development.

The Department of Agriculture functions under the Director General of Agriculture. Nine Directors are assigned for each division such as, Horticulture Research and Development, Rice Research Development, Extension and Training, Field Crop Research and Development, Socio-Economic and Planning, Seed Certification and Plant Protection, Seed and Planting Material Development, Administration and Finance. The Director of Extension and Training is responsible for extension and training regarding smallholder agricultural sector. The Deputy Directors (DDs) are assigned for implementing the subjects, such as extension, examination, education, and communication. Districts are headed by the Assistant Directors of Agriculture. These officers are assigned to Inter-Provincial Irrigation Scheme (IPIS) areas of Ampara, Anuradhapura, Hasalaka, Polonnaruwa, Hambanthota, Monaragala and Training Centres of the Centre. For implementing crop extension activities,

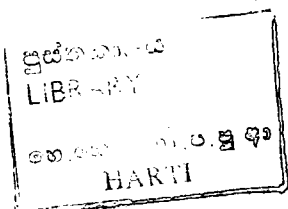


Table 5.1: Institutional Structure for the Administration of Smallholder Agriculture Sector

	Non-Devolved	Devolved
National Level	Ministry of Agricultural Development and Agrarian Services (Cabinet) <ul style="list-style-type: none"> ➤ Department of Agriculture ➤ Department of Agrarian Services • Sri Lanka Council for Agricultural Research Policy • National Agricultural Diversification and Settlement Authority (Hadabima) • Hector Kobbekaduwa Agrarian Research and Training Institute • Institute of Post Harvest Technology • Vegetable Development Board • Fruit Development Board • National Fertilizer Secretariat • Mahaweli Authority of Sri Lanka and Agencies created under the Mahaweli Authority Act. • Ceylon Fertilizer Co. Ltd. • Janatha Fertilizer Enterprises Ltd. • Colombo Commercial Fertilizer Co. Ltd • Thamankaduwa Agro Fertilizer Company • Agriculture and Agrarian Insurance Board • Sri Lanka National Freedom from Hunger Campaign Board • Pulses and Grain Research and Production Authority • Spices and Allied Production Marketing Board Ministry of Nation Building and Estate Infrastructure Development Ministry of Public Administration and Home Affairs	
Provincial Level		Provincial Ministry of Agriculture, Provincial Director of Agriculture
District Level	District Secretary [(GA) (Chairperson of DAC) DCC] Deputy/Assistant Commissioner of Agrarian Development Assistant Director of Agriculture (Inter-Provincial -06/ Training Centers)	Deputy Director of Agriculture (District/ Training Centers)
Divisional	Divisional Secretary (Chairperson of the Divisional Agriculture Committee) Agriculture Instructor/Segment	Assistant Director of Agriculture (Zone) Agriculture Instructor/ Zone
ASC Level	Agrarian Development Officer /D.O. Agriculture Instructor (Inter Provincial -244)	Agriculture Instructor
Village Level	Agriculture Research and Production Assistant	→ part time

Source: Gazette of the Democratic Socialist Republic of Sri Lanka, Extra-ordinary, No.1482/9, 29.01.2007

Agricultural Instructors are assigned as Subject Matter Officers (SMO) in the districts, segments or zones and at Agrarian Service Centre/Agrarian Development Centre levels (figure 5.1). For the fulfilment of extension purposes, about 244 extension staff are assigned in the Inter-Provincial Irrigation Scheme areas.

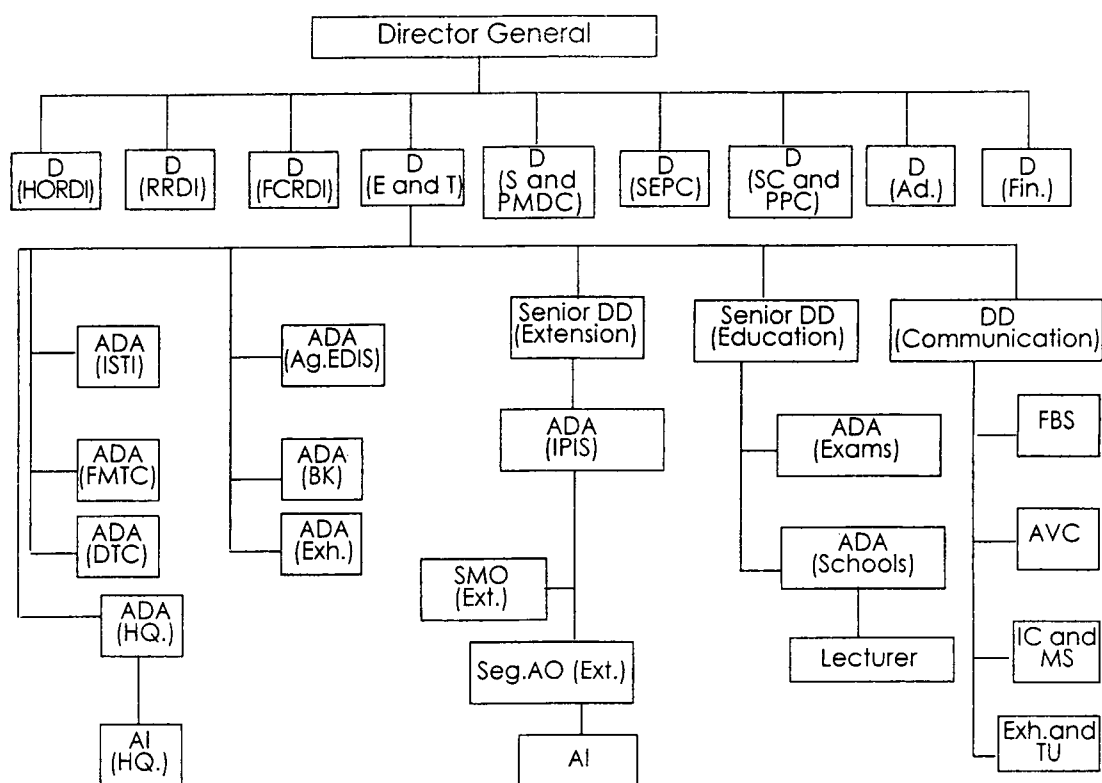
The Mahaweli Authority of Sri Lanka is one institute under the Ministry of Agricultural Development and Agrarian Services. It has the sole responsibility for extension activities carried out within the productive settlements that are under the Mahaweli River Diversion Scheme. The Mahaweli Authority of Sri Lanka has an extension staff of 57 including Extension Officers and Agricultural Instructors (figure 5.2).

On the other hand, each Provincial Council has a Provincial Ministry of Agriculture, led by a Provincial Minister of Agriculture. Most frequently, above Ministry consists of agriculture related other subjects such as livestock, land and irrigation. Every Provincial Council has established a Provincial Department of Agriculture and a Provincial Department of Animal Production and Health. The Provincial Councils should derive the powers to implement their entrusted responsibilities by passing the relevant statutes (Article 154, Thirteenth Amendment to the Constitution, 1987). Therefore, the relevant statute is the legal source for provincial departments to implement their activities and functions. However, though each and every Provincial Council has established departments of Provincial Departments of Agriculture and Provincial Departments of Animal Production and Health, it is difficult to find statutes passed by the Provincial Councils except the Central Province Agriculture Statute No. 11 of 1990 for establishing the above departments. Therefore, it seems that the establishment of those departments are not-compatible with constitutional provisions made by the Thirteenth Amendment.

Also each Provincial Council has established a post of Provincial Director of Agriculture (PDA), a Provincial Director of Animal Production and Health (PDAPH) and a Provincial Land Commissioner (PLC). Some Provincial Councils such as Southern and North-Western have established the post of Provincial Director of Irrigation (PDI). Even though, the Agrarian Service is a devolved subject, Provincial Councils have not established Provincial Departments or institutions to implement this subject.

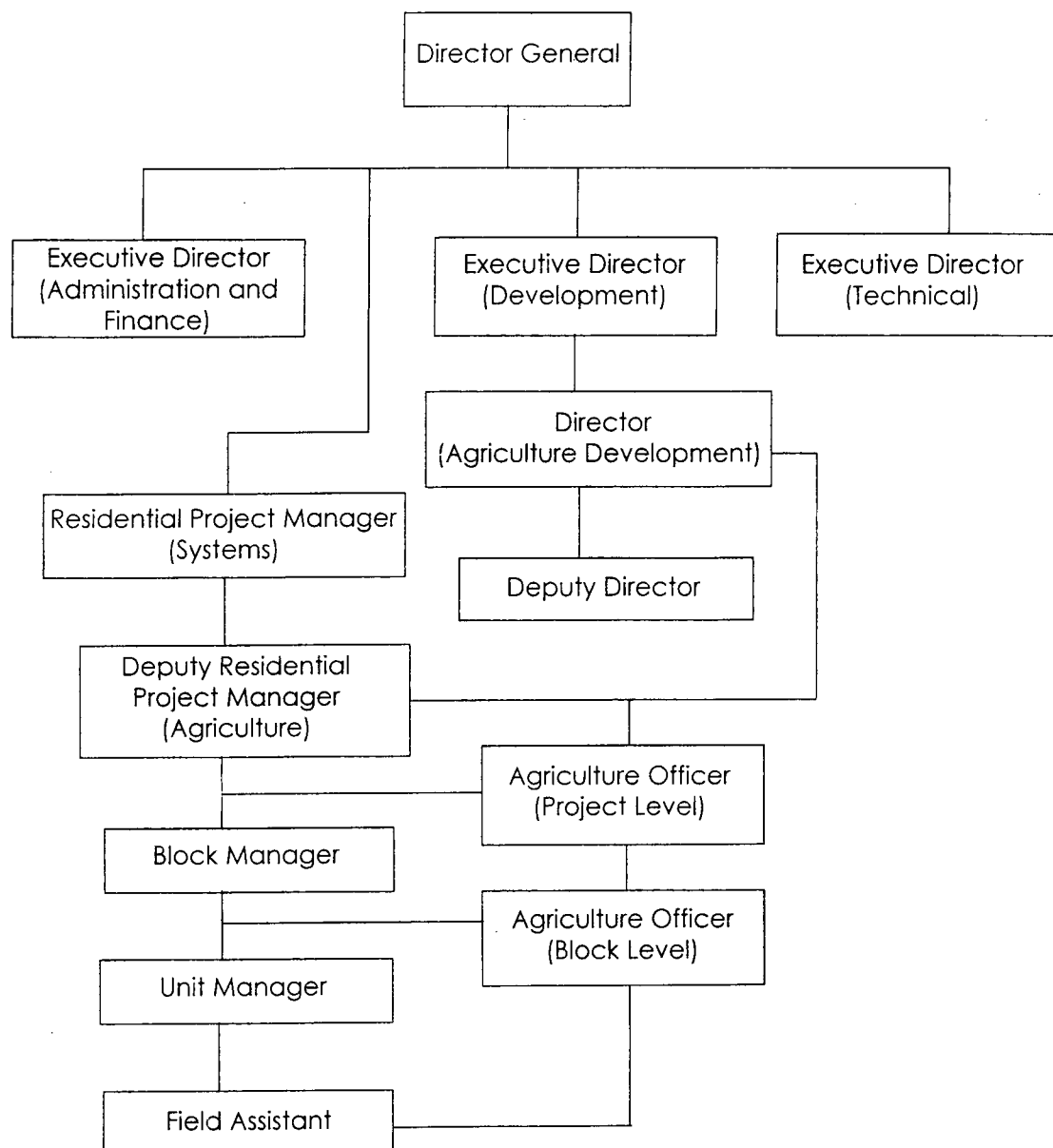
The eight Provincial Departments of Agriculture have about 875 extension staff working in the eight provinces¹¹ (Jayasena W.M., 2007; 74). The Provincial Department of Agriculture is administered by the Provincial Director of Agriculture. At the administrative district level, Provincial Councils have established the post of Deputy Director of Agriculture. And also the Provincial Training Centres are administered by the Deputy Director of Agriculture. Each administrative district is divided into about 4-5 agricultural zones. Assistant Directors of Agriculture are assigned to the zones to implement provincial agricultural activities. The Agricultural Instructors are assigned as Subject Matter Officers at district and zonal levels. And also Agricultural Instructors are assigned to the divisional level (figure 5.2). However, the Provincial Councils have no permanent field staff at the village level. As a result of the above situation, a vacuum has emerged between the village and divisional levels (table 5.1). Considering the above gap, the Department of Agrarian Development issued a circular No. 7/2/14/2/1 dated 2003.03.02 to mitigate this

¹¹ The Northern and Eastern Provincial Councils were merged and administered as one Provincial Council from 1987 to 2007

Figure 5.1: Organizational Structure of the Department of Agriculture (Centre)

D	- Director	SEPC	- Socio-Economic & Planning Center
DD	- Deputy Director	HQ	- Head Quarters
IC	- Information Center	E&T	- Extension and Training Division
ADA	- Assistant Director of Agri.	ISTI	- In Service Training Institute
AO	- Agriculture Officer	FMTC	- Farm Mechanization Training Center
SMO	- Subject Matter Officer	DTC	- District Training Centers
AI	- Agriculture Instructor	AVC	- Audio Visual Center
Ag.EDIS	- Agri. Enterprise Development and Information Service	BK	- Bee Keeping Development Center
Ad.	- Administration	IPIS	- Inter Provincial Irrigation Scheme Area
Fin.	- Finance	FBS	- Farm Broadcasting Service
HORDI	- Horticulture Research and Development Institute		
RRDI	- Rice Research and Development Institute		
FCRDI	- Field Crop Research and Development Institute		
IC and MS	- Information Centre and Mobil Services		
Exh and TU	- Exhibition and Technical Unit		
S and PM DC	- Seed and Planting Material Development Centre		
SC&PPC	- Seed Certification and Plant Protection Centre		

Source: Weeratunaga D.B.-2001 and www.agridept.gov.lk

Figure 5.2: Organizational Structure of Mahaweli Authority of Sri Lanka

Source : Weeratunga D.B. (2001)

weakness (appendix VI). According to the above circular, Agricultural Research and Production Assistants (ARPAs) should assist the Agricultural Instructors to implement extension work during three days a week. However, this all important village level extension workers, the Agricultural Research and Production Assistants do not belong to the Provincial Council. They are under the control of the Department of Agrarian Development in the Centre (table 5.1).

The research and training are very important components of extension work. The Centre implements its training activities through Extension and Training Centres of the Department of Agriculture. Extension and Training Centre consists of five units such as extension, examination, education and communication, etc. with about 85 professional and technical staff. And also the Extension and Training Centre has three In-Service Training Centres, Farm Mechanization Training Centre, four

Agricultural Schools and two District Agriculture Training Centres for implementing training activities. In addition to this, Extension and Training Centre has modern communication unit with Audio Visual Centre, Information Centre, Exhibition and Technical Unit and Farm Broadcasting Service (figure 5.4).

Four Provincial Councils out of nine have In-Service Training Centres. The Government of Sri Lanka has transferred three In-Service Training Centres to the Provincial Councils namely, Bindunuwewa (Uva Provincial Council), Bombuwala (Western Provincial Council) and Mahailuppallama (North-Central Provincial Council). The Rajawaka In-Service Training Centre was established by the Sabaragamuwa Provincial Council for their training activities. Other five Provincial Councils namely Southern, North-Western, Central, Northern and Eastern have no In-Service Training Centres to implement their agricultural training programmes. However, the Governments' In-Service Training Centres such as Angunukolopelassa and Gannoruwa are located in Southern and Central Provincial Council areas respectively. Prior to the conflict situation, the Eastern province had an In-Service Training Centre at Karadiyanaru in Batticalo district. But due to the conflict situation, it was destroyed. Therefore, at present, Northern and Eastern provinces have no Agricultural In-Service Training Centres. On the other hand, the other Provincial Councils except for Badulla and Ampara districts have District Agricultural Training Centres. However, the Provincial Councils have not established research centres to implement their agricultural research.

The Central Department of Agriculture also has a number of research institutions for smallholder agricultural development. The institutions are as follows:

- (i) The Rice Research and Development Institute (RRDI)
- (ii) The Horticultural Crop Research and Development Institute (HORDI)
- (iii) The Field Crop Research and Development Institute (FCRDI)

The Rice Research and Development Institute manages the Regional Rice Research and Development Institute at Bombuwala and four Rice Research Stations at Bathalagoda, Labuduwa, Samanthurai and Ambalantota. The Horticultural Crop Research and Development Institute has two main sections to implement its responsibilities. These sections are Food Research Unit at Gannoruwa and Fruit Crop Research and Development Centre at Horana. The Field Crop Research and Development Institute conducts research regarding OFCs. It has two centres, such as Farm Mechanization Research Centre at Mahailuppallama and Green Legume Pulser and Oil Seed Research and Development Centre at Angunukolopelassa to implement its research activities (figure 5.6). In addition to the above research centres, two regional agriculture research centres in Aralaganwila and Thirunelveli assist in fulfilling the Field Crop Research and Development Institutes' research activities.

Furthermore, the Department of Agriculture manages three other important sections, namely Seed Certification and Plant Protection Centre, Seed and Planting Material Development Centre and Plant Genetic Resource Centre for improving and maintaining stocks of quality seeds and planting materials. A Socio-Economic and Planning Division of the Department of Agriculture is directly responsible for the socio-economic research regarding non-plantation crops.

In addition to the above units and institutions of the Department of Agriculture, the Ministry of Agricultural Development and Agrarian Services also oversees several other institutions which have their own governing boards and it operates relatively

autonomously from the Department of Agriculture, dedicated to agricultural and agrarian research. They are as follows:

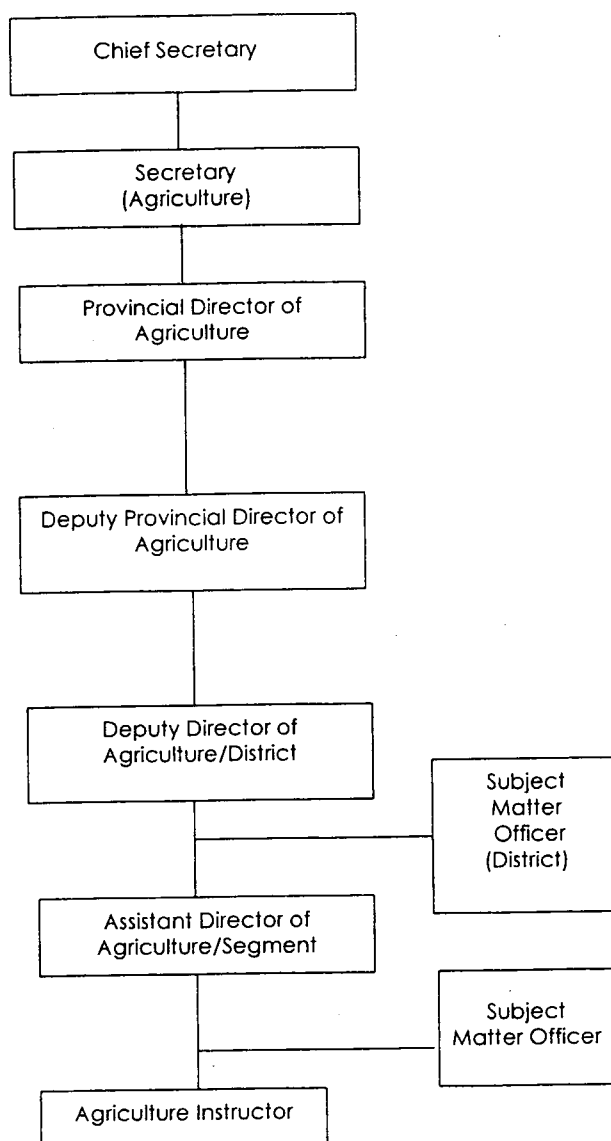
- (i) The Hector Kobbekaduwa Agrarian Research and Training Institute (HARTI)
- (ii) The Institute of Post Harvest Technology (IPHT)
- (iii) The Sri Lanka Council for Agricultural Research Policy (SLCARP)
- (iv) The Pulses and Grain Research and Production Authority

The HARTI was established in 1972 under an Act of Parliament and it has the prime responsibilities for policy analysis, socio-economic research and training related to the development and agrarian sectors. The institute consists of four divisions (figure 5.5) such as Agricultural Policy and Project Evaluation (APPE), Environmental and Water Resources (EWR), Marketing, Food Policy and Agri-business (MFPA) and Human Resources Development (HRD).

The APPE division is mainly involved in conducting research studies with monitoring and evaluation of national as well as regional development projects and programmes of the Governmental and non governmental sectors. In addition to the above, the division is involved in reviewing and analysing of Government policies in relation to development of smallholder farmers. In specific terms, the division undertakes review and analysis of agricultural and rural development policies, monitoring and evaluation (assessing impacts) of projects and programmes related to agrarian and rural development, bench mark surveys, feasibility studies, research on poverty aspects, studies on agrarian relations, labour and employment studies, analysis on decentralization and local level participation in development, gender and development in the agrarian sector.

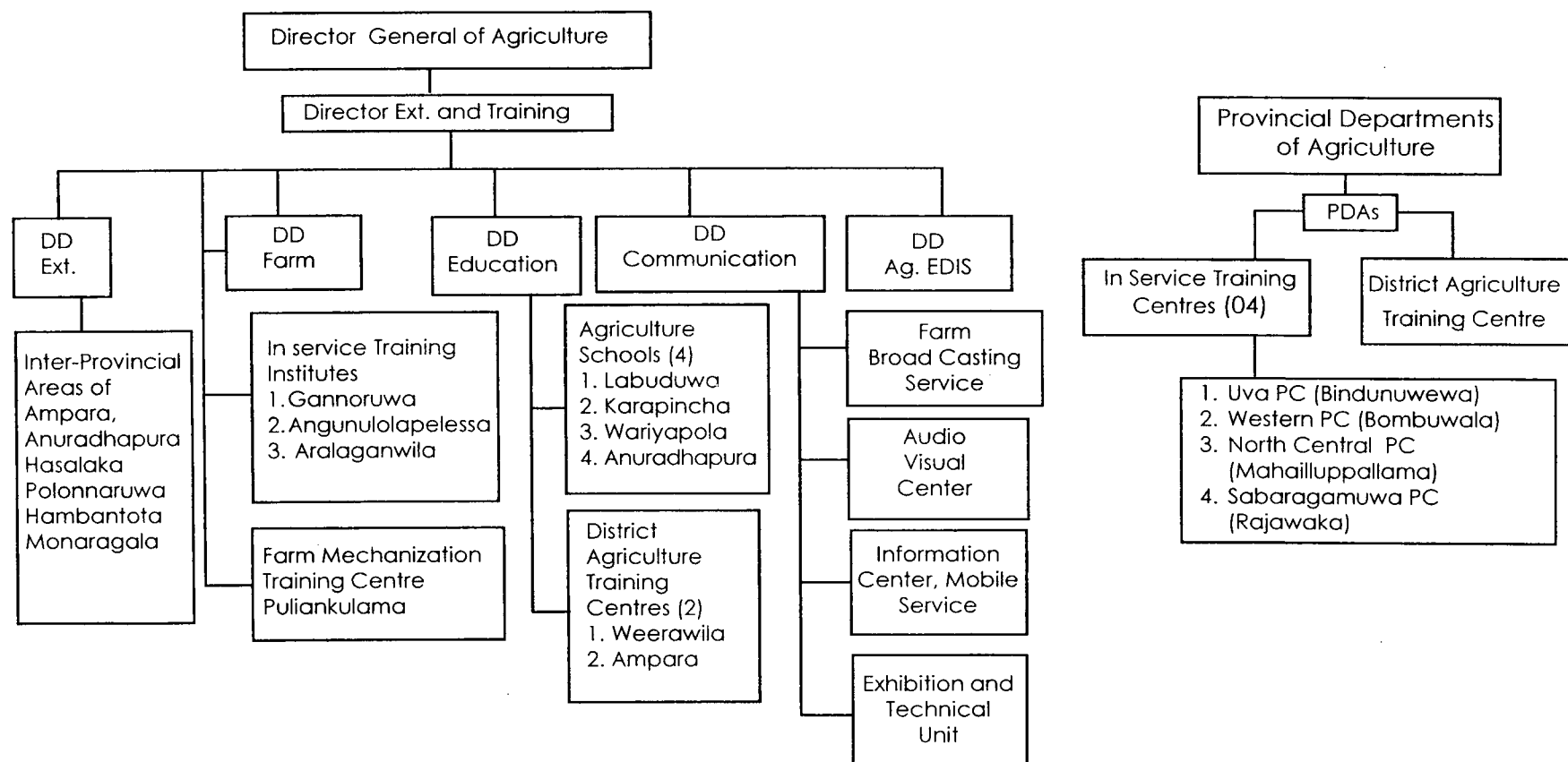
The EWR division covers research related to irrigation and water management, irrigation maintenance and rehabilitation, water policy, alternative irrigation systems, irrigation economics and farmer organizations and farmer companies (www.harti.slt.lk).

The MFPA division is entrusted with the responsibility of collecting, collating and analyzing the data relating to the production, processing, distribution, transport, storage, marketing, consumption, import and export of food items and commodities. The division collects market information (farm gate, wholesale and retail prices) of different vegetables, fruits and other crops on daily basis from twenty two locations within the country.

Figure 5.3: Organizational Structure of Provincial Department of Agriculture

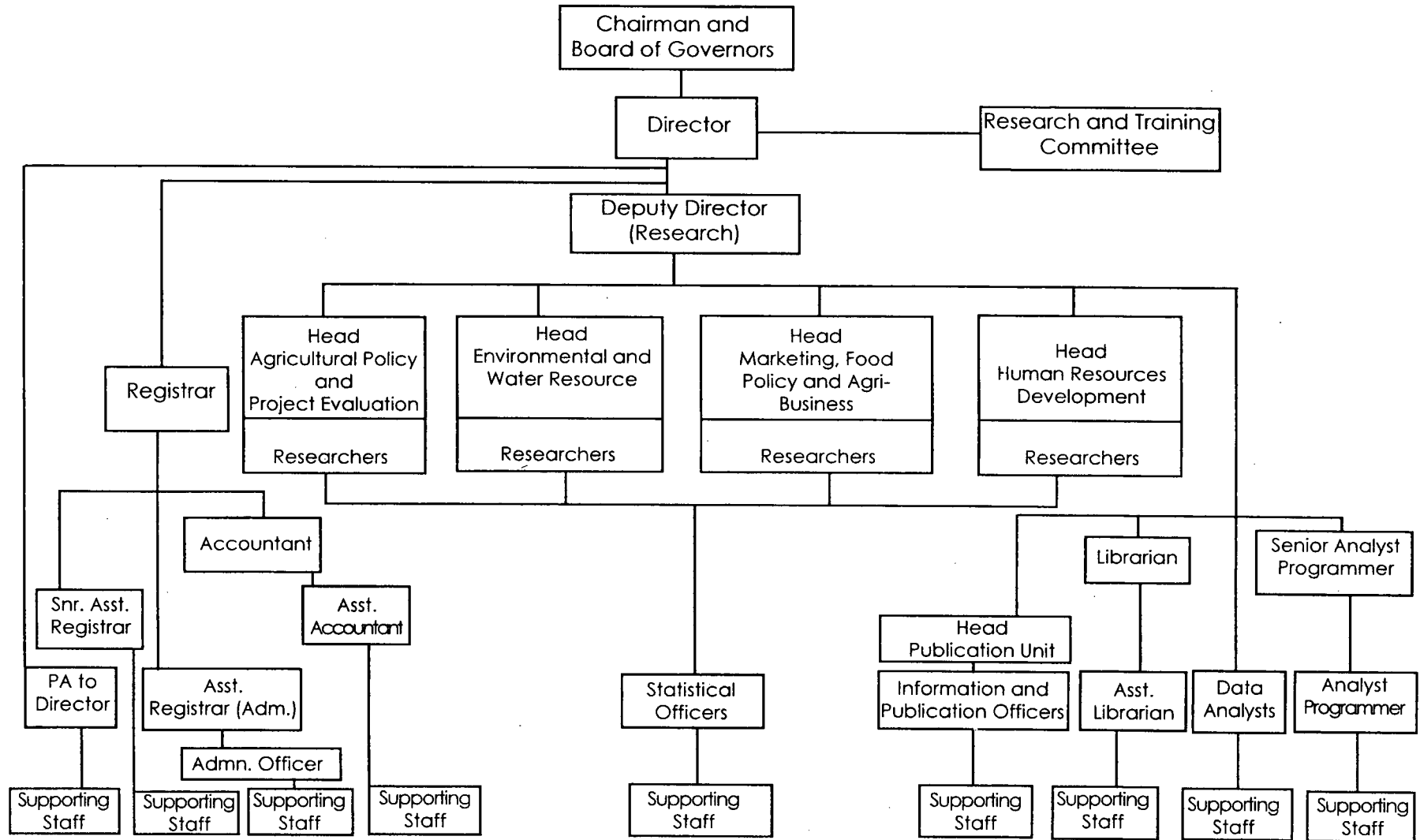
Source: Sumathipala S.M., 2007

Figure 5.4: Organization Structure of the Extension and Training Centers of the Domestic Agriculture Sector



Source : Dayawansa, W.G.M.G. 2007

Figure 5.5: Organization Structure of Hector Kobbekaduwa Agrarian Research and Training Institute



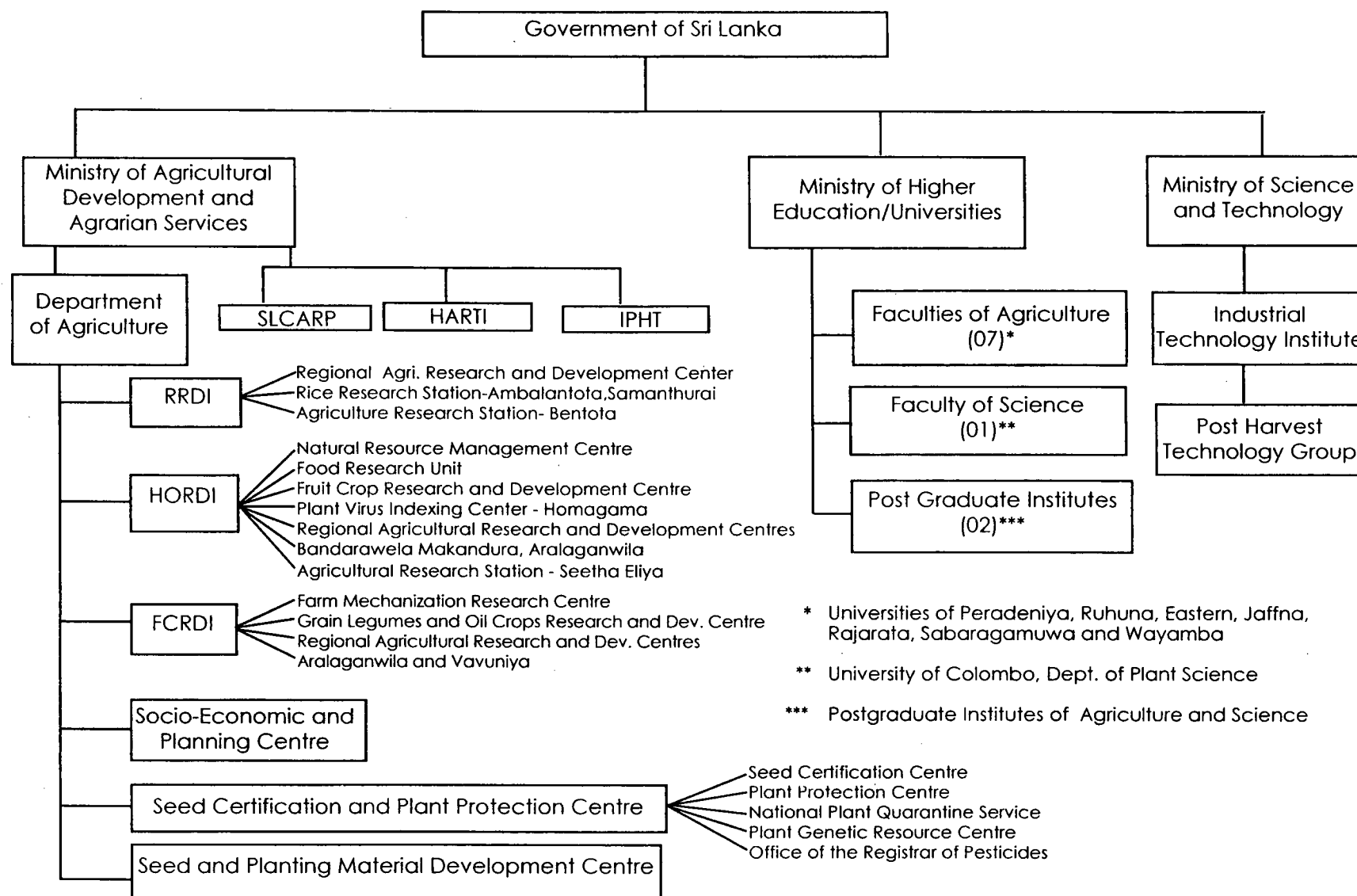
The Institute of Post Harvest Technology was established as an agricultural undertaking under the State Agricultural Corporations Act, No. 11 of 1972 to expand and develop the Rice Processing Research and Development Centre of the Paddy Marketing Board by utilizing its resources. Its main purposes are to identify research needs, conduct surveys and formulate plans for the development of improved techniques for processing and storage of agricultural produce.

The Sri Lanka Council for Agricultural Research Policy was established in 1987 through an Act of Parliament with a mission to enhance, mobilize, co-ordinate resources available in the agricultural sector to catalyze agricultural research and accelerate technology generation.

In addition to the Ministry of Agricultural Development and Agrarian Services, the Ministry of Higher Education and the Ministry of Science and Technology deal with the agricultural research through the Faculties of Agriculture and Science, Post Graduate Institutes and Post Harvest Technology Group of Industrial Technology Institute respectively (figure 5.6).

As the foregoing account reveals, the agricultural research and extension system are highly fragmented within the Centre itself. Moreover, the institutions are constrained by the lack of human resources with few opportunities for career advancement and professional development. Greater impact on the research and extension system is evident in this fragmentation and duplication of effort and resource constraints at the Centre. This has a greater adverse impact than the functional disconnect between the national and the provincial research and extension programme created by the devolution of agricultural extension services to the provinces.

Figure 5.6: Institutional Arrangement for Research in Domestic Agricultural Sector



5.3 Institutional Arrangements at the Centre and Provincial Councils for Livestock Development

Both the Centre and Provincial Councils are entrusted with implementing responsibilities for livestock development activities. The Ministry of Livestock Development is responsible for livestock development at national level. The Ministry of Livestock Development has a department (DAPH) and five other institutions (figure 5.7) for implementing its responsibilities. The Ministry of Agrarian Development and Agrarian Services is responsible for livestock development in Mahaweli settlement areas. For implementing activities regarding livestock development in the Mahaweli settlement areas, the Ministry of Agricultural Development and Agrarian Services has two institutions, namely, the Mahaweli Livestock and Agro Enterprises and Mahaweli Livestock Resources Ltd.

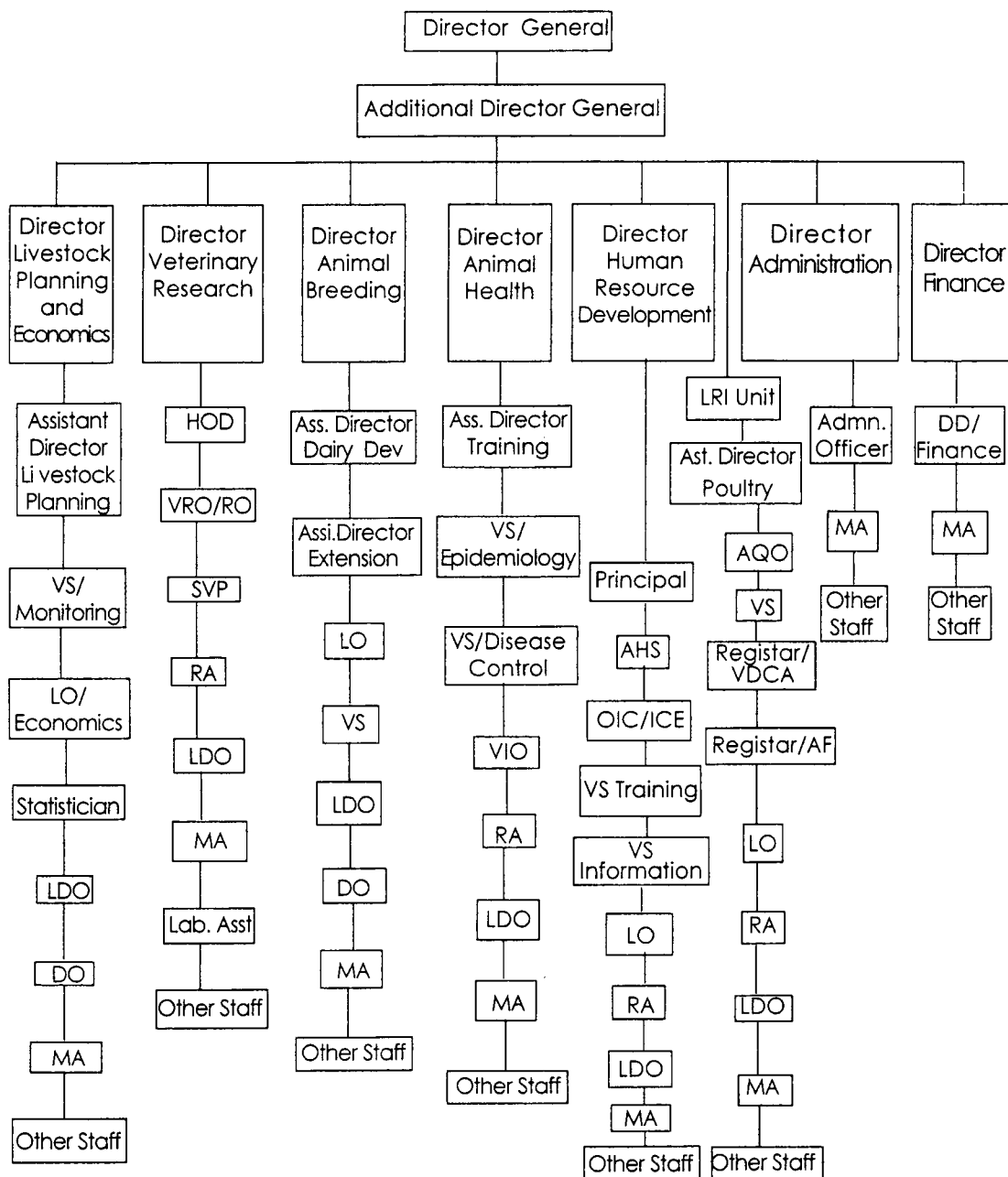
The Department of Animal Production and Health has a number of divisions, namely, Animal Health, Animal Breeding, Veterinary Research Institute (VRI), Livestock Planning and Economics, Livestock Resources Development and Human Resource Development (HRD). The Department of Animal Production and Health is organized under a Director General and each division is headed by a Director (figure 5.7). The HRD division is primarily responsible for training of all island service staff officers who are assigned to work in the Provincial Departments of Animal Production and Health. The HRD has a training centre with very limited facilities at Gannoruwa for conducting livestock sector training. Obviously, the Human Resource Development has a minimal capacity to carry out training programmes for livestock development in the whole country. The Veterinary Research Institution is entrusted with implementing livestock research at the national level. Animal Breeding Division and Livestock Planning and Economics Division conduct research in the livestock sector. In addition to the Department of Animal Production and Health, the Faculty of the Veterinary Medicine and Animal Science of the University of Peradeniya is engaged in research in the livestock sector.

At the Provincial Council level, each Provincial Council has a Provincial Department of Animal Production and Health under the Provincial Ministry of Agriculture. The responsibilities of livestock extension are implemented by the staff of the Provincial Department of Animal Production and Health, island wide. The nine Provincial Councils have 223 veterinary centres with 720 extension staff. Each Provincial Department of Animal Production and Health is headed by a Provincial Director of Animal Production and Health. A Deputy Director of Animal Production and Health is assigned to each district. The Subject Matter Officers are assigned to subjects of poultry, goat, dairy and swine at district level (figure 5.8). Veterinary Surgeons are entrusted with extension services at the divisional level. Livestock Development Instructors have responsibilities for livestock extension at Agrarian Development Centre level. However, the Provincial Department of Animal Production and Health or Department of Animal Production and Health do not have village level staff for extension work. The Provincial Department of Animal Production and Health tries to fulfil its extension work through Agricultural Research and Production Assistants under the Department of Agrarian Development (table 5.2).

Table 5.2: Institutional Structure for the Administration of Livestock Sector

	Non-Devolved	Devolved
National Level	Ministry of Livestock Development <ul style="list-style-type: none"> • Department of Animal Production and Health • National Livestock Development Board • Sri Lanka- Libya Agriculture and Livestock Development Company. • Kiriya/Milk Industries of Lanka (Pvt) Ltd. • Milk Industries of Lanka Ltd. • Mahaweli Livestock enterprise Co.Ltd. Ministry of Agricultural Development and Agrarian Services <ul style="list-style-type: none"> • Mahaweli Livestock and Agro Enterprises • Mahaweli Livestock Resources Co.Ltd. 	
Provincial Level		Provincial Ministry of Animal Production and Health Provincial Director of Animal Production and Health
District Level		Provincial Deputy Director
Division Level		Veterinary Surgeon
ASC/Range		Livestock Development Instructor
Village	Agriculture Research and Production Assistant	→

Source: Gazette of the Democratic Socialist Republic of Sri Lanka, Extra-ordinary, No.1482/9, 29.01.2007

Figure 5.7: Organizational Structure of Department of Animal Production and Health (Centre)

HOD-Head of Division

VS- Veterinary Surgeon

AQO-Animal Quarantine Officer

VRO-Veterinary Research Officer

DO-Development Officer

VDCA-Veterinary Drug Control Authority

DD-Deputy Director

RO-Research Officer

SVP- Superintendent Vaccine Production

VIO- Veterinary Investigation Officer

LO-Livestock Officer

LDO-Livestock Development Officer

RA-Research Assistant

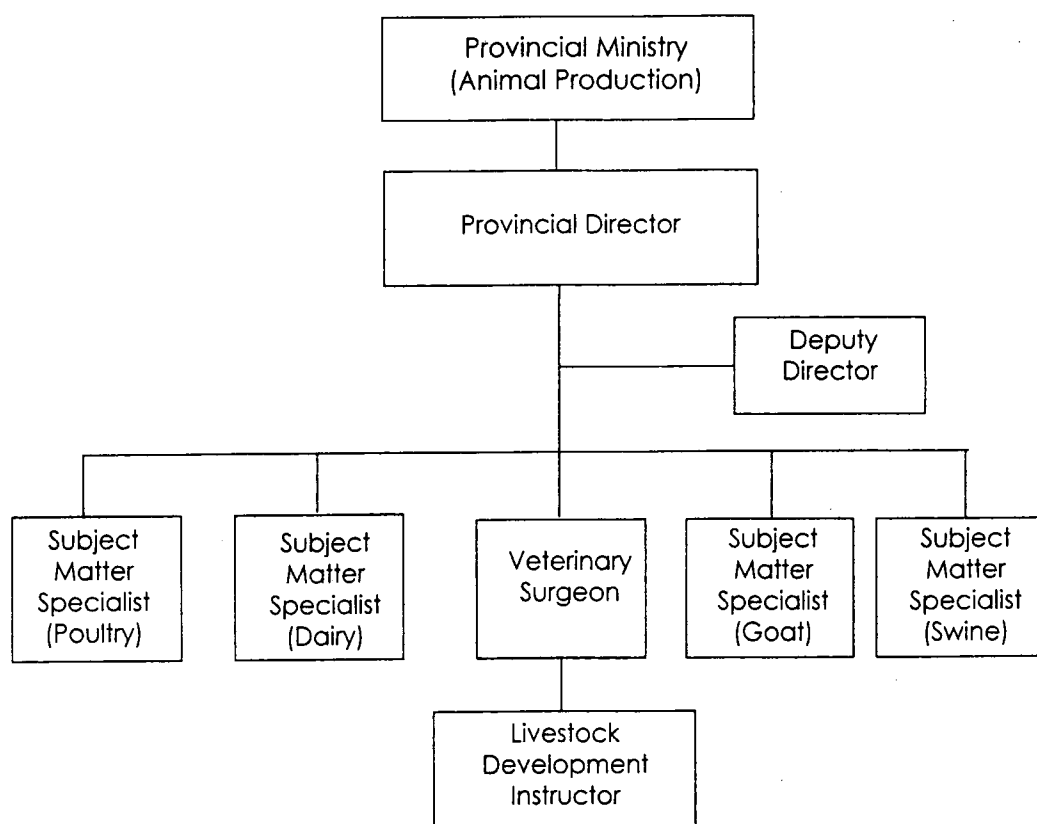
AF-Animal Feeds

AHS-Animal Husbandry School

MA- Management Assistant

Source: www.daph.gov.lk

Figure 5.8: Organizational Structure of Provincial Department of Animal Production and Health



Source : Weeratunga D.B. (2001)

5.4 Institutional Arrangements at the Centre and Provincial Councils for Irrigation Sector

As discussed in chapter four, irrigation is a devolved subject. The Centre as well as Provincial Councils share the responsibilities for irrigation. At the national level, two Ministries, namely, Irrigation and Water Management and Agricultural Development and Agrarian Services share the implementing responsibilities regarding the irrigation sector.

The Department of Irrigation (DI) and Central Engineering and Consultancy Bureau assist the Ministry of Irrigation and Water Management to implement irrigation works at the national level. In addition to the above institutions, Mahaweli Venture Capital Co. Ltd. helps the Government for fulfilling irrigation activities in Mahaweli settlement areas. The Ministry of Agricultural Development and Agrarian Services implements its irrigation related activities through the Department of Agrarian Development and Mahaweli Development Authority of Sri Lanka (table 5.3). The Department of Irrigation and Department of Agrarian Development have administratively deconcentrated or decentralized their responsibilities and functions to grassroot level.

In addition to the above Ministries, the District Secretaries and Divisional Secretaries have co-ordinating responsibilities for irrigation work at district and divisional levels respectively.

Table 5.3: Institutional Structure for Irrigation Administration

Level	Non-Devolved	Devolved
National Level	Ministry of Irrigation and Water Management <ul style="list-style-type: none"> • Department of Irrigation • Central Engineering of Consultancy Bureau • Mahaweli Venture Capital Co. Ltd. Ministry of Agricultural Development and Agrarian Services <ul style="list-style-type: none"> • Department of Agrarian Development • Mahaweli Development Authority of Sri Lanka Ministry of Public Administration and Home Affairs	
Regional Provincial Level	Regional Director of Irrigation (14)	Provincial Ministry of Irrigation Provincial Department of Irrigation Provincial Irrigation Engineers
District Level	District Secretary (Chairperson of District Agricultural Committee and Secretary of District Co-ordinating Committee) Divisional Engineer (54- Dept. of Irrigation) Regional Engineer of Agrarian Development	Technical Officers
Divisional Level/Range	Divisional Secretary (Chairperson of Divisional Agriculture Committee and Secretary of Divisional Co-ordinating Committee) Technical Officers	
ASC Level	Agrarian Development Officers/D.O.	
Village Level	ARPA	

Source: Gazette Extra-ordinary of the Democratic Socialist Republic of Sri Lanka, 1482/9, 29.01.2007

The Department of Irrigation is headed by the Director General of Irrigation (DGI). Each division is headed by a Director and they are entrusted with the responsibilities of Regional Development and Construction, Planning and Specialist Service, Assets Management and Water Management, and Human Resource Development. The Department of Irrigation is divided into five divisions, namely, Regional Management, Planning, Specialist Service, Physical Resource Management and Irrigation and Water Management. In addition to above divisions, the Department of Irrigation implements its responsibilities through deconcentrated mechanisms island wide. The Department of Irrigation has 14 regions¹² island wide which are headed by Regional Directors. These regions are divided into 54 Irrigation Engineer Divisions¹³ and Irrigation Engineers are entrusted with implementing the responsibilities of the Ministry of Irrigation and Water Management at a divisional level.

As discussed in chapter four, the Department of Agrarian Development implements works relating to "rural irrigation". The Department of Agrarian Development functions through administrative deconcentration to staff at the field level for implementing its activities. The Department of Agrarian Development has Regional Engineers at the district level, Agrarian Development Officers (earlier Divisional

¹² Colombo Region (Ratnapura, Kegalle, Gampaha, Colombo, Kalutara), Anuradhapura, Polonnaruwa, Hambantota, Monaragala, Galle, Matara, Batticaloa, Bandarawela, Kandy, Kurunegala, Puttalam, Trincomalee and Vavuniya.

¹³ These divisions are not same as Divisional Secretariat Divisions. It is larger than Divisional Secretariat Divisions.

Officer) at the Agrarian Development Centre level and Agricultural Research and Production Assistants at the village level for implementing or supporting the irrigation related functions of the Department of Agricultural Development.

On the other hand, the subject of irrigation is included in the Ministries of Agriculture in the nine provinces. Some Provincial Councils such as Southern and North Western have Provincial Departments of Irrigation administered under the Provincial Ministry of Agriculture. The Provincial Department of Irrigation is headed by the Provincial Director of Irrigation. Each district has an Irrigation Engineer assigned by the Provincial Council. The Technical Officers (TO) assist the Irrigation Engineers to implement provincial responsibilities regarding the irrigation works (table 5.3).

5.4.1. District Agricultural Committee (DAC)

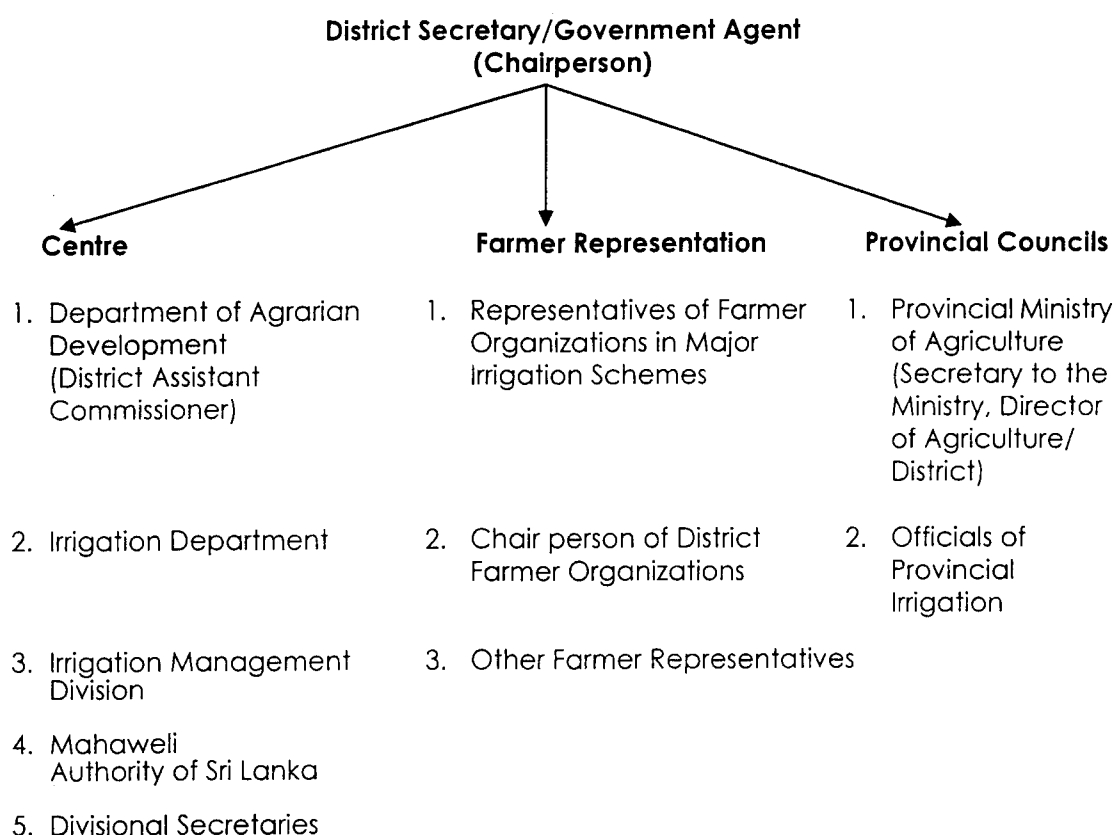
The District Agricultural Committee, established in 1946, provided the Government Agent, as its Chairperson with some co-ordinating authority over the departments engaged in agriculture and irrigation. Section 3 of the Irrigation Ordinance says:

There shall be constituted in each administrative district a district agricultural committee which shall consist of a Chairman, who shall be the Government Agent, and the holders of such other offices and the representatives of such interests as may be prescribed.

Duties of the District Agricultural Committee were laid down in Section 4 as follows:

It shall be the duty of a district agricultural committee to advise the Government Agent on all matters affecting or incidental to irrigation and paddy cultivation within the district, and on all other matters relating to agriculture, which the Government Agent may refer to the committee for advice.

All activities relating to major, medium and minor irrigation works are co-ordinated at the District Agricultural Committee. Its composition is given in figure 5.9. Presently, the Provincial Councils, the Irrigation Department and the Department of Agrarian Development are mainly concerned with the operation and maintenance of irrigation schemes. In addition, the Samurdhi Authority, the Ministry of Nation Building, donor funded projects (such as the PEACE Project, IDAD) and also NGOs are engaged in these activities. In view of this multiplicity of agencies, there is a measure of ambiguity and confusion about their accountabilities and duplication of effort resulting in a waste of funds.

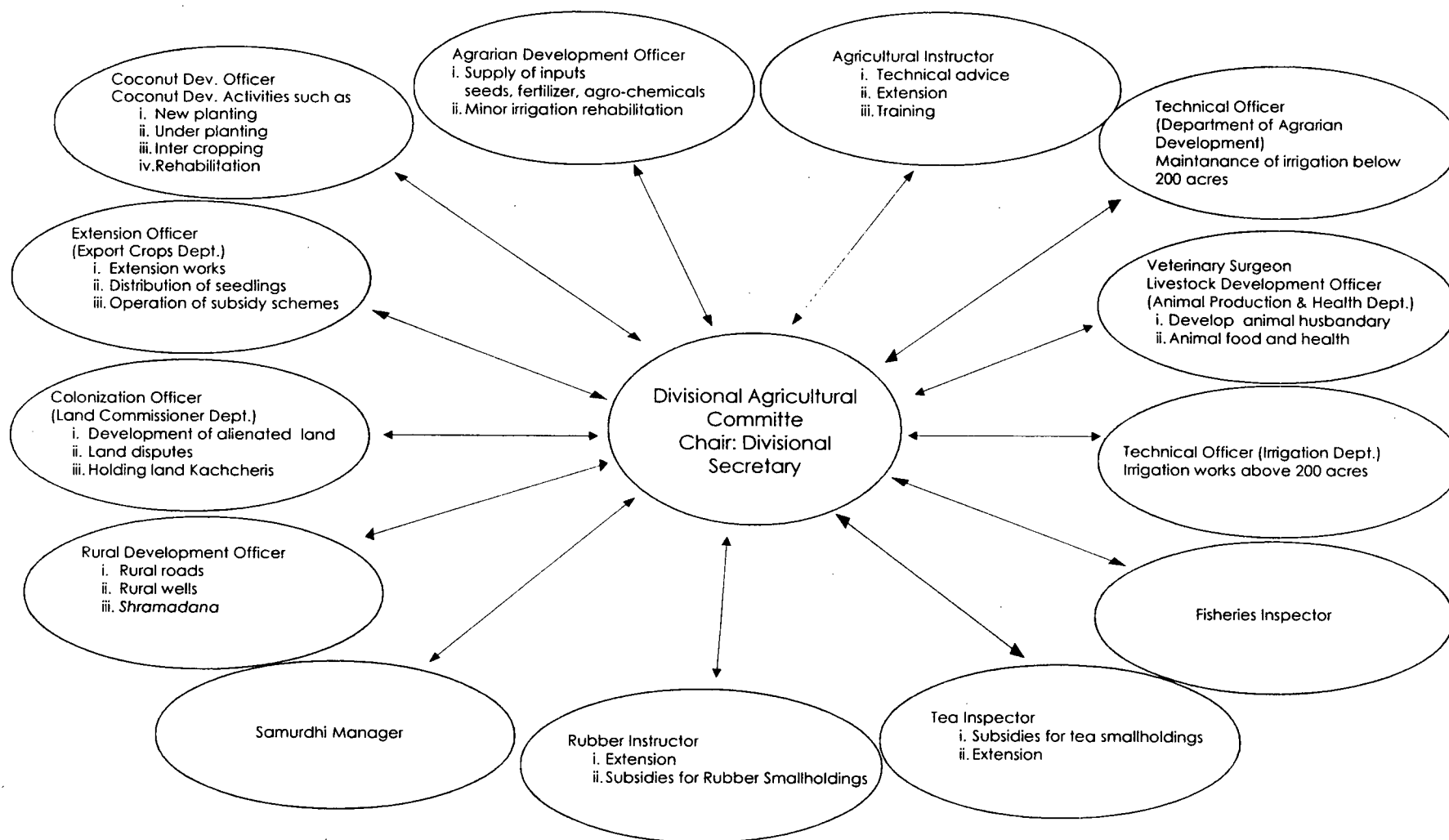
Figure 5.9: Participation in the District Agricultural Committee

Source: Paper presented by Jayantha Bulumulla, at the Symposium on Provincial Councils and Irrigation at HARTI on 20 Feb. 2007 titled "Role of the DAC in Irrigation Development within the Provincial Council System"

At a divisional level, this committee is chaired by the Divisional Secretary, while its composition is similar to that of the District Committee. The divisional level officials of those departments that attend the District Agricultural Committee are members of the Divisional Agricultural Committee. Figure 5.10 presents graphically the departments and agencies represented at the Divisional Agricultural Committee. Usually, the Divisional Committee meets prior to its District Committee and deliberates upon the problems at the divisional level.

Participation of farmer representatives is crucial for the District Agricultural Committee as it takes decisions on matters relating to farmers. Decisions taken at cultivation (*kanna*) meetings and the agricultural implementation programmes are reviewed at the District Agricultural Committee. Another important function is the implementation of legal provisions with respect to encroachments on reservations of irrigation works and reservoirs resulting in their cultivation harming the irrigation systems. Neglect of agricultural roads and river sand mining also engage the attention of the District Agricultural Committee.

Figure 5.10: Co-ordination of Smallholder Agriculture at Divisional Level



5.5 Institutional Arrangements at the Centre and Provincial Councils for Land and Land Development

As discussed in chapter four, land is a devolved subject and responsibilities are given to both the Centre and the Provincial Councils. At the national level, three Ministries and the Executive President have responsibilities regarding the subject of land and land development (table 5.4). The Ministry of Land and Land Development has primary responsibilities for land and land development. The Ministry of Land and Land Development has three departments and two institutions for the implementation of its responsibilities (table 5.4). The Land Commissioner Generals' Department is one of them. Basically, it consists of four divisions namely Development, Finance, Land and Administration. The Land Commissioner Generals' Department (LCGD) is headed by the Land Commissioner General. The Divisions of Land and Land Development function under two Commissioners. The Land Development Division has six Deputy Land Commissioners¹⁴ and Assistant Land Commissioners¹⁵. The Land Division has two Deputy Commissioners for the subjects of land and legal matters. Four Assistant Land Commissioners function under the Deputy Land Commissioner (Jayathilake W.M., 2007; 36).

The Land Commissioner Generals' Department has no divisional or field level staff spread throughout the island. On the other hand at the provincial level, the Provincial Land Commissioner works as an Additional Land Commissioner in the Centre. Instead, the responsibilities regarding the subject of land are implemented through Divisional Secretaries and *Grama Niladharis* who are officials of the Ministry of Home Affairs. The Divisional Secretary is entrusted with implementing many duties and functions under the relevant Acts and Ordinances such as the Land Development Ordinance. The Divisional Secretary:

- Acts as the custodian of State lands within the division and recommends lands for State use
- Recommends lands for alienation to other agencies.
- Recommends lands for acquisition
- Implements settler selection criteria
- Manages land in inter-provincial and land development schemes.
- Makes recommendation for surveys
- Takes action to protect reservations
- Locates land for mapping and survey activities

Therefore, a Divisional Secretary implements many responsibilities such as holding a land kachcheri, selecting suitable allottees and granting the land permits. The Land Officer (LO) helps the Divisional Secretary to implement entrusted land responsibilities at a divisional level. At the village level, the *Grama Niladhari* is entrusted with the functions regarding State lands.

On other hand, nine Provincial Councils have posts of Provincial Land Commissioner for the implementation of Provincial Councils' responsibilities regarding land and land development. Provincial Councils also have Assistant Land Commissioners at an administrative district level. Provincial Councils have assigned the Land Officers,

¹⁴ Anuradhapura, Polonnaruwa, Mahiyanganaya, Debarawewa, Trincomalee and Ampara

¹⁵ Anuradhapura (02), Polonnaruwa (01) Mahiyanganaya (01), Debarawewa (02/Monaragala and Debarawewa), Trincomalee (02/Tincomalee and Kantale), Ampara (02/Ampara and Batticaloa).

Field Instructors or Colonization Officer at the divisional level. Physically they are located in the Divisional Secretaries' office under the supervision of the Divisional Secretary (table 5.4).

While the Provincial Council has its Heads of Departments in respect of Agriculture, Livestock, Irrigation and Lands, it has virtually no outreach at sub-provincial levels, which may be the divisional level, Agrarian Service Centre level or the village level. Discipline specialists may be located at sub-provincial level functioning as a referral point for technical assistance and guidance of the field staff under the supervision and guidance of the provincial subject head. Thus, for example, Agricultural Officers and Subject Matter Specialists would be located as a sub-provincial team. They will have no supervising powers over the field staff.

It is the divisional level, under a Divisional Secretary, that constitutes the implementation and operational base of the province. Development functions relating to land and agriculture are only one facet of the vast array of regulatory, developmental and welfare functions rendered by a Divisional Secretary. Thus, it is correct to say that under a Divisional Secretary, land matters receive less attention than when the subject was handled by a Government Agent, through his/her Land Development Officers under the former unified Central administration.

Table 5.4: Institutional Structure for the Administration of the Lands Sector

Level	Non-Devolved	Devolved
National level	<p>The President of the Government of Democratic Socialist Republic of Sri Lanka</p> <p>Ministry of Land and Land Development</p> <ul style="list-style-type: none"> • Department of Land Commissioner • Department of Land Settlement • Department of Surveyor General • Land Use Planning Division • Institute of Surveying and Mapping <p>Ministry of Public Administration and Home Affairs</p> <p>Ministry of Defence, Public Security, Law and Order</p>	
Provincial level	Additional Land Commissioner	Provincial Ministry of Land Provincial Land Commissioner
District level	Deputy Land Commissioner (Inter-Provincial)	
Divisional level	<p>Divisional Secretary Land Officer</p> <p>Assistant Land Commissioner (Inter-Provincial)</p>	Assistant Land Commissioner
Village level	<p>Grama Niladhari</p> <p>Field Instructor (Inter-Provincial Land Settlement Schemes)</p>	

Source: Gazette Extra-ordinary of the Democratic Socialist Republic of Sri Lanka, 1482/9, 29.01.2007

5.6 Distribution of Resources between the Centre and the Provincial Councils

5.6.1 Financial Resources

According to HARTI field survey data, a high proportion of respondents expressed dissatisfaction in respect of activities performed by provincial departments, agencies or institutions due to abandonment of some programmes, delays in implementation, non-supervision of many programmes and construction works.

The officers mentioned that, the above situation emerged as a result of inadequate resources at the disposal of Provincial Councils, such as financial, human and physical. With regard to financial resources, the Provincial Councils have four main sources as follows;

- (i) Province Specific Development Grant (PSDG)
- (ii) Criteria Based Grant (CBG)
- (iii) Matching Grant (MG)
- (iv) Revenue Collections

Tables in the appendix VII show the financial statements from 1988 to 2004 in all Provincial Councils. According to data in the appendix VII, more than 80 per cent of the total is recurrent expenditure of the Provincial Councils. In 2004, it increased to 96 per cent and only 4 per cent was capital expenditure including criteria and matching grants, Provincial Specific Development Grant and Integrated Rural Development Project. It reveals that Provincial Councils have implemented relatively a few developmental activities with Provincial Councils becoming administrative oriented rather than development oriented. And also data in the tables 5.5 and 5.6 show the capital expenditure and all expenditure respectively in every Provincial Council for agriculture related subjects from 2002 to 2004.

Table 5.5: Provincial Capital Expenditure* on Agriculture in 2002- 2004 (Rs.'000)**

Provincial Council	2002	%	2003	%	2004	%
Western	2,931	1.15	14,350	4.56	14,583	2.88
Central	10,512	2.41	26,902	6.64	23,515	4.50
Southern	22,479	3.98	26,515	4.23	44,967	7.39
North- East	54,290	9.57	-	-	-	-
North- Western	11,250	2.64	30,000	7.28	52,282	9.63
North-Central	9,202	1.99	18,500	5.92	25,950	5.70
Uva	18,661	4.17	20,550	4.93	34,050	7.94
Sabaragamuwa	6,932	1.08	25,537	5.24	31,086	6.91
Total	136,257	3.58	162,354	4.88	226,433	5.88

* Only Provincial Specific Development Grant is analyzed. This component is 80 per cent, 74 per cent and 69 per cent of the total capital grant in 2004, 2003 and 2002 respectively.

** Including lands, irrigation and livestock

Source: The Finance Commission Annual Report, 2004

Table 5.6: Provincial Expenditure on Agriculture between 2002- 2004 (Rs.'000)

Provincial Council	2002	% of total	2003	% of total	2004	% of total
Western	100,339	1.34	89,142	1.12	115,240	1.22
Central	89,598	1.78	84,088	1.59	96,124	1.57
Southern	75,411	1.62	92,125	1.83	100,254	1.78
North- East	103,973	1.96	110,738	2.00	123,392	1.86
North- Western	85,432	1.92	112,557	2.20	124,698	2.16
North-Central	64,230	2.27	68,148	2.36	79,447	2.31
Uva	58,330	2.13	61,618	2.14	65,703	1.91
Sabaragamuwa	51,125	1.55	51,638	1.49	42,259	1.07
Total	628,438	1.75	670,054	1.76	747,117	1.68

Source: The Finance Commission Annual Report, 2004

The data reveal that agriculture related expenditure of Provincial Councils is relatively low in comparison with the expenditure of other subjects. It seems to be a minimal utilization of allocated funds for Provincial Councils regarding the agricultural sector. For instance in the year 2003, the capital expenditure of Southern Province Agricultural Ministry was 4.8 per cent¹⁶ and 17.0 per cent¹⁷ of allocated funds on 30.08.2003 in Provincial Specific Development Grant and Criteria Based Grant respectively. In the year 2005, the capital expenditure of Southern Province Agricultural Ministry was 6.0 per cent¹⁸ of allocated Criteria Based Grant and 36.6 per cent¹⁹ of allocated PSDG on 30.06.2005 respectively. This situation is clearly shown in figure 5.11.1 to 5.11.5. With regard to above data on expenditure and allocated funds of Provincial Councils, it seems that implementation of smallholder agricultural development activities is relatively minimal island wide.

On the other hand, the Provincial Councils complain that there is a delay in the approval of development programmes by the Finance Commission. For example, the approval process of Uva Provincial Council Development Programme during previous year was as follows:

December 2005	the 2006 development programme was sent to the Finance Commission
February 2006	discussed the development programme by the Finance Commission
April 2006	approval granted by the Finance Commission
19 th April - August 2006	calling for tenders and appraisal
Oct. 2006-Dec. 2006	implementation of the programmes

(Bandara, W.M.C., 2007; 55).

¹⁶ Criteria Based Grant expenditure to 30.08. 2003- Agriculture (23.5 per cent), Minor Irrigation (9.9 per cent), Fishery (14.2 per cent), Livestock (39.1 per cent)

¹⁷ Provincial Specific Development Grant expenditure to 30.08.2003- Agriculture (0.0 per cent), Irrigation (1.4 per cent), Minor Irrigation (1.9 per cent) and Livestock (59 per cent).

¹⁸ Criteria Based Grant to 30.06.2005- Agriculture (44.5 per cent), Minor Irrigation (0.0 per cent), Livestock (12.0 per cent) and Land (0.0 per cent)

¹⁹ Provincial Specific Development Grant to 31.10.2005- Agriculture (0.5 per cent), Irrigation (8.6 per cent), Minor Irrigation (0.0 per cent), Livestock (12.0 per cent)

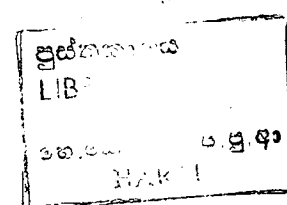


Figure 5.11: Amount Allocated and Spent for Development Activities in the Southern Provincial Council

Specific Development Grant - Up to End of August, 2003.

Figure 5.11.1: Irrigation

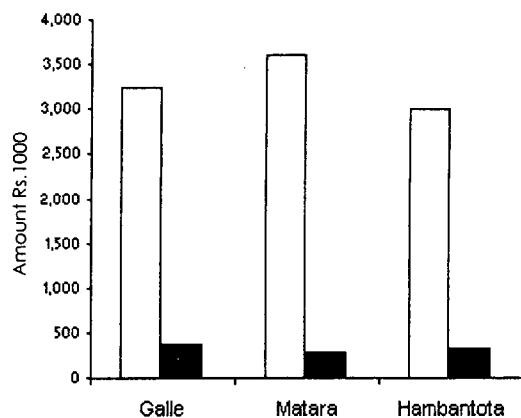
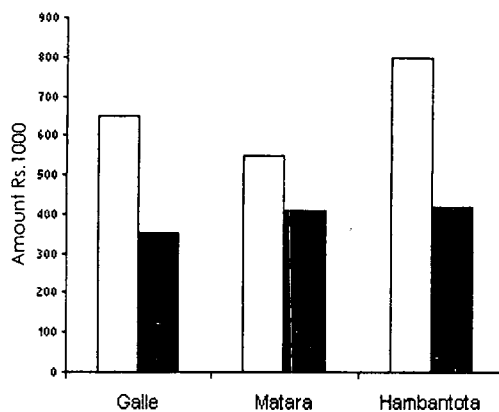


Figure 5.11.2: Livestock



Criteria Based Grant -Up to End of August 2003

Figure 5.11.3: Irrigation

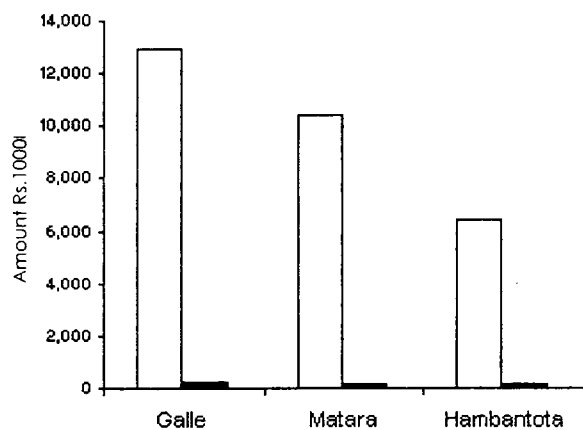


Figure 5.11.4: Livestock

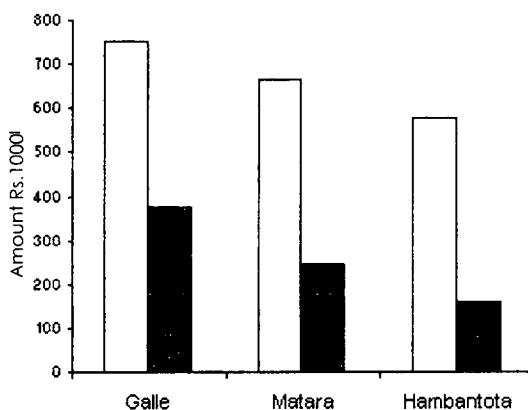
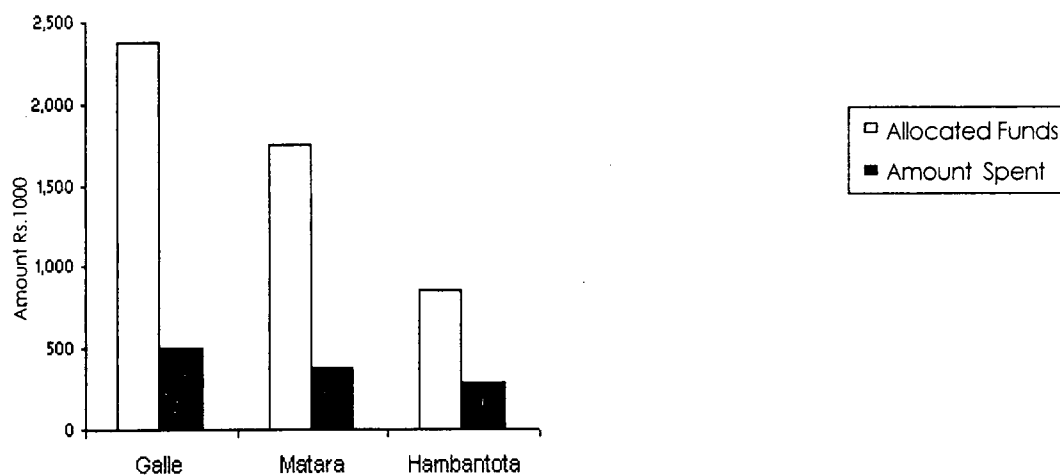


Figure 5.11.5: Agriculture



Source: Based on the data given in the Progress Report (up to end of Aug.) of the Development Plan 2003, of the Ministry of Agriculture, Irrigation, Fishery, Livestock, Labour and Trade, Southern Provincial Council

5.6.2 Human Resources

The Provincial Councils faced a number of problems on human resources for implementing their entrusted responsibilities during the last two decades. Firstly, the Provincial Councils have lamented the lack of adequate staff for implementation of their responsibilities. This situation emerged due to a number of reasons. Generally around 3.5 to 5.5 per cent of employees retire annually, vacancies are not filled immediately and sometimes permission is not granted to fill those vacancies (The Finance Commission, 2005).

In addition to the above, qualified senior level Provincial Council officers are demanding their reversion to suitable posts in the Centre due to promotions, social recognition and other benefits such as training opportunities, more congenial locations. Therefore, the Provincial Councils take steps to fill the vacancies, in the top bureaucracy with relatively junior officers who had no opportunity to develop the necessary systemic vision as their experience was limited to the district and division. On the other hand, since Provincial Councils are unable to fill vacancies, they try to cover up the duties of higher grade officers from junior staff. It badly affects the Provincial Council performance (Ijas, M., 2007; 172). The data in table 5.7 show that the provincial staff in the agricultural sector relative to the total staff averages a paltry 2.3 per cent.

Table 5.7: Provincial Staff in the Agricultural Sector in 2003

Province	Staff of All Subject Areas			Staff of Agricultural Sector			
	Staff	Non-Staff	Total	Staff	Non-Staff	Total	% of all Subjects
Western	5,713	41,590	47,303	110	650	760	1.6
Central	3,161	31,043	34,204	147	532	679	2.0
Southern	3,022	29,788	32,810	65	687	752	2.3
North-East	3,498	35,951	39,449	105	841	946	2.4
North-Western	3,048	30,719	33,767	72	878	950	2.8
North-Central	4,385	15,129	19,514	109	539	648	3.3
Uva	2,097	19,007	21,104	83	525	608	2.9
Sabaragamuwa	7,204	17,188	24,104	79	440	519	2.1
Total	32,128	220,415	252,543	770	5,092	5,862	2.3

* including Provincial Council members and their personal staff

Source: The Finance Commission Annual Report-2004

According to the Finance Commission, a considerable number of employees of the Provincial Councils are casual, temporary, daily paid or contractual employees. The total number of agricultural staff in the eight Provincial Councils is 5,862 in the year 2003 (table 5.7). In the same year, the total number of employees in the Department of Agriculture was 5,904. Even though agriculture and agrarian and livestock are devolved subjects (including extension services), the Provincial Councils have a relatively small staff for the subject of agriculture.

Although agricultural extension is their major responsibility, the Provincial Councils do not have extension workers at the village level with Agricultural Instructor being the lowest extension worker. In 1988, the village level agricultural extension staff

(2,400 KVSs) were transferred as *Grama Niladharis* to the Ministry of Home Affairs. It created a lacuna in the extension service between the divisional level and the farmers. In 1988, the extension farmer ratio stood at about 1 Agriculture Instructor to 3,000 to 7,000 farm households. Before 1988, an Agricultural Instructor division consisted of 4-12 *Krushikarma Vyapathi Sevaka* divisions, while one *Krushikarma Vyapathi Sevaka* covered about 1,500-2,500 farm households (Jayathilaka W.M., 2007, p 69).

In 1990s, the Ministry of Agriculture recruited new field staffs (approximately 9,600) on a permanent basis who were assigned to the Department of Agrarian Services. Most of the new field staff (ARPAs) had only G.C.E. O/L, but about 10 per cent had agricultural diplomas (World Bank, 2006; 23). According to the circular number 7/2/14/2/1 dated 2003.03.02 some activities of extension were assigned to the Agricultural Research and Production Assistants (appendix IV). These field workers were expected to spend three days a week to assist the Agricultural Instructors for extension work. The extension work is only one out of a long list of 59 duties of Agricultural Research and Production Assistants (Nadeeka Damayanthi, M.K. and Susila Lurdu M.D., 2007(a): 88). And also only 10 per cent of the Agricultural Research and Production Assistants possess agriculture diplomas and a majority does not have technical training in agriculture, planning and conducting extension programs, including farmer training and demonstration work, etc. In addition to this, they are administered under a separate Department in Government and their loyalties remain with the Centre. Therefore, their contribution to the Provincial Councils is not assessed in promotions. As a result of the above reasons, the majority of Agricultural Research and Production Assistants have contributed very little to extension programmes in Provincial Councils.

When the Provincial Council system was established, about 100 persons at a senior level in the Sri Lanka Administrative Service²⁰ were employed as Assistant Land Commissioners and District Land Officers in the Land Commissioners' Department. However, this structure changed after the establishment of the Provincial Council system. At the initial stage, the Provincial Councils assigned Provincial Land Commissioners (08) for the eight Provincial Councils and Assistant Land Commissioners for Western Provincial Council (01), Southern Provincial Council (01), Central Provincial Council (01), Northern and Eastern Provincial Council (03), North-Western Provincial Council (04) and North-Central Provincial Council (01). In this transitional period, the senior level staff officers of the Land Commissioners' Department were assigned as Secretaries of the Provincial Ministries and other organizations. In 1988, twelve post graduate holders in land management subject were employed as Assistant Commissioners or Deputy Commissioners in the Land Commissioners' Department. After establishing the Provincial Council system, only three were continued in the service (Jayathilaka, W.M., 2007; 38-40). Such changes so badly affected the land subject at a national level as well as a provincial level. Even at present, the Provincial Councils face many difficulties due to inadequate staffing. For instance, in December 2006, the Southern Provincial Councils' approved staff was 189. But 57 posts were vacant including the post of Provincial Land Commissioner, Deputy Land Commissioner and Assistant Land Commissioner. In December 2006, Uva Provincial Land Commissioner Department had many vacancies as shown in table 5.8.

²⁰ Western-08, Southern- 13, Central-13, North-11, Eastern-11, North-Western- 09, North-Central-14, Uva-06, Sabaragamuwa-07

Table 5.8: Human Resources of the Uva Provincial Land Commissioners' Department in December 2006

Post	Approved Cadre	Number Employed	Vacancies
Colonization Officer	26	05	21
Surveyor	04	03	01
Survey Assistant	12	04	08
Planning Officer	01	00	01
Management Assistant	09	07	02
Development Assistant	29	23	06
Total	81	42	39

Source: Provincial Land Commissioners' Department, Uva Provincial Council.

The data in the table 5.8 show that, only 05 out of 26 colonization officers are employed in Uva Provincial Land Commissioners' Department. The grassroot level activities of the land administration are stagnating due to the above situation.

Two problems arise with regard to human resources in land administration. Firstly, as the Divisional Secretary is the divisional level representative of the Government, his/her loyalties remain with the Centre. The Divisional Secretary has to co-ordinate the activities of more than one hundred national level Ministries and land is only one of them. Therefore, Divisional Secretaries are constrained to pay attention to the subject of land due to a heavy work load and do not have enough time. On the other hand, before the establishment of Provincial Councils, the Government Agent was entrusted with the implementing responsibilities on State lands. At that time, a special unit was established in the Government Agents' office which had qualified, trained and well experienced staff for implementing responsibilities regarding land administration. However, this situation changed after establishing the Provincial Councils and transferring the Government Agents' power to the Divisional Secretary. The powers and responsibilities were transferred without supporting cadres for implementing the responsibilities of land subject. After the power transfer, the Divisional Secretary has only one divisional level officer (Land Officer) for the land subject and they must spend Monday and Wednesday as office days in the Divisional Secretaries' office. Therefore, the Land Officer has no opportunities to visit the whole division and implementing responsibilities as expected.

Secondly, the Provincial Councils have some responsibilities relating to land under the Thirteenth Amendment and the Divisional Secretaries have considerable number of duties and responsibilities under various Acts and Ordinances. The *Grama Niladharis* are entrusted with the implementing responsibilities regarding the land subject in the grassroot level for the Divisional Secretary. On the other hand, the divisional and grassroot level employees of the provincial land subject such as Land Officers, Colonization Officers have their direct accountability to the Provincial Council, but they are attached to the Divisional Secretary Office and supervised by the Divisional Secretary. While some responsibilities are vested in the Provincial Councils, they do not possess the necessary human resources to implement these responsibilities. Therefore, land activities of the Provincial Councils tend to get behind schedule.

The Provincial Council staff have relatively little opportunities for training compared with the Central staff (Nadeeka Damayanthi M.K. and Susila Lurdu, M.D., 2007(a); 176-178). Especially, the extension staff does not enjoy training opportunities due to many reasons. First, the already highly fragmented research and extension system got further disrupted after the devolution arrangements to provinces. Second, after establishing the Provincial Councils, some In-Service Training Centres were transferred from the Government to the Provincial Councils. Then, the Provincial Councils must pay for the training of their staff when training is conducted in another Provincial Council In-Service Training Centre. In this situation, the Provincial Councils have not given priority to their field level staff training. Third, the training centres of Provincial Councils as well as the Governments do not have enough experts and supporting staff for conducting good quality training.

With regard to the livestock sector, the Human Resource Development Division of the Department of Animal Production and Health has conducted the training programmes for islandwide staff. But, the field staff of Provincial Councils has neglected or not provided training facilities in human resource development training agenda due to financial circumstances and regulations¹⁹ (Nadeeka Damayanthi M.K. and Susila Lurdu M.D., 2007(a);176).

With regard to the irrigation sector, the Provincial Councils do not have training facilities for the staff in their own places. But, the Government has a training centre at Galgamuwa and the staff of the Department of Irrigations are trained there.

However, on the other hand, the Provincial Council staff are benefited through provincial administration. Before the establishment of Provincial Councils, the officers of the Sri Lanka Agricultural Services must go to the Department of Agriculture at Peradeniya for their administrative matters. After the establishment of Provincial Councils, the administration of the staff of the Provincial Council is handled in the Provincial Council itself. Therefore, it is relatively easy for Provincial Council staff to solve their administrative problems within the Provincial Council.

5.6.3 Physical Resources

As discussed in section 5.2, the Provincial Councils have four In-Service Training Centres and District Agricultural Centres for implementing their training activities. Three out of four (Bomuwela, Mahalluppallama and Bindunuwewa) In-Service Training Centres were transferred from the Government to the Provincial Councils. Above In-Service Training Centres were established as the national level institutions and provided service to the island wide agricultural extension staff before the establishment of the Provincial Councils. The Rajawaka training centre was established by the Sabaragamuwa Provincial Council for their training activities. As a result of transferring the In-Service Training Centres to the Provincial Councils, some issues and problems have emerged in the training and extension field. The problems are as follows:

- (i) Lack of training opportunities to the extension staff
After transferring the In-Service Training Centres, it became Provincial Councils' property. If officers in other Provincial Councils are willing to

²¹ Quoting T.C. Rathnayake, Officer In-Charge of Institute of Continuing Education (Gannoruwa), at the Symposium on the Provincial Council System and Agricultural Development, 15-16 January 2007 at HARTI. See Nadeeka Damayanthi M.K. and Susila Lurdu M.D., Occasional Publication (Sinhala) No.20, HARTI

participate in a training programme conducted by the Provincial In-Service Training Centres, the participants should pay a training fee to the relevant Provincial Council. Most frequently field level staff cannot fulfil their training needs due to financial constraints and lack of interest of Provincial Council decision makers.

(ii) Under utilized the capacities of the training centres

When established originally, the In-Service Training Centres focused on national level requirements. Therefore, these training centres' capacity is more than the Provincial Councils' requirements. As a result, these training centres are under utilized since 1987. If Provincial Council In-Service Training Centre provided training to officers, they should call the same group all over again. Therefore, the above centres were utilized for conducting various training programmes for other officers in the Provincial Council level. If these centres belong to the Centre, it can utilize them for conducting extension training programmes island wide at a shorter period.

(iii) Unsatisfactory maintenance of the centres

Provincial Councils do not have sufficient funds to maintain the training centres. And also vacancies have not been filled for many years due to administrative problems and government policies. These adversely affect the maintenance activities in the training centres.

(iv) Create regional disparities among the Provincial Councils

In the present scenario, five Provincial Councils (Northern, Eastern, North-Western, Central and Southern) do not have their own training centres, but two national level In-Service Training Centres are located in Southern Provincial Council area and Central Provincial Council area.

The Centre has three In-Service Training Centres located in Aralaganwila, Angunukolapellassa and Gannoruwa and the Farm Mechanization Training Centre at Puliyankulama. In addition, the Centre has four Agriculture Schools located in Labuduwa, Karapincha, Wariyapola and Anuradhapura and two District Agricultural Training Centres in Weerawila and Ampara. And also, it has Farm Broadcasting Service, Audio Visual Centre, Information Centre and Exhibition and Technical Unit for implementing agricultural extension and training activities. Furthermore, the Department of Agriculture has an Agriculture Enterprise Development Unit (Ag.EDIS) for supporting agricultural extension and training activities (figure 5.4).

Even though, the agricultural research for provincial purposes is a Provincial Council subject, the Provincial Councils do not have their own research centres. At the national level, the Government has a range of institutions for implementing agricultural research. The Ministry of Agricultural Development and Agrarian Services has the Department of Agriculture, Sri Lanka Council for Agricultural Research Policy, Hector Kobbekaduwa Agrarian Research and Training Institute and Institute of Post Harvest Technology for agricultural and agrarian research. The Department of Agriculture has three institutions for crop research and development namely Rice Research and Development Institute, Horticultural Crop Research and Development Institute and Field Crop Research and Development Institute. The Rice Research and Development Institute has conducted the rice research and development activities. And also the regional rice research centre

and four rice research centres assist the rice research at national level. The Horticultural Crop Research and Development Institute has conducted horticultural crop research. A number of sub-agencies assist the Horticultural Crop Research and Development Institute such as Natural Resource Management Centre, Food Research Unit, Fruit Crop Research and Development Centre, Plant Virus Indexing Centre, Agricultural Research Station in Seetha-Eliya and Regional Agricultural Research and Development Centres in Bandarawela and Makandura. The Field Crop Research Development Institute has sub-agencies such as Farm Mechanization Research Centre, Grain Legumes and Oil Crops Research and Development Centre and Regional Agricultural Research and Development Centres in Aralaganwila and Vavuniya. In addition to above institutions, the Department of Agriculture has a Socio- Economic and Planning Centre.

At the national level, the technical services are provided by technical services centres of the Department of Agriculture such as Seed Certification and Plant Protection Centre and Seed and Planting Material Development Centre (figure 5.4).

However, the linkages of research and extension in smallholder agricultural sector are further complicated after the establishment of the Provincial Councils as agricultural research is funded and managed at the national level and extension programmes are administered under the purview of provincial departments. As a result of the above situation, administrative obstacles need to be overcome in bridging the research-extension linkage gap.

In 1988, the Department of Agrarian Services transferred their resources such as, the whole engineering equipment, machines, Regional Engineers and all Technical Officers except for 87 to the Provincial Councils for irrigation works. However, these resources are under utilized or employed in other works such as building constructions, roads and rural development (Vitharana P., 2007, p.38).

When Provincial Councils were established, the Land Commissioner handed over the physical resources such as vehicles and buildings to the Provincial Councils or Deputy Land Commissioners' Offices. And also the legal documents, land ledgers, the maps and plans were entrusted from the Government Agent Offices to the Provincial Councils. After the power transferring from the Government Agent to Divisional Secretary, the above documents were handed over from Provincial Councils to Divisional Secretary Offices. These invaluable documents and maps are obliterating due to inadequate office space in the Divisional Secretary offices. Therefore, the Government faced many problems on State lands such as legal, environmental and revenue collection.

One also has to consider the extent to which the Provincial Councils can undertake tasks involved with irrigation under present conditions. For instance, at the initial stages of devolution, the Minister of Irrigation and Mahaweli Development Hon. Gamini Dissanayake authorized the Provincial Council to undertake tasks involved with irrigation management of schemes less than thousand acres of command area. After sometime, both the local politicians and the farmers raised their voice against this claiming that such irrigation schemes were not properly maintained. This resulted in transfer of the responsibility back to the Centre. The problem faced by Provincial Councils at that stage could have been the lack of human and financial resources. One wonders whether the situation has changed after re-

transfer. Therefore, it appears that there is a need for capacity building of Provincial Councils, to be undertaken before transferring those responsibilities.

5.7 Conclusion

Both the Centre and Provincial Councils are involved in the smallholder agricultural development. A number of Ministries, departments, institutions and boards are entrusted with the task of implementing smallholder agricultural development at the national level. The Ministries such as the Ministry of Agricultural Development and Agrarian Services and Irrigation and Water Management have a number of departments and these have deconcentrated their functions and responsibilities to the field level. The Ministry of Agricultural Development and Agrarian Services has two departments and 15 other institutions and boards. The Mahaweli Authority of Sri Lanka implemented extension activities carried out within the productive settlements that are under the Mahaweli River Diversion Scheme.

The Ministry of Livestock Development, the Ministry of Land and Land Development and the Ministry of Irrigation and Water Management have the primary responsibility for livestock development, land development and irrigation works respectively. The Ministry of Livestock Development implemented its responsibilities through the Department of Animal Production and Health and five other boards. And also the Ministry of Agricultural Development and Agrarian Services is involved in livestock sector development activities in Mahaweli area, through Mahaweli Livestock and Agro Enterprises and Mahaweli Livestock Resource Co. Ltd.

The Ministry of Land and Land Development has implemented its responsibilities through three departments and two institutions. On the other hand, the Divisional Secretaries have many responsibilities for land subject at divisional level.

With regard to irrigation subject, the Ministry of Irrigation and Water Management as well as Ministry of Agricultural Development and Agrarian Services have involved in the national level activities. In addition to these, District and Divisional Agricultural Committees were established as a co-ordination mechanism of irrigation works at district and divisional level respectively.

Each Provincial Council has a Provincial Ministry of Agriculture. Most frequently Provincial Ministry of Agriculture consists of agriculture related to other subjects such as livestock, land and irrigation. Every Provincial Council has established a Provincial Department of Agriculture and a Provincial Department of Animal Production and Health. Also each Provincial Council has established posts of Provincial Director of Agriculture, Provincial Director of Animal Production and Health and Provincial Land Commissioner. However, the Provincial Councils have no permanent field staff at the village level.

Around four per cent of the survey respondents reported that their Provincial Councils have implemented some marketing programmes for solving the agricultural marketing problems. However, researchers could not find any other significant and systematic marketing programmes implemented by the Provincial Councils, except for North-Western Provincial Council.

With regard to physical resources, four Provincial Councils out of nine have In-Service Training Centres. And also the Provincial Councils have District Agricultural Training Centres except in Badulla and Ampara districts. As a result of transferring

the In-Service Training Centres to the Provincial Councils, some issues and problems have emerged in training and extension field such as lack of training opportunities to the extension staff, under utilization of the capacities of the training centres and creation of regional disparities among Provincial Councils. At the national level, the Department of Agriculture has a number of research institutions, two In-Service Training Centres and agriculture schools. The Government implements its research and training activities through Extension and Training Centres of the Department of Agriculture and institutions such as Hector Kobbekaduwa Agrarian Research and Training Institute, Institute of Post Harvest Technology, Sri Lanka Council for Agricultural Research Policy, etc.

The Provincial Councils faced a number of problems on human resources for implementing their entrusted responsibilities during the last two decades. First, the Provincial Councils do not possess adequate staff for implementation of their responsibilities. Second, the Provincial Council staff have relatively a few opportunities for training compared with the Centre. Third, since the Provincial Councils are unable to fill vacancies of higher officers, they try to cover up the duties of higher grade officers from junior staff. It badly affects the Provincial Councils' performance. However, the Provincial Council staff is benefitted through the provincial administration. Further, the Provincial Councils faced problems regarding finance such as delay in the approval of development programmes by the Finance Commission.

FARMER PERCEPTIONS ON SERVICES PROVIDED BY THE PROVINCIAL COUNCILS IN SMALLHOLDER AGRICULTURE

6.1 Introduction

As noted in chapter one, the major focus of the present study is aimed at examining and assessing the impact of devolution of power on smallholder agricultural sector in Sri Lanka. This chapter examines and analyses the support systems in place and their functioning in selected Provincial Councils. Especially examined in this chapter are extension, technology, marketing, water and irrigation, arbitration of land tenure issues, functions devolved on the Provincial Councils such as construction and maintenance of roads, provision and maintenance of educational and health service facilities, supply of drinking water, etc. Also the attitudes of farmers, especially with regard to the satisfaction of their needs are examined in the chapter.

6.2 Farmers' Views

6.2.1 Extension Services

According to the Thirteenth Amendment to the Constitution in 1978, the agricultural extension, promotion and education are amongst the major responsibilities entrusted to the Provincial Councils. By utilizing these provisions, the Provincial Councils have implemented various programmes such as yaya (paddy tract) demonstrations, special programmes for women such as food production, preservation and consumption, bee keeping, demonstration of home gardening, cultivation of fruits, flowers and OFCs and farmer training programmes.

As could be observed from the data in table 6.1, these programmes vary from province to province. Ninety eight per cent (196) of the respondents in Southern province, ninety two per cent (184) in North-Western province and ninety seven per cent (194) in Uva province reported that, the Provincial Ministry of Agriculture has implemented numerous programmes during 2001-2006. Programmes implemented varied in terms of regional needs, ability of the Provincial Councils and suitability for the region. For example, the demonstrations of floriculture programmes are implemented only in the Badulla district within the Uva Provincial Council.

The data in table 6.1 show that the Provincial Councils have implemented a variety of interconnected programmes to assist the smallholder agriculture during the reference period. Eighty one per cent of the respondents who had an awareness of the programmes implemented by the Provincial Councils indicated that the Provincial Councils provided assistance with regard to the adoption of production technologies. Another major task performed by the Provincial Councils appears to be the distribution of high yielding varieties as reported by 77 per cent of the respondents. However, the respondents reporting the above varied from 71 per cent in Uva Provincial Council to 84 per cent in Southern Provincial Council.

Table 6.1: Type of Agricultural Extension and Training Programmes Implemented by the Provincial Councils between 2001-2006

Type of Programme	Provincial Council (Percentage)			
	North Western N=183	Southern N=195	Uva N=194	Total N=572
Agriculture Extension and Promotion				
Yaya (paddy tract) demonstration	44.0	56.4	56.7	52.6
Distribution of high yielding varieties/plants	75.4	84.1	70.6	76.7
Providing production technology (with support of ARPAs)	79.8	86.7	77.3	81.3
Supply inputs at subsidized prices	48.6	56.9	50.5	52.1
Supply agricultural implements at subsidized prices	13.1	30.8	22.2	22.2
Assistance for seed paddy production	2.2	3.1	0.0	1.7
Assistance for bee keeping	5.5	1.5	9.3	5.4
Demonstrations for home garden crops/fruit cultivation	2.2	7.7	8.2	6.1
Demonstrations for flower cultivation	0.0	0.0	1.5	0.5
Farmer's Education and Training				
Conducting Training Programmes on subjects such as community development, water management, etc	68.9	80.0	71.1	73.4
Food production, preservation and consumption	6.0	7.2	2.1	5.1

"N" denotes the number of farmers having awareness on the agricultural programmes conducted by the Provincial Department of Agriculture

Source: Socio-Economic Survey Data, HARTI, 2006

Another programme widely adopted by the Provincial Councils to help farmers is training. Paradoxically, a small percentage of the respondents (1.7) reported that the Provincial Councils support seed paddy production. Given the scarcity of certified seed paddy and high quality seed, this is an area that the Provincial Councils should pay greater attention. However, the responses by farmers indicate that there is a gap between the demand and supply for assistance for seed paddy production. This anomaly seems to result from poor co-ordination between institutions responsible for the process. For instance, Agricultural Instructor is responsible for providing extension to farmers for seed production. On the other hand, the Agrarian Development Officer [earlier designated as Divisional Officer (DO)] is entrusted with the task of collecting the seed paddy produced by the

farmers, send them for certification to the Department of Agriculture and distribute them after certification. Farmers are also reluctant to undertake seed paddy production as its production is more labour intensive and costly. Also, the farmers find it difficult to sell seed paddy after production. Both the Centre and the Provincial Councils should pay greater attention to resolve the issues involved in seed paddy production.

All training programmes for farmers are conducted by the staff of the Provincial Councils, while some of them are conducted with financial or input assistance from the Non-Governmental Organizations. A higher percentage of awareness of training programmes for production technology indicated in table 6.1 is due to considerable NGO funding of these programmes. Amongst these, several programmes focus on increasing food production, farmer income and crop diversification. For example, the fruit village programme (*Palathuru Gammana*) conducted by the Southern Provincial Council has focused on increasing farmer income and crop diversification. From the perspective of the more vocal farmers, there are many problems associated with farmer support programmes conducted by the Provincial Councils. Some of these as reported by farmers are as follows:

- i. Abandoning the programme after sometime or lack of follow up.
- ii. Inadequately addressing marketing problems.

Table 6.2: Distribution of Respondents by Level of Satisfaction about Programmes Implemented by the Provincial Departments of Agriculture

Type of Agricultural Programme	Total Number	Farmers' Satisfaction on the Agricultural Programme		
		% of Farmers Satisfied	% of Farmers Not Satisfied	% of Frmers Not Expressing an Opinlon
Agriculture Extension and Promotion				
Yaya (Paddy tract) demonstration	301	67.8	20.3	12.0
Distribution of new high yielding varieties/plants	439	68.1	23.9	8.0
Providing production technology	465	69.7	21.1	9.2
Supply inputs under subsidiary prices	298	56.9	23.1	20.1
Supply agricultural implements under subsidised prices/ donation	127	54.3	30.7	15.0
Seed paddy farms	10	50.0	10.0	40.0
Bee keeping	31	73.2	17.1	9.8
Demonstration for home garden crops/fruit cultivation	35	45.5	6.1	48.5
Demonstration of flower cultivation	03	66.6	0.0	3.3
Farmers' Education and Training				
Conducting training programme	420	69.5	19.5	11.0
Food security programme	29	31.0	27.6	41.4

Source: Socio-Economic Survey Data, 2006, HARTI

As shown in table 6.1, a total of 572 farmers indicated that the Provincial Departments of Agriculture of the Provincial Councils in the study area have

implemented different programmes for development of agriculture in the respective Provincial Councils. Of the 465 farmers who indicated that the Provincial Departments of Agriculture provided instruction regarding agricultural technologies, 70 per cent indicated as satisfaction. Other programmes indicated by farmers as satisfactory include conducting training programmes (70 per cent), yaya demonstration (68 per cent), distribution of high yielding varieties (68 per cent) and supply of inputs with subsidies (54 per cent) as shown by data in the table 6.2. Though home gardening is a major component of extension of the Provincial Departments of Agriculture, only 45 per cent said that they were satisfied with them. On the other hand, 48 per cent indicated no opinion regarding the programme.

Of those who indicated that they were not satisfied were asked in turn about the reasons for "non satisfaction" with regard to the Provincial Departments of Agriculture programmes. 25 per cent indicated that inputs were not provided at the right time. Others complained about insufficient training and advice, not offering programmes at the right time or abandoning the programmes altogether (19 per cent). Already 10 per cent of the respondents indicated their lack of satisfaction with linking programmes with market, lack of consultation of Farmer Organizations and unsatisfactory distribution of agricultural instruments (table 6.3).

Table 6.3: Reasons for Non Satisfaction about the Agricultural Programmes Conducted by the Provincial Ministry of Agriculture (by Province)

Reason	Province (Percentage)			Total (N=322)
	North Western (N= 106)	Southern (N= 107)	Uva (N=109)	
Minor irrigation not properly constructed and not maintained annually	20.8	38.3	17.4	25.5
Inputs not provided at right time	19.8	17.8	37.6	25.2
Training programmes and advisory services were not conducted sufficiently	34.0	15.9	22.9	24.2
Programmes not implemented at the right time or abandoned	17.9	8.4	29.4	18.6
No proper evaluation programme	17.9	12.1	10.1	13.3
Inefficiency of higher officers	15.1	10.3	8.3	11.2
Although cultivated as advised, no proper marketing channels were found	13.2	7.5	9.2	9.9
Not consulting the Farmer Organization before implementing programmes	14.2	9.3	5.5	9.6
Agricultural instruments were not properly distributed to the farmers	4.7	14.0	8.3	9.0

"N" denotes the number of farmers who reported that they were dissatisfied.

Source: Socio- Economic Survey Data, 2006, HARTI

New Technology

Forty one per cent of the survey respondents reported that they were satisfied with technological training programmes conducted by the Provincial Departments of

Agriculture. Level of satisfaction expressed varied from 22 per cent in Uva Provincial Council to 51 per cent in Southern Provincial Council. The reported reasons for their satisfaction are as follows:

- (i) conducting extension programmes and training classes at the right time (62 per cent)
- (ii) efficiency of the officers (41 per cent)
- (iii) proper methods adopted by the extension officers (15 per cent)
- (iv) extension officers maintained good relationship with the farmers (14 per cent)
- (v) encouraging farmers to adopt the new technology for their cultivation (9 per cent)
- (vi) regular evaluation methods maintained by the field officers (9 per cent)

Of those farmers reporting that they were satisfied with training programmes on technology, about 58 per cent of the respondents in Uva and Southern Provincial Councils and 71 per cent in North-Western Provincial Council mentioned that Provincial Departments of Agriculture have conducted extension programmes and training classes at the right time as the reason for their satisfaction. 23, 35 and 54 per cents of the respondents in North-Western, Uva and southern provinces respectively mentioned that, their satisfaction with technology programmes was due to the efficiency of officers.

Table 6.4: Reasons for Lack of Satisfaction of Farmers about Programmes for Knowledge on New Technology (by Province)

Reason	Province (Percentage)			Total Percentage (N=327)
	North Western (N= 128)	Southern (N= 65)	Uva (N=134)	
Inefficiency among the officials	46.9	53.8	49.3	49.3
Sufficient programmes were not conducted to impart knowledge of new technology	43.8	53.8	45.5	46.5
Lack of subject knowledge of the field officers	7.8	16.9	1.5	7.0
Training classes were not conducted at the field level	6.3	4.6	11.2	8.0
Field officers not maintaining good relationship with farmers	9.4	3.1	6.0	6.7
New technology not provided for crops other than paddy	3.9	9.2	3.0	4.6
Shortage of extension officers	8.6	0.0	3.0	4.6
No supervision programme on the field officers	6.3	6.2	1.5	4.3
No proper follow-up system on the programme	4.7	0.0	3.0	3.0

"N" denotes the number of farmers who reported that reasons for lack of satisfaction about new technology programmes.

Source: Socio-Economic Survey Data, 2006, HARTI

As could be observed from data in the table 6.4, 54 per cent of the survey respondents (327) have felt a lack of satisfaction about programmes for knowledge

of new technology. Fifty four, forty nine and forty seven per cents of the respondents in Southern, Uva and North-Western provinces respectively mentioned that, their lack of satisfaction with technology programmes was due to the inefficiency of officers. However, about 91 per cent (543) of the total respondents reported that Provincial Councils have the ability to introduce new technology programmes for agricultural development. About 94 per cent (187) in North-Western Provincial Council, 91 per cent (181) in Uva Provincial Council and 88 per cent (175) in Southern Provincial Council affirmed this. Farmers have suggested many actions to improve the extension services. The data in table 6.5 show these suggestions.

Table 6.5: Type of New Programmes Suggested by the Farmers to Improve the Extension Services (by Province)

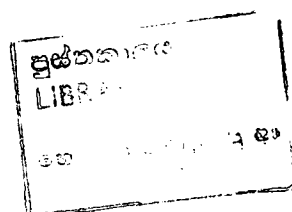
Suggestions	Province (Percentage)			Total Percentage (N=543)
	North Western (N= 187)	Southern (N= 175)	Uva (N=181)	
Train all the farmers once a year at their village	73.3	80.6	90.1	81.2
Engage specialized trainers for the training programme	28.9	20.6	11.0	20.3
Impart practical training on new agricultural machinery	18.7	16.6	12.2	15.8
Show more agricultural films to the farmers	5.9	1.7	17.7	8.5
Provide more yaya demonstration plots at the village level	9.6	0.0	8.8	6.3
Adopt regular evaluation programmes	9.1	4.0	3.9	5.7
Pay an allowance for the participants of training programmes	5.5	7.4	3.7	5.5
Train the farmers at Schools of Agriculture	1.6	0.6	13.8	5.3

"N" denotes the number of farmers who suggested that new programmes for improve the extension services

Source: Socio- Economic Survey Data, 2006, HARTI

Eighty one per cent of the respondents suggested that, all the farmers should be trained once a year at their villages. It varied from 73 per cent in North-Western Provincial Council to 90 per cent in Uva Provincial Council. The data from table 6.4 reveal that, lack of knowledge of subject matters of the field officers is one of the reasons for their lack of satisfaction about programmes for technology. Therefore, 20 per cent of respondents suggested that, specialized trainers should be engaged in the training programmes. It varied from 11 per cent in Uva Provincial Council to 29 per cent in North-Western Provincial Council. About 16 per cent of the respondents suggested that, practical training should be given on new agricultural machinery.

About 3 per cent of the total sample mentioned that the Provincial Councils do not possess an ability to introduce new technology programmes for agricultural development. The reasons being the lack of sufficient funds and insufficiency of field officers.



6.2.2 Marketing Problems

According to farmers' views and day-to-day public discourses, marketing is one of the major problems in the agricultural sector. 79 per cent (477) of survey respondents affirmed that, they experienced problems of marketing the agricultural commodities they produce. As revealed by the survey data, 92, 85 and 62 per cent respondents in Uva, North-Western and Southern provinces respectively mentioned that, they experienced problems of marketing the agricultural commodities they produce (table 6.6). Of those who reported that, they have problems of marketing the agricultural commodities they produce, 64 per cent of paddy, 44 per cent of vegetables, 33 per cent of OFC producers faced problems of marketing. In respect of different districts, it varied from 45 per cent in Galle district to 94 per cent in Monaragala district. These differences are due to the lack of infrastructure facilities of different districts.

Data revealed that, some regional disparities in providing marketing facilities at inter-provincial as well as intra-provincial level. For example in the Southern province, forty five per cent respondents in Galle district and seventy nine per cent respondents in Hambantota district have marketing problems. Although power is devolved from the Centre to the provincial level, it is recentralized at the provincial capital city or the district capital. Most frequently, the activities of the Provincial Council tended to focus on the provincial capital or the relevant district capital or the earlier identified electorate representing the Provincial Ministries.

Table 6.6: Distribution of Respondents Experiencing Marketing Problems by Type of Crop

Suggestions	Province (Percentage)			Total Percentage (N=477)
	North Western (N= 169)	Southern (N= 124)	Uva (N=184)	
Paddy	80.5	48.4	58.7	63.7
Other Field Crops	27.2	6.5	56.5	33.1
Vegetables	31.4	34.7	60.9	43.6
Fruits	20.1	16.9	13.0	16.6
Annual Crops	5.9	8.9	6.0	6.7
Export Agricultural Crops	5.9	12.9	6.5	8.0
Milk	4.1	4.0	1.6	3.1
Floriculture	0.6	0.0	1.6	0.8

"N" denotes the number of farmers experiencing marketing problems.

Source: Socio-Economic Survey Data, 2006, HARTI

The percentage of farmers who have problems for marketing of paddy varied from 48 per cent (60) in Southern Provincial Council to 81 per cent (136) in North-Western Provincial Council. Marketing problems for vegetables varied from 31 per cent (53) in North-Western Provincial Council to 61 per cent (112) in Uva Provincial Council and marketing problems for OFCs varied from 07 per cent (08) in Southern Provincial Council to 57 per cent (104) in Uva Provincial Council (table 6.6).

Data indicate that paddy (38 per cent) and export agricultural crops (29 per cent)

in Galle district, paddy (54 per cent) and vegetables (46 per cent) in Hambantota district, vegetables (80 per cent), paddy (37 per cent) and OFCs (34 per cent) in Badulla district paddy (80 per cent), OFCs (78 per cent) and vegetables (43 per cent) in Monaragala district, paddy (92 per cent), vegetables (38 per cent) and OFCs (33 per cent) in Kurunegala district, and paddy (70 per cent) and vegetables (25 per cent) in Puttalam district are the main crops having marketing problems. With regard to livestock farmers among the survey respondents, 25 per cent of farmers have marketing problems of milk. It varied from 15 per cent in Uva Provincial Council to 35 per cent in North-Western Provincial Council. Although, an attempt to expand the cultivation of export agricultural crops was designed to avoid marketing problems of traditional agricultural commodities, the farmers faced marketing problems of traditional crops as well as newly introduced crops.

6.2.2.1 Marketing Facilities Provided by the Provincial Councils

As noted in chapter four, the Provincial Councils can get involved in the marketing sector in their province. About 02 per cent of the respondents in Uva and 05 per cent of the respondents in North-Western and Southern provinces reported that their Provincial Councils have implemented some marketing programmes for agricultural commodities (table 6.7).

Table 6.7: Type of Agricultural Marketing Programmes Implemented by the Provincial Councils (2001 – 2006)

Type of Programme	Provincial Council (Percentage)			Total (Percentage) (N=600)
	North Western (N=200)	Southern (N=200)	Uva (N=200)	
Guiding/co-ordinating of marketing channels	4.5	5.5	2.0	4.0
Providing marketing information	4.5	5.0	1.5	3.7
Providing marketing facilities	5.0	4.0	2.0	3.7

"N" denotes the sample population

Source: Socio-Economic Survey Data, 2006, HARTI

As noted in chapter four, the markets and fairs are the subjects allocated to Local Authorities who function under the Provincial Councils. The Provincial Councils administer markets and fairs through the Municipal Councils, Urban Councils and *Pradeshiya Sabhas*. However, the researchers could not find any significant and systematic marketing programmes implemented by the Provincial Councils, except for the North-Western Provincial Council. Since 2003, the North-Western Provincial Ministry of Agriculture has implemented marketing programmes for agricultural commodities. Their programmes are implemented in partnership with state banks (especially Wayamba Development Bank), private sector entrepreneurs and farmers. First the Provincial Ministry of Agriculture investigates and selects a suitable farmer and an entrepreneur for their programme. After that, the three partners—farmer, entrepreneur and bank sign agreements and entrepreneur conducts training programme for selected farmers. At the end of the training programme, the Provincial Ministry of Agriculture grants a loan to farmers through an entrepreneur and bank. Entrepreneur should issue production inputs to the farmers. According to the agreement of the Provincial Ministry of Agriculture, the entrepreneur should buy farmers' produce and settle the farmers loan by monthly

instalments. North-Western Provincial Ministry of Agriculture has implemented many programmes as mentioned above such as Nelna chicken project, Lahiru mushroom project, horticulture project milk and vegetable stall projects, etc (Thilakaratne, R.A., 2007; 93-101).

Although, the Provincial Councils do not engage in agricultural marketing programmes, some agricultural officers have used their personal connections/relationships for providing marketing facilities to the farmers. When enquired, those farmers said that Provincial Councils have implemented marketing activities, and 56 per cent (38) in three provinces affirmed that they were satisfied of these. 21 per cent (08) in Southern, 8 per cent (03) in Uva and 18 per cent (07) in North-Western affirmed that they were satisfied on guiding or co-ordinating of marketing channels. 13 per cent (05) respondents in Southern province, 03 per cent (01) respondents in Uva and 10 per cent (04) respondents in North-Western province reported that, they were satisfied with marketing information provided by the Provincial Council, whereas, 08 per cent (03) in Southern, 05 per cent (02) in Uva and 13 per cent (05) in North-Western Provincial Councils affirmed that, they were satisfied with marketing facilities provided by the Provincial Council.

6.2.2.2 Farmers' Suggestions for Solution of Marketing Problems in Agricultural Commodities

Eighty one per cent (486) of the respondents affirmed that, the Provincial Councils have the ability to solve the marketing problems within their own provinces. It varied from 63 per cent (125) in Southern province to 95 per cent in Uva province. The respondents suggested several actions that should be taken by the Provincial Councils to solve the marketing problems of agricultural commodities. Data in table 6.8 show the farmers' suggestions to solve the marketing problems of agricultural commodities they produce.

As could be observed from the data in table 6.8, sixty four per cent of the respondents suggested that the Provincial Councils should intervene in paddy purchasing. It ranged from 45 per cent (56) in Southern Provincial Council to 75 per cent (127) in North-Western Provincial Council. This suggestion includes a multiplicity of actions, such as, providing loan facilities until the farmers sell their produce and paddy purchases through Farmer Organizations. According to farmers, it should be implemented with transparency, efficiency and equitably. About 46 per cent (223) of the respondents said that, Provincial Councils should intervene to introduce the Guaranteed Price Scheme (GPS) for paddy, OFCs and milk. It varied from about 41 per cent (51) in Southern province to 50 per cent (96) in Uva province. About 14 per cent of the respondents proposed the setting up of efficient marketing information systems by the Provincial Councils. It varied from about 06 per cent (08) in Southern province to 21 per cent in Uva province. This suggestion consists of several actions. For instance, respondents expressed that, the Provincial Council should be a co-ordinator of grassroot and national levels and introduce a system of one crop in one village. According to the observations of the researchers, the marketing problems in agricultural commodities are strongly connected with lack of infrastructure facilities, such as roads, transportation and communications. For example, in Pitigala Agrarian Development Centre in Galle district, Lunugala, Bathmedilla and Redimaliyadda Agrarian Development Centres in Badulla district, Madagama, Thelulla, Ethimale and Okkampitiya Agrarian Development Centres in Moneragala district and Mahakumbukkadawala and Serukele Agrarian Development Centres in Puttalam district, the farmers do not get a reasonable

price for their produce or could not sell their produce due to lack of infrastructure in their villages. According to key informant discussions, as well as farmer perceptions, the post harvest technologies did not reach the grassroots level sufficiently. Data indicated that the Provincial Councils should intervene to distribute post harvest technologies, through farmer training (table 6.8). According to farmers' views it could be a solution for marketing problems.

Table 6.8: Respondents Suggestions to Solve The Marketing Problems (by Provincial Councils)

Type of Actions	Province (Percentage)			Total (Percentage) N= 486
	North-Western N=171	Southern N=125	Uva N=190	
Intervene in paddy purchasing	74.3	44.8	67.9	64.2
Intervene in introducing GPS for paddy, OFC, milk	43.9	40.8	50.5	45.7
Establish a small scale Dedicated Economic Centre for every electorate	36.8	43.2	23.2	33.1
Set up efficient marketing information system	11.7	6.4	20.5	13.8
Establish food processing factories/ centres	7.6	16.0	4.7	8.6
Storage facilities should be set up for all crops	8.8	11.2	4.7	7.8
Co-ordinate existing wholesale traders under supervision of Provincial Council	2.3	4.0	3.2	3.1
Strengthen the present Dedicated Economic Centres and intervene in their administration to safeguard the farmers	0.0	0.8	5.8	2.5
Conduct training classes to farmers for post harvest technologies	2.9	3.2	4.7	3.7
Infrastructure development for the marketing facilities	0.6	1.6	22.1	9.3

"N" denotes the number of farmers who suggested that programmes to solve the marketing problems.
Source: Socio – Economic Survey Data, 2006, HARTI

6.3 Livestock Sector

Fifty one per cent (306) of the survey respondents said that, the Provincial Councils have implemented many livestock programmes during the period of 2001-2006. It varied from 40 per cent (81) in Southern Provincial Council to 56 per cent (113) in North-Western. Data in table 6.9 show the livestock programmes implemented by the Provincial Councils during the period of 2001-2006.

Table 6.9: Type of Livestock Programmes Implemented by the Provincial Councils during the 2001-2006 (by Province)

Degree of Satisfaction	Province (Percentage)			Total (Percentage) N= 306
	North-Western N=113	Southern N=81	Uva N=112	
Distribute high breed animal to the livestock farmers	46.9	43.2	59.8	50.7
Supply animal feed, medicine, equipment and cattle sheds under subsidized prices	44.2	37.0	56.3	46.7
Conduct farmer training Programmes	47.8	42.0	43.8	44.8
Maintain regular animal clinics	38.9	32.1	23.2	31.4
Conduct dairy Village Programme	2.7	2.5	11.6	5.9
Assist to Implement bio-gas projects for cattle farmers	7.1	4.9	0.9	4.2
Provide lands for the pasture cultivation	8.0	1.2	1.8	3.9
Intervene to establish milk centres	1.8	2.5	4.5	2.9
Arrange obtaining loans for livestock farmers	2.7	0.0	0.9	1.3
Pay a monthly allowance for the farmers who obtain higher yields	1.8	0.0	0.0	0.7

"N" denotes the number of farmers who reported that livestock programmes implemented by the Provincial Councils.

Source: Socio-Economic Survey Data, 2006, HARTI

Of those farmers expressing that the Provincial Councils implemented livestock programmes, about 38 per cent (115) affirmed that, they benefited from these programmes. It varied from 20 per cent (16) in Southern Provincial Council to 49 per cent (55) in North-Western Provincial Council. Forty one per cent (47) of the respondents reported that they obtained high breed animals through the Provincial Department of Animal Production and Health (PDOAPH). Out of those farmers who reported that, they benefited from livestock programmes conducted by the Provincial Councils, 24 per cent (27) of respondents affirmed that, they obtained higher income by selling animal products.

About 59 per cent (352) of survey respondents mentioned that they did not know how to select the beneficiaries of the livestock programmes implemented by the Provincial Councils. It varied from 54 per cent (109) respondents in North-Western Provincial Council to 61 per cent (123) in Southern Provincial Council. With regard to livestock farmers' perception on transparency of benefit provided to the sector, about 42 per cent (48) did not know the basis of selection. Thirty two per cent (13) of livestock farmers of Uva Provincial Council, 45 per cent (18) of North-Western Provincial Council and 49 per cent (17) of Southern Provincial Council, affirmed

Table 6.10: Degree of Respondent Satisfaction in Obtaining Veterinary Service by the Provincial Councils

Degree of Satisfaction	Province (Percentage)			Total (Percentage) N= 600
	North-Western N=200	Southern N=200	Uva N=200	
Highly satisfied	10.0	7.5	4.5	7.3
Satisfied	55.0	45.0	62.0	54.0
Not satisfied	18.5	13.0	19.0	16.8
Highly not satisfied	5.5	8.0	2.5	5.3
Cannot express any opinion	11.0	26.5	12.0	16.5
Total	100.0	100.0	100.0	100.0

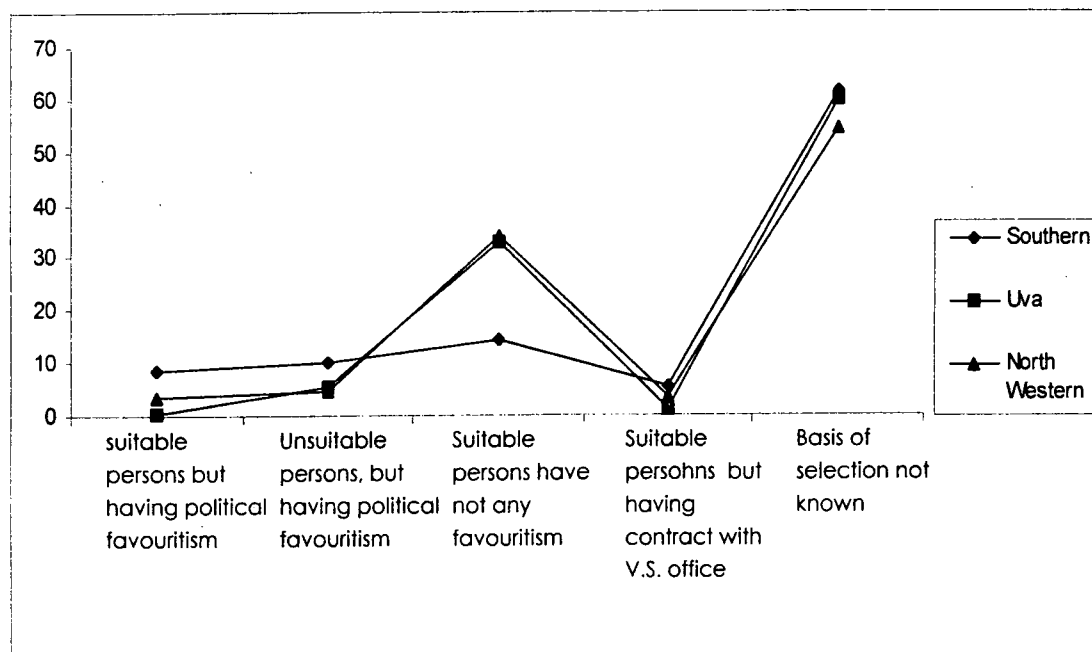
"N" denotes the sample population

Source: Socio-Economic Survey Data, 2006, HARTI

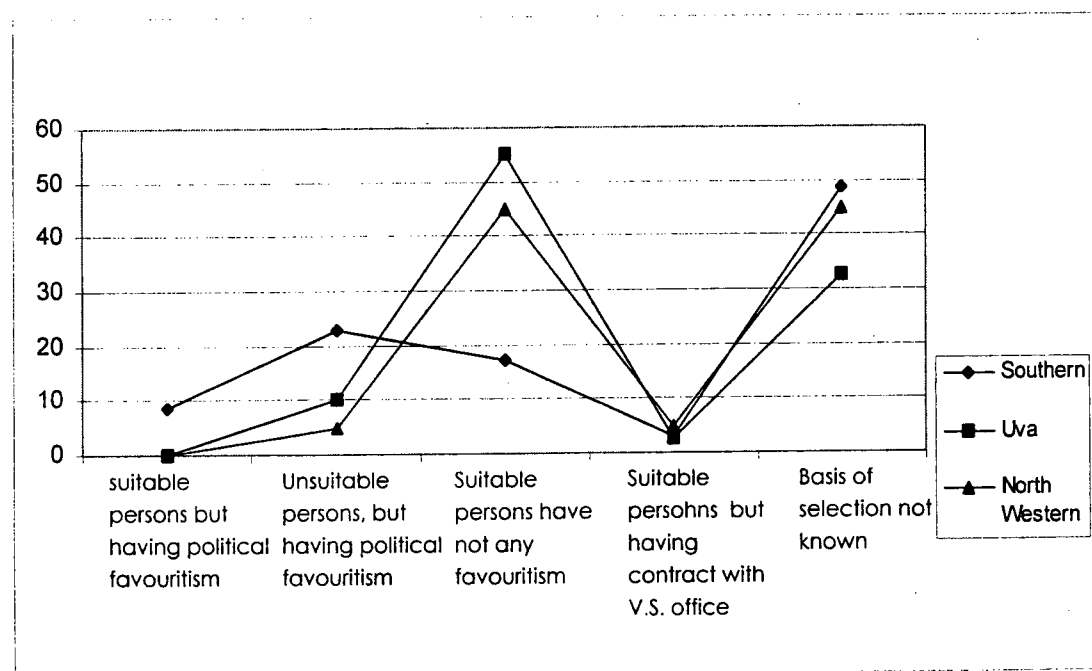
Data in the table 6.10 reveal the degree of satisfaction of veterinary services provided by the Provincial Councils. With regard to farmer satisfaction of the Provincial Councils veterinary services, about 07 per cent (44) of survey respondents were highly satisfied with the functioning of the Provincial Department of Animal Production and Health. Among these, 04 per cent respondents of Uva Provincial Council, 07 per cent respondents of Southern and 10 per cent respondents of North-Western affirmed that they were highly satisfied with the services and benefits provided by the Provincial Councils. Fifty four per cent (324) of the survey respondents were satisfied on activities performed by the Provincial Department of Animal Production and Health. On the provincial base, it represents 45 per cent, 55 per cent and 62 per cent of Southern, North-Western and Uva Provincial Councils respectively. Seventeen per cent of the respondents were not satisfied and five per cent of the respondents were highly not satisfied.

Data in the figure 6.1 show the perception of the survey respondents in the selection of beneficiaries for the livestock programmes by the Provincial Councils. Data in the figure 6.2 show the perception of the livestock farmers on the selection of beneficiaries for the livestock programmes.

About 07 per cent (40) of the survey respondents affirmed that the benefits were provided to unsuitable persons through the political patronage system. Of those farmers, 04 per cent (09) of North-Western, 05 per cent (11) of Uva and 10 per cent (20) of Southern Provincial Councils expressed this view. Even 12 per cent (14) of the livestock farmers also affirmed that (figure 6.2) position.

Figure 6.1: Farmers' Perception on Benefits Provided to Livestock Sector (by Province)

Source: Socio-Economic Survey Data, 2006, HARTI

Figure 6.2: Livestock Farmers' Perception on Benefits Provided to Livestock Sector (by Province)

Source: Socio-Economic Survey Data, 2006, HARTI

About 85 per cent (512) of respondents expressed that the Provincial Councils can improve the livestock sector. It varied from 76 per cent (152) in Southern province to 89 per cent (177) in North-Western province.

Table 6.11: Suggestions by Farmers to Improve the Livestock Sector (by Province)

Suggestions	Province (Percentage)			Total (Percentage) N= 512
	North-Western N=177	Southern N=152	Uva N=183	
Provide basic requirements at a reasonable price	19.8	16.4	24.0	20.3
Conduct annual farmer training programmes	52.0	45.4	63.4	54.1
Provide high bred animals at a reasonable price	62.1	65.1	73.8	67.2
Expand Dairy Village Development Programme	47.5	29.6	50.8	43.4
Provide lands for pasture cultivation	25.4	29.6	28.4	27.7
Intervene to establish Milk Collecting Centres and GPS	27.1	9.9	21.3	19.9
Provide technical knowledge and loans for livestock production	4.0	2.6	3.3	3.3
Forge a close relationship with the livestock farmers	5.6	2.6	2.7	3.7

"N" denotes the number of farmers who suggested that programmes to improve the livestock sector.

Source: Socio-Economic Survey Data, 2006, HARTI

The respondents have suggested many activities for the development of the livestock sector. The data in table 6.11 reveal a higher demand for high bred animals (cows, buffaloes and goats) at a reasonable price and annual farmer training to update the knowledge and improve the skills. It also displays a higher demand for expanding Dairy Village Development Programmes. About 43 per cent (222) of the survey respondents suggested that the Provincial Councils can improve the livestock sector through the Dairy Village Development Programme (table 6.11).

In Sri Lanka, about 220,000 dairy farmers and 75,000 poultry farmers are spread throughout the island. Although most of the poultry farmers are trained by the private sector, the dairy farmers do not enjoy the same opportunity from the private or Government sector. Hence, there is a need for farmer training.

Every Provincial Council has been providing the artificial insemination service. However, this service is not efficient, because the farmers cannot get it at the right time. Therefore, the farmers suggested that, there is a need to arrange to obtain the artificial insemination service on public holidays and Sundays.

6.4 Inland Fishery Sector

Although the whole fishery sector is a Central subject according to the Thirteenth Amendment to the Constitution of Sri Lanka, the Provincial Councils get involved in the inland fishery. About 25 per cent of the farmers revealed that the Provincial Councils conduct some programmes for the development of the inland fisheries. These programmes are mainly based on the Fisheries Village Development Programme (FVDP). It consists of interconnected programmes such as, the distribution of fish fingers and fishing gear and conducting advisory services and training programmes for the fishermen.

These programmes support rural development through multiple ways such as, creating job and supporting to increase the income and nutrition level of the marginalized people of the remote rural areas. Although, the inland fishery sector has the ability for upliftment of the rural living conditions, it faced many limitations and circumstances such as an unpalatable social and cultural recognition for the fishermen and their occupation, lack of storage facilities, poor technology transfer and problem of safeguarding the yield. Data in table 6.12 show the farmers' suggestions to improve the inland fishery sector.

Table 6.12: Suggestions of the Farmers to Improve the Inland Fishery Sector (by Province)

Suggestions	Province (Percentage)			Total (Percentage) (N=274)
	North-Western (N=120)	Southern (N=82)	Uva (N=72)	
Conduct annual training programmes to update the knowledge of new technology	59.2	46.3	55.6	54.4
Provide loans, fish fingers and gear to the fisherman	59.2	65.9	59.7	61.3
Provide all facilities to develop the inland fishing in the tanks and abandoned paddy lands	58.4	56.1	52.8	65.3
Infrastructure development (road, electricity and communication)	21.7	4.9	27.8	18.2
Need to take legal action to protection of property	10.8	4.9	11.1	9.1
Programmes to be implemented without interference of politicians	0.8	0.0	0.0	0.4
Conduct an annual evaluation programme	2.5	2.4	0.0	1.8
Improve the marketing channels and storage facilities	6.7	2.4	4.2	4.7

"N" denotes the number of respondents suggested that programmes to improve the inland fisheries sector.

Source: Socio-Economic Survey Data, 2006, HARTI

6.5 Water and Irrigation

Fifty one per cent (306) of the survey respondents declared that, the Provincial Councils did some irrigation works during the period of 2001-2006. Fifty four per cent (108) in Southern province, 49 per cent (98) in Uva province and 50 per cent (100) in North-Western province respondents affirmed it. Of those farmers who said that the Provincial Councils had done irrigation works, about 98 per cent (299) revealed that the Provincial Councils did maintenance or construction of minor irrigation works and the rest expressed that the Provincial Councils were involved in constructing of agro-wells or providing rain water harvesting tanks (table 6.13).

Table 6.13: Type of Irrigation Works Implemented by the Provincial Councils during 2001 - 2006 (by Province)

Type of Irrigation Works	Province (Percentage)			Total (Percentage) (N=600)
	North-Western N=200	Southern N=200	Uva N=200	
Construction/Maintenance of minor irrigation projects	48.0	53.0	48.5	49.8
Construction of agro-wells	1.5	1.0	0.5	0.8
Providing rain water harvest tanks	0.5	0.0	0.0	0.2

"N" denotes the sample population

Source: Socio-Economic Survey Data, 2006, HARTI

The question on the satisfaction of construction and maintenance works of minor irrigation schemes compared to the situation before and after the establishment of Provincial Councils elicited that about 25 per cent (153) responded positively. However, of these farmers, only 01 per cent (07) of respondents were highly satisfied. About 52 per cent (314) of respondents expressed that they were not satisfied or highly not satisfied of construction and maintenance work of minor irrigation schemes, after the establishment of Provincial Councils (table 6.14). The data in table 6.14 show a significant gap between farmer needs and their satisfaction of the minor irrigation sector.

Table 6.14: Perceptions on Minor Irrigation Works After the Establishment of Provincial Councils

Farmers' Opinion	Province (Percentage)			Total (Percentage) (N=200)
	North-Western (N=200)	Southern (N=200)	Uva (N=200)	
Highly satisfied	2.0	1.0	0.5	1.2
Satisfied	27.5	22.5	23.0	24.3
Not satisfied	38.5	32.0	44.0	38.2
Highly not satisfied	12.5	21.0	9.0	14.2
No change	10.5	17.0	16.5	14.7
No knowledge	9.0	6.5	7.0	7.8
Total	100.0	100.0	100.0	100.0

"N" denotes the sample population

Source: Socio-Economic Data, 2006, HARTI

Data in table 6.14 show that about 24 per cent of survey respondents are satisfied with minor irrigation work, compared with the situation before the establishment of Provincial Councils. It ranged from 22 per cent in Southern Provincial Council to 27 per cent in North-Western Provincial Council. About 38 per cent and 14 per cent of respondents reported that, they were not satisfied and highly not satisfied of minor irrigation work respectively. Of those farmers reporting that, they were highly not satisfied of minor irrigation scheme works, after the establishment of Provincial Councils, the figure ranged from 09 per cent in Uva Provincial Council to 21 per cent in Southern Provincial Council.

Main reason for non satisfaction is that the Provincial Council or other relevant agencies do not conduct annual maintenance programme for minor irrigation

schemes (85 per cent). It varied from about 64 per cent (65) in North-Western province to 67 per cent (71) in Southern province. Other reasons are, inefficiency among officers (17.8 per cent), construction or rehabilitation works that are sub standard (17.2 per cent), not consulting the Farmer Organizations for rehabilitation/maintenance of minor irrigation schemes (14.6 per cent), insufficient funds allocated for maintenance/rehabilitation work (13.1 per cent), delay in maintenance/reconstruction work (9.6 per cent) and no proper supervision programmes conducted by the authorities (57 per cent).

Of the respondents reporting that, they were satisfied with minor irrigation scheme work done by the Provincial Councils, about 84 per cent mentioned that rehabilitation of the minor irrigation schemes by the Provincial Ministries of Agriculture according to Farmer Organizations' requirement is the reason for their satisfaction. It varied from about 77 per cent (36) in Southern province to 90 per cent (53) in North-Western province. Other reasons for satisfaction are construction of new minor irrigation schemes and agro-wells to solve the water problems (17.0 per cent), sufficient funds allocated to rehabilitation for minor irrigation schemes (14.4 per cent) and efficiency among the officials (9.2 per cent).

6.6 Land

As discussed in chapter four, land is a Provincial Council subject other than an Inter Provincial Irrigation Schemes. After the establishment of the Provincial Councils, the Land Commissioners' Department has given some of their resources such as human and physical resources, maps and other documents to the Provincial Councils. As mentioned in chapter four under the Act, No. 58 of 1992, the Divisional Secretaries have power to intervene in the land subject such as, holding the land *kachcheri* and selection of suitable persons for land grants etc. Hence, most of the duties pertaining to land have been transferred to the divisional level since 1992.

Table 6.15: Land Problems Related to Government Lands (by Province)

Province	Having Land Problems (N=600)	
	Number	Percentage
North-Western	30	15.0
Southern	28	17.5
Uva	45	24.0
Total	103	17.2

"N" denotes the sample population

Source: Socio-Economic data, 2006, HARTI

As could be observed from the data in the table 6.15, about seventeen per cent respondents experienced land problems relating to State lands. It varied from fifteen per cent in North-Western Provincial Council to 24 per cent in Uva Provincial Council. When examined on district basis, 25 per cent of respondents in Monaragala and 20 per cent of respondents in both Hambantota and Badulla have land problems.

The study findings revealed that three major problems were faced by the farmers regarding the lands. These problems are as follows:

- I. Inability to get land permit or title (14.3 per cent)
- II. Problems on ownership/boundaries (5.5 per cent)
- III. Inability to get compensation for the acquired lands (2.7 per cent)

Of those farmers having land problems, 83 per cent respondents (86) faced problem of obtaining land permit or title. Eighty nine per cent of the respondents in the Uva Province, 86 per cent of the respondents in the Southern Province and 80 per cent of the respondents in the North-Western Province (24) faced the above problem. Data in table 6.16 show farmers' satisfaction on solving land problems by the Departments of Provincial Land Commissioners.

Table 6.16 : Degree of Satisfaction on Solution of Land Problems by Provincial Councils

Degree of Satisfaction	Province (Percentage)			Total Percentage (N=600)
	North-Western (N=200)	Southern (N=200)	Uva (N=200)	
Highly satisfied	0.0	0.0	18.4	1.0
Satisfied	26.7	3.6	71.1	12.6
Not satisfied	53.3	64.3	13.3	64.0
Highly dissatisfied	10.0	21.4	4.4	14.7
Problems were not forwarded	10.0	10.7	8.9	7.7
Total	100.0	100.0	100.0	100.0

"N" denotes the sample population

Source: Socio-Economic Survey Data, 2006, HARTI

As could be observed from the data in the table 6.16, about 64 per cent of respondents are not satisfied and 15 per cent of respondents highly not satisfied regarding the solution of land problems by the Departments of Provincial Land Commissioner. The factors affecting the lack of satisfaction of the farmers are as follows:

- i. Insufficient attention of the officers to farmers' problems (54.3 per cent)
- ii. Inefficiency among the officials (39.5 per cent),
- iii. Delaying to issue a permanent land title (22.2 per cent).

In contradiction to this situation, the Provincial Land Commissioners (PLC) reported that, they have taken many actions to solve the land problems in their provinces. Tables 6.17 and 6.18 reveal the action taken by the Departments of Provincial Land Commissioner of North-Western Provincial Council and Southern Provincial Council.

Table 6.17: Number of Reported and Solved Land Problems in North-Western Provincial Council (2006)

Type of Problem	No. of Reported Problems	Number Solved	% of Problems Solved
Problems related to permit or license	88	60	68.2
Problems on alienation	135	100	74.1
Land dispute problems	327	200	61.2
Inquires for disposition	99	67	67.7
Basic inquires for long term tax permits	34	23	67.6
Basic inquires for pooja deed	30	18	60.0
Other	60	40	60.0
Total	779	508	65.2

Source: Tambugala, T.G.U.B in Symposium Proceedings on Land Administration within the Provincial Council System, 2007, HARTI

Table 6.18 : Number of Reported and Solved Land Problems in Southern Provincial Council (2005-2006)

Year	District	Regularization of encroachment			Land disputes		
		No. Requested	No. Inquired	No. Approved	No. Requested	No. Inquired	No. Approved
2005	Galle	680	339	341	794	389	405
	Matara	450	233	217	688	347	341
	Hambantota	574	294	280	986	588	398
2006	Galle	3,400	971	2,429	498	258	240
	Matara	8,182	2,465	5,717	433	215	219
	Hambantota	837	420	417	362	204	183
	Total	14,123	4,722	9,401	3,761	2,001	1,786

Source: Ruwanpathirana, P.B. in Symposium Proceedings on Land Administration within the Provincial Council System, 2007, HARTI

6.7 Infrastructure Facilities

Agricultural development has a close relationship with infrastructure development at the local level. Hence, this study examined the satisfaction of respondents on regional infrastructure development and basic services provided by the Provincial Councils.

Table 6.19: Percentage of Farmers' Satisfaction on the Infrastructure Development and Services Provided by the Provincial Councils

Infrastructure/Services	Province (Percentage)			Total Percentage N=590
	North-Western N=198	Southern N=194	Uva N=198	
Construction and maintenance of roads	53.0	53.1	30.3	45.4
Drinking water facilities	37.9	24.7	22.7	44.2
Other infrastructure development	3.5	3.6	11.1	6.1
Education facilities	48.0	42.3	35.4	41.9
Health facilities	81.8	52.1	72.7	69.0

"N" denotes the number of respondents who reported that they were satisfied on the infrastructure development

Source: Socio-Economic Survey Data, 2006, HARTI

Sixty nine per cent of the survey respondents expressed the view that they were satisfied of health facilities, especially the services delivered by family health workers under the Provincial Councils. The respondents indicating satisfaction with health facilities, varied from 52 per cent in Southern Provincial Council to 82 per cent in North-Western Provincial Council. Forty five per cent of survey respondents mentioned that, they are satisfied of construction and maintenance of roads. The percentage varied from 30 in Uva Provincial council to 53 in North-Western Provincial Council and Southern Provincial Councils. However, they mentioned that, the Provincial Councils do not pay much attention to rural roads. Forty four per cent of

the survey respondents mentioned that they were satisfied on drinking water facilities supplied by the Provincial Councils. The percentage varied from 23 in Uva Provincial Council to 38 in North- Western Provincial Council.

6.8 Development Activities Implemented by the Provincial Councils

Sixty three per cent of the survey respondents reported that they were not satisfied with development activities managed by the Provincial Councils. The percentage varied from 57 in Southern Provincial Council to 69 in Uva Provincial Councils. Those farmers mentioned six reasons for their dissatisfaction:

- i. Do not meet the local development needs (92.5 per cent)
The ratio varied from 90 per cent in Southern Provincial Council to 96 per cent in Uva Provincial Council.
- ii. Do not provide sufficient services to the people, in comparison to funds utilized (75 per cent)
Percentage varied from 64 in Southern Provincial Council to 83 in Uva Provincial Council.
- iii. Overlapping of the activities implemented by Provincial Councils and the Centre (22.2 per cent)
It varied from 16 per cent in Uva to 34 per cent in Southern Provincial Councils.

Other factors they attributed to their lack of satisfaction included inefficiency of Provincial Council staff in delivering the services (8.5 per cent), inadequacies of politicians at the Provincial Council level to respond to local development needs (5.4 per cent) and lack of funds available to the Provincial Councils (1.5 per cent).

Only twenty eight per cent of the survey respondents reported that they were satisfied with development activities implemented by the Provincial Councils. Percentage varied from 22 in Uva Provincial Council to 35 in Southern Provincial Council. Those respondents expressed four reasons for their satisfaction, indicating:

- i. Ability to easily identify the provincial requirements (81.5 per cent)
Percentage varied from 76 in Uva Provincial Council to 86 in North-Western Provincial Council.
- ii. Provincial Council officers are closer than Central officers to the villagers in their social relationships (59.6 per cent)
Percentage varied from 57 each Southern and Uva Provincial Council to 86 in North-Western Provincial Council.
- iii. Close physical proximity of Provincial Council staff in contrast to national level Officers (40.4 per cent).
The ratio varied from thirty per cent in Uva Provincial Council to 50 per cent in Southern Provincial council.
- iv. Better services provided by the Provincial Councils politicians (17.4 per cent)
Percentage varied from 10 in Uva Provincial Council to 21 in Southern Provincial Council.

It is often claimed that politicians either at a provincial level or at a national level take development decisions or select development activities on the basis of non-logical and non-economic criteria. These non-logical or irrational criteria include political patronage to maintain a vote bank, directly benefiting closer circles of politicians like the friends, relatives, caste groups and influence of the national politician in decision making. Therefore, the influence of such aspects in decision making was tested during the survey.

6.20: Respondents' Attitude of Selection Method of Development Activities Implemented by the Provincial Councils

Criteria	Province (Percentage)			Total Percentage N=566
	North-Western N=192	Southern N=187	Uva N=187	
Based on patronage system for vote bank of the politicians	72.4	68.4	80.7	73.9
Patronage to the relatives of Provincial Councils' politicians	68.2	65.2	66.8	66.8
By the area of the politician in the Provincial Council	46.4	40.6	40.1	42.4
Consider the provincial requirements	35.9	31.6	29.4	32.3
Influenced by the politicians of the Centre	6.8	4.3	0.5	3.9
On the basis of caste of politician in the Provincial Council	1.6	7.5	0.5	3.2
Influenced by the Chief Minister	6.8	4.3	0.5	3.9

"N" denotes the number of respondents presenting their attitudes of selection methods of development activities.

Source: Socio-Economic Survey Data, HARTI, 2006

Seventy four per cent of the respondents stated that consideration of maintaining a "vote bank" rather than the meeting of real local development needs was the basis of development decisions taken by Provincial Council politicians. The ratio varied from 68 per cent in Southern Provincial Council to 81 per cent in Uva Provincial Council. A closer number (67 per cent) of the respondents thought that policy makers at the Provincial Council level take decisions to favour closer social circles like the relatives. About 42 per cent of the survey respondents thought that decisions on development activities by Provincial Council level politicians were influenced by the geographical area of the Provincial Ministers. A handful of respondents thought that decisions favouring the caste (3.2 per cent) and needs of national level politicians were the influential factors in decision making.

In contrast, 32 per cent of the respondents thought that decisions by Provincial Council level politicians were influenced by local level development needs.

6.9 Conclusion

About ninety six per cent of the respondents reported that the Provincial Ministries of Agriculture have implemented numerous inter-connected programmes to assist the smallholder agriculture during the period of 2001-2006. Programmes implemented varied in terms of regional needs, ability of the Provincial Councils and suitability for region. The programmes widely adopted by the Provincial Councils to help the farmers are providing production technology, yaya demonstration programmes, distribution of high yielding varieties/plants, supply inputs at subsidized prices, and conducting training programmes on subjects such as community development and water management. In contrast, a small

percentage of the respondents reported that Provincial Councils support seed paddy production. Given the scarcity of certified seed paddy and high quality seed, this is an area that Provincial Councils should pay more attention.

About 04 per cent of the survey respondents reported that the Provincial Councils have implemented some marketing programmes for agricultural commodities. However, the authors could not find any significant and systematic marketing programmes implemented by the Provincial Councils, except for the North-Western Provincial Council.

Livestock programmes such as distributing of high bred animals to the livestock farmers, supplying animal feed, medicine and equipment, conducting livestock farmer training programmes, maintaining regular animal clinics and providing lands for the pasture cultivation were implemented by the Provincial Councils during 2001-2006. Although the whole fishery sector is a Central subject, the Provincial Councils get involved in the inland fishery. About 25 per cent of the respondents revealed that the Provincial Councils conducted some programmes for the development of the inland fisheries such as fisheries village development programme.

Fifty one per cent of the survey respondents declared that, Provincial Councils did some irrigation works such as construction/maintenance of minor irrigation projects (49.8 per cent), construction of agro-wells (0.8 per cent) and provision of rain water harvesting tanks (0.2 per cent). Compared with the situation before and after the Provincial Councils were established, about 25 per cent (153) responded that they are satisfied with the construction and maintenance work of minor irrigation done after the establishment of Provincial Councils. About 52 per cent of respondents expressed that they were not satisfied or highly not satisfied with the construction and maintenance of minor irrigation schemes. The major reason for this situation is the problem of accountability and lack of co-ordination and resources. With regard to the land subject, about 79 per cent of survey respondents expressed that they were not satisfied with the solution of land problems put forward by the Provincial Councils.

There are many problems associated with farmer supported programmes conducted by the Provincial Councils. Some of these are reported by respondents such as abandoning the programmes after some time or lack of follow up, inadequately addressing market problems, input not provided at the right time, minor irrigation not properly constructed and not maintained annually, not consulting the farmer organizations before implementing programmes and the lack of an evaluation system.

POLICY RECOMMENDATIONS AND CONCLUSIONS

The foregoing inquiry on the impact of devolution on the domestic, peasant dominated, smallholder agricultural sector points to the general conclusion that its intended aim to arrest the decline of the sector has fallen far short of expectations. The subsistence farmer, producing food crops, has not benefited through improved and localized services by way of timely input supply or marketing of produce owing to the establishment of the Provincial Councils. Any such failure for the anticipated transformation to materialize is not due to devolution *per se*, but due to the haste in adopting uniform prescriptions for all the nine sub-national units which are at varying stages of capacity development and the nature of the spatial unit of devolution itself.

In the future decades, the role of agriculture in the Sri Lankan national economy is bound to further decline. Nevertheless, agriculture will still be essential to ensure food security to the nation, to supply raw materials for the growing industries and to provide sufficient income and employment opportunities for the rural poor.

7.1.1 Constitutional and Legal Delineation of Roles

Under the Thirteenth Amendment to the Constitution of Sri Lanka, the subjects of agriculture and agrarian services, animal husbandry, lands and irrigation (other than inter-provincial land development and irrigation schemes) are devolved on Provincial Councils. With respect to these areas, the roles of different tiers of the Government need to be clearly defined. Currently, there are overlapping areas and definitions in Constitutional provisions or legislative enactments or in administrative circulars. For instance, the maintenance and rehabilitation of minor irrigation work is a Provincial Councils subject. However, in practice, the Department of Agrarian Development implements the above functions and responsibilities through powers derived from enabling legislation. This situation gives rise to duplication of work, waste and even neglect of some tasks due to poor accountability for service delivery, lack of co-ordination and overlapping responsibilities.

In addition to responsibilities of minor irrigation, the irrigation works other than inter-provincial irrigation schemes are entrusted to the Provincial Councils. However, the section 62(1) of the Irrigation Ordinance empowers the Central Ministry of Irrigation to intervene in the management of minor irrigation schemes, when they are defectively maintained in the opinion of the Director of Irrigation or endangers or impairs the effectiveness of any major irrigation work with which the minor irrigation work is connected.

Even though, land is declared as a devolved subject, it has turned out to be a central function, in terms of the provisions of Appendix II, in list I of the Ninth Schedule and Article 33 (d) of the Constitution. While the Provincial Councils have power of selection of allottees, it is re-centred through the Divisional Secretary, because, the power of selection of allottees was given to the Divisional Secretary under the Transfer of Powers (Divisional Secretaries) Act, No. 58 of 1992.

Although the Provincial Councils are enabled to pass statutes to implement the powers devolved on them by the Thirteenth Amendment, the devolved units have not made use of this provision to organize and establish their own institutions for implementation. Only the North-Central Provincial Council has passed a Statute for agrarian services for implementing their responsibilities specified under list I of the Ninth Schedule. Even though, every Provincial Council has established a Provincial Agricultural Department, only the Central Provincial Council has passed a Statute for agriculture for establishing the Provincial Agricultural Department and implementing responsibilities given in list I of the Ninth Schedule. The North-Central Provincial Council passed the Irrigation Statute No. 03 of 1990, for establishing the position of Provincial Irrigation Director.

There are considerable variations in levels of socio-economic development and administrative capacities among the provinces. What do the more successful or relatively advanced Provincial Councils such as the Western Province and North-Western Province have in common with Uva and North Central Provincial Councils? The handing over of activities pertaining to smallholder agriculture, irrigation, livestock and land has to be a gradual process until the Provincial Councils acquire the capability to fulfil and sustain these responsibilities. Without the full development of capabilities at the Provincial Council level, the required participatory management and decentralization framework, the devolution of power is unlikely to function properly to serve the needs of the rural farmer.

7.1.2 Devolution within the Provinces

Has there been an adequate devolution of functions within the provinces to the divisional, local and village levels? Provinces have adopted the system of democratic decentralization grudgingly. While the pressure for greater autonomy to the provinces has increased, the province is pulling in the opposite direction by retaining or centralizing power at a provincial level to the detriment of a local level.

How can we reconcile the present situation where the Provincial Councils lack outreach at a village level? Currently, all three village level functionaries are accountable to the Centre and not to the Provincial Council. The *Grama Niladhari* is responsible to the Divisional Secretary, District Secretary and the Ministry of Home Affairs. The Agricultural Research and Production Assistant is responsible through the Divisional Officer (Agrarian Development Officer) to the Department of Agrarian Development which is under the Central Ministry of Agricultural Development and Agrarian Services. The third village level functionary is the *Samurdhi Sanwardena Niladhari*, responsible to the Samurdhi Authority and the Central Ministry of Nation Building and Estate Infrastructure. How can this seeming contradiction be reconciled? Clearly, the line Ministries in the Centre are not committed to make devolution meaningful and want to perpetuate control over their subjects, which they zealously guard against possible appropriation by the Provincial Councils.

What should the Provincial Councils do to make devolution more meaningful? In fact, the Provincial Councils can utilize local authorities as their agents of development at the local level for delivery of services. Under the scheme of devolution of power, the local authorities have been brought under the Provincial Councils under the Thirteenth Amendment to the Constitution where provision has been made for the Provincial Councils to confer additional power on local

7.1.3 Redefining the Unit of Devolution

7.1.4 Administrative Issues

The Provincial Council system has failed to establish functional sub-national governments due to the countless number of Central Ministries overlapping the agricultural portfolios supposed to be devolved and the ambiguities in the text of the Thirteenth Amendment enumerated earlier in chapters three and four.

Although, agriculture and agrarian services are devolved subjects, the Provincial Councils have a relatively low cadre for implementing the responsibilities. The total number of agricultural employees in nine Provincial Councils is less than the total number of employees in the Central Department of Agriculture.

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The Provincial Councils were established at the height of a civil turmoil in the country. Higher level public service, which comprised mainly the Sri Lanka Administrative Service, which was at the core of the system of territorial administration, was an all-island service, where recruitment is by the Centre. These officials were seconded for Provincial Public Service positions with the possibility of returning to central positions. Moreover, the senior positions in agricultural administration were dominated by members of the Sri Lanka Agricultural Service, which again is an all-island service, centrally recruited. Higher officials of most of the all-island services did not opt to take up senior positions in Provincial Ministries and departments. Limited promotional prospects, lack of appropriate reward systems and service in less congenial areas may have prompted them to remain with the Centre. Consequently, the placement of senior officials in key positions in the Provincial Councils proved to be a difficult task. This difficulty in placement has had a rather adverse effect on the calibre of staff of many Provincial Councils. Therefore, most of the relatively junior officers who suddenly had to take upon very responsible positions in the provincial top bureaucracy had no opportunity to develop the necessary systemic vision as their experience was limited to the districts and divisions. Attitudes of the vast majority of public officials in the central services not only negated the spirit of devolution but also created a shortfall of required facilities at the provincial level which stunted the growth of recipient based programmes and projects.

Who is in the best position to implement a strategy for reversion of soil fertility depletion and enhancing soil productivity? Who can monitor the activities to support soil fertility management? Who should be responsible for developing and improving the institutional environments that enable smallholder farmers to improve their productivity and income? The answer is obviously the Agrarian Development Centre level, as opposed to the Central and Provincial levels.

Divisional Secretary is responsible to the Provincial Council in respect of devolved subjects and to the line Ministries in respect of reserved subjects. The Divisional Secretary is vested with all statutory authorities of a Government Agent to be exercised within his/her own division. However, Divisional Secretaries are not always able to exert the same authority as the Government Agent for lack of officers of sufficient experience, seniority and rank and also due to a lack of sufficient resources. It is observed that out of 312 Divisional Secretaries, only 118 (37.8 per cent) were in class I of the Sri Lanka Administrative Service while the vast majority numbering 133 (42.6 per cent) are in class II-grade II of the Sri Lanka Administrative Service, who are relatively new entrants to the public service (see appendix VIII).

7.1.5 Extension Services

Has devolution helped the rural farmer? Evidently he is worse off now with regard to extension services. Agricultural extension, other than in inter-provincial irrigation schemes is a Provincial Council subject. However, the Provincial Councils have no extension officer at a village level. In 1988, the Government transferred 2,400 village level extension workers (KVSs) to the Ministry of Home Affairs and created a huge gap between the divisional and village levels. After that, the extension farmer ratio increased to about one Agricultural Instructor to 3,000 farm households, but it was reported that in some areas, it exceeded one Agricultural Instructor to 7,000 farmers.

In 1990s¹ about 9,600 field workers (Agricultural Research and Production Assistants) were assigned to the Ministry of Agriculture. Since 2003, the Agricultural Research and Production Assistants should assist the Agricultural Instructors in implementing extension work for three days a week. However, only about 10 per cent of Agricultural Research and Production Assistants possess agriculture diplomas. And also they have no training in planning and conducting extension programmes. Although, they have extension duties, due to their lack of agricultural and extension skills and their loyalties remain with a Central Ministry, the majority of Agricultural Research and Production Assistants have contributed very little to extension programmes. However, those Agricultural Research and Production Assistants with agriculture diplomas and/or interest in agricultural development have had a positive impact on extension programmes in some villages. Therefore, the agricultural extension is adversely affected at the village level. The least one can do to improve a bad situation is to appoint the qualified and interested Agricultural Research and Production Assistants to the Provincial Council cadre for extension work.

There seems to be a major disconnection between research and extension as a result of devolving the responsibility for extension to the provinces in 1987. Adequate linkage mechanisms seem to be missing. Preferably, a single Ministry should handle all activities relating to smallholder agriculture at the Centre. But, this responsibility has been shared amongst a number of Ministries at the national level although one Ministry handles this activity in the provinces. Yet, this is further complicated by the fact that inter-provincial agriculture, irrigation and land activities are handled by the Centre. What is even more confusing is the fact that the only village level agricultural extension worker belongs to a Central Department of Agrarian Development whilst he/she is being called upon to share his/her time three days a week for extension work under another departmental officer who belongs to the Provincial Government.

After the establishment of the Provincial Councils, three In-Service Centres namely, Bombuwala, Bindunuwewa and Mahalluppallama were handed over to the Provincial Councils. As a result of this transfer, several issues and problems have emerged in the field of training. The problems are as follows:

- (i) Lack of training opportunities to the extension staff
- (ii) Under utilized the capacities of the training centres.
- (iii) Unsatisfactory maintenance of the centres
- (iv) Create regional disparities among the Provincial Councils.

The In-service Training Centres with national identification such as in Mahalluppallama, Bindunuwewa and Bombuwela should be re-transferred to the Centre for better utilization of resources. Further, the Centre would be in a better position to fill staff vacancies and provide other facilities. If re-transferred, above training institutes can provide the required training utilizing government funds and avoid wasteful duplication of efforts.

One also has to consider the extent to which the Provincial Councils can undertake tasks involved in irrigation under present conditions. For instance, at the initial stage of devolution, the Minister of Irrigation and Mahaweli Development Hon. Gamini Dissanayake authorized the Provincial Councils to undertake tasks involved with irrigation management of schemes where the command area is less than a

thousand acres. After sometime, both the local politicians and farmers raised their voice against this arrangement by claiming that such irrigation schemes have not been properly maintained. This resulted in the transfer of the responsibility back to the Centre. The problem faced by the Provincial Councils at that stage could have been the lack of human and financial resources, one wonders whether the situation has changed. Therefore, it appears that there is a need for capacity building of the Provincial Councils before transferring new responsibilities.

7.1.6 Agricultural Planning

National agricultural plans should be drawn up in consultation with the Provincial Councils with respect to targets and activities. The Ministry of Agriculture prepares the national agricultural development plan and gives provincial targets to the Provincial Councils. The Provincial Councils do not consider these as their own plans, because they do not participate in their design. On the contrary, the national formulators may not know the provincial requirements adequately. Therefore, these development plans are very often not seriously implemented at a provincial level.

Belated approval of provincial action plans by the Finance Commission makes it difficult for the Provincial Councils to implement their activities as the latter period of a financial year happen to be rainy months when not much progress in field work can be expected. Hence, the development plan should be approved by the Finance Commission before 31st December. It is difficult to obtain funds in a subsequent year for continuation works. Agricultural seasons, such as *yala*²² and *maha*²³ do not coincide with the financial year. Therefore, the allocated funds should continue till the end of the *maha* season, which is around February/March.

By utilizing the Constitutional provisions, Provincial Councils have implemented various programmes which varied from province to province. The programmes widely adopted by the Provincial Councils are providing assistance for adoption of production technologies, distribution of high yielding varieties and conducting training programmes. However, the responses by the farmers indicate that there is a gap between the demand and supply for assistance for seed paddy production. This anomaly seems to result from poor co-ordination among the institutions responsible for the process.

A large number of institutions such as central departments, provincial departments and NGOs are involved in agricultural and irrigation projects. Where the Provincial Councils are unaware of the development activities undertaken by central departments as well as NGOs, duplication of effort results in overlapping of functions and wastage of funds. Therefore, the co-ordination through Provincial Chief Secretary is desirable.

Providing access to markets is one of the most effective and sustainable ways of assisting the rural smallholder farmer. Hence, it is important to develop appropriate linkages and promote agro-processing for effective value additions. Except for the North Western Provincial Council, no significant programmes to link the producer with entrepreneurs and banks were evident. Well functioning agricultural marketing

²²*Yala* - Minor cultivation season of the agricultural year extending from May to September, the period of the South-West monsoon when the rainfall is concentrated in the Wet Zone.

²³*Maha*- Main cultivation season of the agricultural year coinciding with the North-East monsoon from October to March

can reduce the cost of food and uncertainty of supply, thereby improving food security. Linking smallholder farmers to better markets requires productivity enhancing change at the farm level as well as institutional innovation in the marketing system.

7.1.7 Farmer Perceptions

Those respondents who indicated that they were not satisfied with regard to the agricultural programmes implemented by the Provincial Councils such as the provision of production technology and yaya demonstrations were asked in turn about the reasons for "non satisfaction" on the Provincial Agricultural Department's programmes. The reasons adduced were the non provision of inputs at the right time, inadequate training and advice, not offering programmes at the right time or abandoning the programmes, lack of linking programmes with market, lack of consultation of Farmer Organizations before implementing the programmes and the unsatisfactory distribution of agricultural instruments.

Fifty four per cent of the survey respondents felt that a lack of satisfaction about programmes for new technology knowledge was due to the inefficiency of officials. However, about 91 per cent of the total respondents felt that the Provincial Councils have the ability to introduce new technology programmes for agricultural development. Although, the markets and fairs are the subjects of the Provincial Councils, no significant and systematic marketing programmes were implemented by the Provincial Councils, except by the North-Western Provincial Council.

Fifty one per cent of the survey respondents said that, Provincial Councils have implemented many livestock programmes during the period of 2001-2006. About 38 per cent affirmed that, they benefited from these programmes. About 59 per cent of survey respondents mentioned that they did not know how the beneficiaries were selected for the livestock programmes implemented by the Provincial Councils.

With regard to farmer satisfaction of veterinary services of the Provincial Councils, about 07 per cent of the survey respondents were highly satisfied and 54 per cent were satisfied of the functioning of the Provincial Department of Animal Production and Health. However, about 85 per cent of respondents expressed that the Provincial Councils can improve the livestock sector.

Fifty one per cent of the survey respondents said that, the Provincial Councils did some minor irrigation works (MIW) during the period of 2001-2006. About 25 per cent of the survey respondents mentioned that, they were satisfied with construction and maintenance works of minor irrigation schemes compared with the situation before and after the Provincial Councils were established. However, of these farmers, only 01 per cent of the respondents were highly satisfied. About 52 per cent of the respondents expressed that they were not satisfied or highly not satisfied of construction and maintenance work of minor irrigation schemes, after the establishment of the Provincial Councils.

7.2 Recommendations

- i. There should be clarity at conceptual and operational levels regarding the role of each tier in the process of devolution and clear demarcation of functions among the tiers.

- ii. The Provincial Councils should take immediate action to pass statutes in order to implement meaningfully the powers identified in the Provincial Council List of the Ninth Schedule to the Thirteenth Amendment.
- iii. A new spatial configuration for the provincial units based on a watershed basis would help to implement the devolution of the provisions for land and water in the Thirteenth Amendment on a workable basis. Inter-provincial conflicts can be obviated if boundaries are redefined so that common resources are not bifurcated.
- iv. Activate the National Land Commission in order to administer land issues in a collaborative manner, so that Central and provincial issues can be resolved through dialogue.
- v. With regard to agricultural extension, provide a village level extension worker to the Provincial Department of Agriculture.
- vi. In the short term identify around 1,000 Agricultural Research and Production Assistants who possess agriculture diplomas within the Department of Agrarian Development to be released to take up new appointments in the Departments of Agriculture of the respective Provincial Councils.
- vii. Re-transfer the In Service Training Centres with national identification namely, Mahailuppallama, Bindunuwewa and Bombuwala to the Centre for optimum utilization of resources.
- viii. National agricultural plans should be drawn up in consultation with the Provincial Councils with respect to targets and activities.
- ix. Provincial Councils Development Plan for the ensuing year should be approved by the Finance Commission before 31st December.
- x. Cadre vacancies in the Provincial Councils should be filled immediately, for which approval for filling the vacancies should be granted without delay.
- xi. Prevalence of a large number of Central Ministries in the area of smallholder agriculture is dysfunctional. We strongly recommend a single Central Ministry for food production, livestock, Mahaweli, irrigation and lands.
- xii. The Department of Agrarian Development functions as a Government Department handling responsibilities for minor irrigation. But, this subject is constitutionally assigned to the Provincial Councils. We do not recommend that the funds, staff and machinery for minor irrigation work in the Department of Agrarian Development be assigned to the Provincial Councils as it can result in the technical staff being deployed in other areas such as roads, buildings and bridges. Therefore, the technical work performed by the Department of Agrarian Development be done in close consultation and collaboration with the Provincial Councils.

7.3 Conclusion

An appropriate balance of centralization and devolution is essential for the effective functioning of the Government. It is neither necessary nor desirable that all functions be managed in a devolved polity. A case in point is agricultural research and management of In-Service Agricultural Institutes which is more appropriately handled by the Centre for better resource utilization. Weak technical capacity at local levels may result in research services being handled less efficiently at a Provincial Council level. On the other hand, agricultural extension is more appropriately handled by the devolved units, who unfortunately lack a village level extension worker. The Centre must create or maintain the "enabling conditions" that allow provincial levels to handle greater responsibilities in this regard.

The review of evidence highlights that while devolution in certain instances does have potential disadvantages, the collaboration between tiers of Government matters more than competition; that devolution to the Provincial Councils should be a quest for the right mix of administrative, political and fiscal decentralization for power sharing with a genuine transfer of resources and authority to the lower tier of governance.

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Appendix I: Sectoral Contribution of Agriculture to the GDP (Percentage)
1950-2006

Year	Agriculture*	Fisheries	Forestry	Total
1950	30.0	2.8	2.9	35.7
1951	30.4	2.6	2.9	35.8
1952	31.0	2.5	2.8	36.4
1953	30.2	2.5	2.9	35.6
1954	31.3	2.5	2.9	36.7
1955	32.1	2.4	2.7	37.2
1956	30.1	2.6	2.9	35.6
1957	29.7	2.6	2.9	35.2
1958	29.8	2.5	2.8	35.2
1959	29.4	2.5	2.7	34.7
1960	28.7	2.4	2.7	33.7
1961	29.5	2.4	3.1	35.0
1962	29.3	3.0	3.0	34.6
1963	28.4	3.0	3.0	33.8
1964	29.2	2.9	2.9	34.5
1965	27.5	2.9	2.9	32.9
1966	26.8	2.9	2.9	32.3
1967	26.4	2.8	2.8	32.0
1968	27.0	2.7	2.7	32.4
1969	26.5	2.7	2.7	31.9
1970	26.7	2.6	2.6	32.2
1971	26.6	2.6	2.6	32.2
1972	26.5	2.6	2.6	32.1
1973	24.0	2.6	2.6	29.4
1974	24.7	2.5	2.5	30.1
1975	23.7	2.4	2.4	29.2
1976	24.2	2.4	2.4	29.7
1977	25.4	2.5	2.5	31.1
1978	24.9	2.5	2.5	30.5
1979	24.3	2.6	2.6	30.2
1980	24.0	2.6	2.6	30.1
1981	24.2	2.6	2.6	30.1
1982	23.7	2.5	2.5	29.4

Contd.

1983	23.9	2.6	2.6	29.6
1984	22.9	2.5	2.5	28.2
1985	24.2	2.5	2.5	29.3
1986	23.5	2.8	2.4	28.7
1987	21.6	2.8	2.7	27.1
1988	21.5	2.9	2.3	26.7
1989	21.0	2.7	2.3	26.0
1990	21.6	2.5	2.2	26.3
1991	20.4	2.7	2.2	25.3
1992	19.7	2.7	2.2	24.5
1993	19.4	2.7	2.0	24.1
1994	19.3	2.6	1.9	23.8
1995	18.7	2.6	1.8	23.1
1996	17.2	2.4	1.8	21.4
1997	16.6	2.4	1.7	20.7
1998	16.3	2.4	1.6	20.3
1999	16.2	2.5	1.6	20.3
2000	15.6	2.3	1.5	19.5
2001	15.3	2.2	1.6	19.1
2002	15.0	2.3	1.6	18.9
2003	14.7	2.4	1.8	19.0
2004	13.9	2.3	1.7	17.9
2005	14.3	1.3	1.7	17.2
2006	13.4	1.8	1.6	16.8

* Agriculture consists of tea, rubber, coconut, paddy, subsidiary food crops, minor export crops, sugarcane, miscellaneous agricultural products and animal husbandry

1. From 1950-2002, GDP is estimated at 1999 prices
2. From 2003-2006, GDP is estimated at 1996 prices
3. 2006 data are provisional

Source: Calculated from data in tables 6,7,8,9 and 10 in Terrence Savundranayagam (2005), Sri Lanka National Accounts 1950-2002, Institute of Policy Studies, Macro-economic Policy Series, No.15, Colombo and Central Bank of Sri Lanka, Annual Report 2006

Appendix II: Questionnaire

Impact of the Provincial Councils on the Agricultural Development in Sri Lanka

Basic Information

1. District :
2. Electorate:
3. D.S. Division:
4. Agrarian Development Centre :
5. G.N. Division:
6. Farmer Organization/Cattle Farmer Organization:
7. Name of the Farmer : Mr./Ms. :
8. Address :
9. Name of the Investigator :
10. Checked By :
11. Date :

**Hector Kobbekaduwa Agrarian Research and Training Institute,
114, Wijerama Mawatha,
Colombo 07.**

01. Personal Information1.1 Age 1.2 Level of Education **Code**

1. 1-5 Years 2. 6-11 Years 3. Passed G.C.E. O/L
 4. Passed G.C.E. A/L 5. Degree or Above
 6. No Schooling(but can read and write) 7. Cannot read and write

1.3 Occupation/Major income source of the farmer **Code**

1. Agriculture 2. Agricultural labourer
 3. Labourer(Non agricultural) 4. Self-employment
 5. Private sector employment 6. Government sector employment
 7. Pensioner 8. Skilled jobs(Carpenter, Mason etc.)
 9. Trader 10. Other (Specify)

1.4 How long have you been a member of the Farmer Organization 1.5 Position held, if any, in Farmer Organization **Code**

1. Officer 2. Committee member 3. Member

1.6 If an office bearer in the Farmer Organization, how long have you held the post? 1.7 How long have you been engaged in farming?

1.8 What is the extent that you cultivate?

Type of land	2005 Yala	2005/06 Maha
Highland (Ac.)		
Paddy land (Ac.)		

1.9 Are you engaged in animal husbandry as a major component of farming? **Code**

1. Yes 2. No

1.10 What is your annual average income from agriculture and animal husbandry? Rs.

1.11 How much you earn annually, from other sources? Rs.

02. Research and Development of Agriculture and Animal Husbandry

2.1 What were the Programmes implemented by the Agricultural Instructor (with support of ARPAs) during the last five years (2001-2005)?

(Tick the relevant code number/s)

1. Provide new technology	1
2. Supply new high yielding varieties/plants	2
3. Supply inputs at subsidized prices	3
4. Assist linking with market	4
5. Supply subsidized agricultural implements	5
6. Provide marketing information	6
7. Access marketing facilities	7
8. Conduct training programmes	8
9. Assist in obtaining institutional loans	9
10. Construction/maintenance of minor irrigations	10
11. Yaya (track) demonstration	11
12. Conduct food security training programmes	12
13. Other (Specify)	13

2.2.1 Of the above programmes, what are the ones that you were satisfied
(mention code number/s)

2.2.2 Of the above programmes, what are the ones that you were not satisfied
(mention code number/s)

2.2.3 What are the reasons for your lack of satisfaction?

- i.
- ii.
- iii.

2.2.4 What suggesting you have regarding improvement for services other than above services/facilities of the Provincial Councils for agriculture and animal husbandry?

- i.
- ii.
- iii.

03. Agricultural Sector (Extension Services)

3.1 Are you satisfied with the technology dissemination programmes by the Provincial Councils? ☐

Code 1. Yes 2. No

3.2 If answer to above question is "Yes" what are the reasons?

- i.
- ii.
- iii.

3.3 If, answer to question number 3.1 is "No", what are the reasons?

- i.
- ii.
- iii.

3.4.1 Do you think that the Provincial Council can implement new programmes other than those that are being implemented now to provide you with new technical knowledge? ☐

Code 1. Yes 2. No

3.4.2 If, answer to above question is "Yes", How?

- i.
- ii.
- iii.

3.4.3 If, answer to question number 3.4.1 is "No", what are the reasons?

- i.
- ii.
- iii.

04. Agricultural Marketing

4.1 Do you face marketing problems? ☐

Code 1. Yes 2. No

4.2 If, answer to above question is "Yes", regarding what crops do you have major problems? ☐

Code 1. Paddy 2. Other Field Crops 3. Vegetables
4. Fruits 5. Other (Specify)

4.3 Has any agency under the Provincial Council extended help to overcome marketing problems you mentioned?

Code 1. Yes 2. No

4.4 If, answer to above question is "Yes", how did they intervene?

- i.....
- ii.
- iii.....

4.5 If you are not satisfied about the Provincial Council's intervention in solving marketing problems, what are your suggestions for improvement?

- i.....
- ii.
- iii.....

05. Irrigation

5.1 In comparing the situation before and after the establishment of the Provincial Councils, how satisfied are you about the construction and maintenance of minor irrigation? ☐

Code

- | | | |
|-------------------------|----------------|------------------|
| 1. Much Satisfied | 2. Satisfied | 3. Not satisfied |
| 4. Highly not satisfied | 5. indifferent | |

5.2 If, the answer to above is "satisfied" what are the reasons?

- i.....
- ii.....
- iii.....

5.3 If the answer to question number 5.1 is "dissatisfied", what are the reasons?

- i.....
- ii.
- iii.

06. Lands

6.1 Have you faced any problems regarding Government land after the establishment of the Provincial Councils? ☐

Code 1.Yes 2. No

6.2 If, the answer to above question is "Yes", what are the problems?

- i.....
- ii.
- iii.

6.3 How do you evaluate the contribution by the Provincial Council to solve the above problems? ☐

Code

1. Much satisfied 2. Satisfied 3. Not satisfied
4. Highly not satisfied

6.4 What are the reasons for your answer?

	Reasons for Satisfaction	Reasons for not satisfaction
i.		
ii.		
iii.		
iv.		

07. Livestock Development and Animal Production

7.1 What is your evaluation about veterinary services? ☐

- Code** 1. Highly satisfied 2. Satisfied 3. Not satisfied
4. Highly not satisfied 5. Not known

7.2 In your area, has the veterinary office or any other institution implemented any programme? ☐

- Code** 1. Yes 2. No

7.3 If, the answer to above question is "Yes" what are the programmes?

- i.
ii.
iii.

7.4 What benefits did you have from such programmes?

- i.
ii.
iii.

7.5 Suggestions you have regarding other services that can be provided by the Provincial Councils for improvement of animal production and livestock in your area

- i.
ii.
iii.

7.6 According to your knowledge who are the beneficiaries of livestock development programmes (like providing milk cattle) implemented by the Provincial Council? ☐

Code

1. Those who are entitled for such services, but having political connection
2. Those who are not entitled for such services, but having political connection
3. Those who are entitled for such services
4. Those who are entitled for such services, but having some contact with V.S. Office
5. Do not know
6. Other (specify)

08. Inland Fishery

- 8.1 Did the Provincial Council implement any programme for development of inland fishery sector in the area? ☐

Code 1. Yes 2. No

- 8.2 If the answer to above question is "Yes", what are the programmes?

- i.
- ii.
- iii.
- iv.
- v.

- 8.3 Do you think that inland fishery sector can be developed in the area?, ☐

Code 1. Yes 2. No

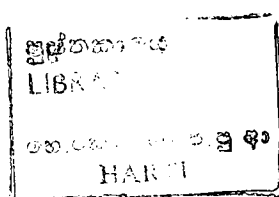
- 8.4 If "yes", how?

- i.
- ii.
- iii.

09. General

- 9.1 What is your opinion about activities implemented by the Provincial Council or infrastructure development and services in your area?

- i. Roads :
- ii. Education :
- iii. Health :
- iv. Electricity :
- v. Water supply:
- vi. Other (specify)



9.2 Considering overall performance, are you satisfied about activities implemented by the Provincial Councils ☐

Code 1. Yes 2. No

9.3 If the answer to above question is "Yes" what are the reasons?

Code

--	--	--	--	--	--

1. Can easily obtain services of the Provincial Council staff than Central Government Staff
2. Ability to easily identify the Provincial requirements
3. Close physical proximity of the Provincial Council Office in contrast to national level office

9.4 If you are not satisfied about activities done by the Provincial Council for development, please mention the reasons

--	--	--	--	--	--	--	--

Code

1. Confusion in between the Provincial Council's activities and the Central Government's activities
2. Do not provide sufficient services to the people, in comparison to funds utilized
3. Do not consider the regional needs
4. Other (Specify)

9.5 What is your assesment of the people's participation in public activities aimed at development of agricultural sector? ☐

Code

1. Highly satisfied
2. Satisfied
3. Normal
4. Not satisfied
5. Highly not satisfied

9.6 As to your opinion, what criteria the Provincial Council uses in selecting areas for development activities done by the Provincial Councils? ☐

Code

1. Provincial Council members own village/area
2. Where the Provincial Council member has the most votes
3. According to relatives of politicians in the Provincial Council
4. On the basis of caste/religion
5. The need of the area
6. Influence of the Chief Minister
7. Influence of the politicians of Centre
8. Other (Specify)

Appendix III: Study Area

District	Agrarian Service Centre	Grama Niladhari Division
Galle	Karandeniya Pitigala Niyagama Wadnuramba Urala Rathgama- V.S.Office area Aluthwala } Ambalangoda Batapola } V.S.Office area Kodagoda Yakkalamulla Thawalama Ethkadura	Aganaketiya and Randenigama Hatthaka and Goda Amana Niyagama Central and Waththehena Ihala Lelwala and Pahala Keembiya Urala Central and Unanwitiya East Rathgama and Boossa Gonapeenuwala Manampita Andugoda and Ellalagoda Magedara East and Udubattawa Thawalama East Gurusinghegoda and Divitura
Hambantota	Yodhakandiya Bandagiriya Walasmulla Weeraketiya -V.S.Office Angunukolapelassa Netolpitiya Modarawana Beliatththa Tangalle Meegas Ara- V.s.Office	Sandungama and Ranakeliya Thammannawa and Siriyagama Handugala and Batagassa Budhthiyagama North and Mulkirigala East Indigatawela, Julamulla and Divulamulla Welloadaya and Waadigala Kanumuldeniya West and Olu Ara Kudaheella and Pallaththara North Ethgalamulla Galpoththayaya South and Meegas Ara
Monaragala	Ethimale Siyambalanduwa Okkampitiya Buththala Thelulla Bibila Kotagama Medagama Thanamalwila Thanamalwila -V.S.Office	Vijayapura and Siripura Helamulla and Ruhunudanawwa Galthammandiya and Pahalagama Madagama and Kukurampola Siripura and Thelulla Kurubawa and Hawapola Kehel Aththawala and Hewella Bibilamulla and Polgahapitiya Ratagamuwa and Madawela Nikawewa, Suriya Ara, Siththarama
Badulla	Haldummulla Passara Lunugala	Watagamuwa and Madawala Kanawarella and Udugama Arawa Kubura and Lunugala

Badulla	Uwa Paranagama Hali-Ela Bathmedilla Redimaliyadda Welimada Keppetipola } V.S.Office Bandarawela	Thawalampola and Ranhawadiyagama Hapuwala and Hethapma Bathmedilla and Wewethenne Uraniya and Pahalaoyagama Puhulpola and Ketakella Paalugama, Thimbiliyagolla and Puranwela Beddearawa and Weheragalathenna
Kurunegala	Kuliyapitiya - V.S.Office Wariyapola Ridigama Nikaweratiya Mawathgama Galgamuwa Maho Ibbagamuwa Donagaslanda Bingiriya Pannala - V.S.Office	Bohingamuwa and Kubalwala Walpaluwa and Mitiwatha Gokarella and Rathwita Wiharagama and Wanduressa Tharapotha and Wewegedara Kumbukwewa and Siyabalawa Ullalapola and Deegana Henegedara and Siyabalawa Rathwita and Koswaththa Kaduruwewa and Wllarawa Galayaya, Ihala yaya, Bopitiya, Maholawa and Atadombagaraya
Puththalama	Ihala Puliyankulama Puththalam thabbowa Nawagaththegama Madampe Arachchikattuwa Chilawe } V.S.Office Nainamadama } Anamaduwa Iginimitiya Mahakubukkadawala Serukele - V.S.Office Palakuda	Dangaswewa and Weerapura Thabbowa left Bank and Mahakongaswewa Mullegama and Moragahawewa Poththankanniya and Kuda Irrippuwa Dematapitiya and Eliwita Ilippadeniya and Thiththakade Lunuwila South and Lunuwila East Mudalakkuliya and Paliyagama Welawewa and Konkadawala Kivula No.4 and Kivula Youth Thammanna and Thamarakkulama Pulachchenei, Aththigiliya and Norochcholei

Appendix IV: Circular Issued by the Commissioner General of Agrarian Development

My ref: 7/2/14/2/1
Department of Agrarian Development,
P.O. Box 537,
Colombo 7.
02.03.2003

All Deputy/Assistant Commissioners,
In charge of Districts.

Duties of Agricultural Research and Production Assistants

Please adopt the following procedures with respect to the duties of Agricultural Research and Production Assistants in addition to the instructions already issued.

- (1) Out of the three days that the Agricultural Research and Production Assistants should work closely with the Agricultural Instructors to effectively implement agricultural extension work, the Agricultural Research and Production Assistants should devote Monday and Tuesday for field work and Wednesday for training and progress control work with the supervision of the Agricultural Instructor.
- (2) Wednesday should be set apart as the office day. It should be devoted mainly to review progress control and training activities directed by the Agricultural Instructor and other officials. He should sign the Divisional Officer's attendance register on the office day.
- (3) The monthly advanced programme should be prepared in consultation with the Divisional Officer and Agricultural Instructor. In respect of the work under their supervision in the circuit programme the Divisional Officer and Agricultural Instructors should grant approval and supervise the same.
- (4) A diary should be maintained where official duties performed should be entered daily and the supervising officers record their observation in it.
- (5) The Divisional Officer will approve leave. With respect to the days assigned for Agricultural Instructors' work, his recommendation should be obtained in granting leave.
- (6) In the performance evaluation process, Agricultural Instructor will function as the appraising officer in respect of programmes implemented under his supervision.

- (7) Agricultural Research and Production Assistants should be deployed to implement agricultural development activities at the rural level. If any officer is to be attached to an Agricultural Service Centre, special duties of such post should be clearly identified. In such instances, the duties and the approval system should be formulated by utilizing the handbook for performance appraisal already introduced.

Lucas Indurugalla
Commissioner General of Agrarian Development

Copies:

1. Secretary, Ministry of Agriculture and Livestock- For information
2. Provincial Agricultural Secretaries – For necessary action

(Note: English translation of the Circular is by the authors)

Appendix V: Multiple Definitions Found in Legislative Enactments

Definitions relating to Agriculture

In the Land Reform Law, No. 1 of 1972 and in the Agrarian Services Act, No. 58 of 1979, "agriculture" is interpreted as follows:

"Agriculture" includes-

- (i) the growing rice, field crops, spices and condiments, industrial crops, vegetables, fruits, flowers, pasture and fodder;
- (ii) dairy farming, livestock rearing and breeding;
- (iii) plant and fruit nurseries;

In addition to this, in the Department of Agriculture Ordinance, No. 37 of 1921, agriculture includes "horticulture".

Land Reform Law, No. 1 of 1972 defines 'agriculture' as follows:

"Agriculture" includes-

- (i) the growing of rice, all field crops, spices and condiments, industrial crops, vegetables, fruits, flowers, pasture and fodder;
- (ii) dairy farming, livestock rearing and breeding;
- (iii) plant and fruit nurseries

In the Agrarian Development Act, No. 46 of 2000, "agricultural activity" is defined as follows:

"Agricultural activity" means any activity involving agriculture and includes the use of machinery and equipment used in such activity and any activity involving minor irrigation work;

When initiating a process of devolution, it would be necessary to agree on definitions on such terms in the context of the specific devolution structure.

Definitions relating to Irrigation

In the Irrigation Ordinance, No. 32 of 1946 and Agrarian Development Act, No 46 of 2000, "irrigation work" is defined as follows:

"irrigation work" includes-

- (a) any tank, bund, anicut, *ela*, channel, distributory, field channel or watercourse comprised in, or incidental or ancillary to the irrigation work;
- (b) any structure, road, bridge, sluice, gate or other engineering work comprised in, or incidental or ancillary to the construction or maintenance of the irrigation work;
- (c) any structure, bund, sluice or other engineering work erected for the purpose of draining any cultivated area or of preventing or regulating the flow of salt water into or out of any such area or of protecting such area from floods;

In the Irrigation Ordinance, No. 32 of 1946, "maintenance" is defined as follows:

"maintenance" with reference to any irrigation work (whether constructed under this Ordinance or under any previous Irrigation Ordinance) includes any operation

for the protection of any existing irrigation work or the irrigable area there under or of any part of such work or area, which the authority responsible for the maintenance of the work may declare to be a minor operation;

In the Agrarian Services Act, No. 58 of 1979, maintenance is defined as follows:

"maintenance" with reference to any irrigation work includes any operation for the protection of any existing irrigation work or the irrigable area thereunder;

In the Irrigation Ordinance, No. 32 of 1946, "construction" is defined as follows:

"construction" with reference to any irrigation work includes any improvement or extension of any irrigation work, or the repair or restoration of any abandoned irrigation work, or (subject to the definition of "maintenance" hereinafter contained) any operation for the protection of any irrigation work, or the irrigable area there under, or of any part of such work or area;

In the Irrigation Ordinance, No. 32 of 1946, "major irrigation work" is defined as follows:

"major irrigation work" means an irrigation work constructed and maintained by or under the authority of the Director of Irrigation out of money provided by Parliament;

In the Agrarian Service Act, No. 58 of 1979, "Minor irrigation work" is defined as follows:

"minor irrigation work" means an irrigation work serving up to two hundred acres of agricultural land;

Definitions relating to Land

With regard to land laws, "land" is defined as follows:

"land" includes-

- (a) the bed of any waterway or of any collection of water, whether natural or artificial,
- (b) things attached to the earth or permanently fastened to any thing attached to the earth, and
- (c) any title to land or any interest in the crops growing or to be grown thereon (Section 2, Land Development Ordinance, No. 19 of 1935)

Requisitioning of Land No. 33 of 1950 defines "land" as

"land" includes land covered with water, and houses, buildings and parts of houses or buildings;

Land Acquisition Act, No. 9 of 1950 defines "land" as,

"land" includes any interest in, or any benefit to arise out of, any land, and any leasehold or other interest held by any person in any State land, and also things attached to the earth or permanently fastened to anything attached to the earth; Under State Lands Ordinance, No. 8 of 1947

"land" includes-

- (a) any interest in land;
- (b) the bed of any lake or stream;
- (c) things attached to the earth or permanently fastened to anything attached to the earth;
- (d) any interest in crops growing or to be grown on land;

"State Land" is defined in the Land Development Ordinance, No. 19 of 1935 as follows:

"state land" means all land to which the State is lawfully entitled together with all rights, interests and privileges attached or appertaining thereto;

Under State Lands Ordinance, No. 8 of 1947,

"state land" means all land in Sri Lanka to which the State is lawfully entitled or which may be disposed of by the State and includes all rights and privileges attached or appertaining to such land;

State Lands (Recovery Possession) Act, No. 7 of 1979 defines,

"state land" means land to which the State is lawfully entitled or which may be disposed of by the State together with any building standing thereon, and with all rights, interests and privileges attached or appertaining thereto, and includes land vested in or under the control of the River Valleys Development Board and the Mahaweli Development Board or any other authority charged with the function of developing State land or any local authority.

Land Reform Law, No. 1 of 1972 defines,

"agricultural land" means land used or capable of being used for agriculture within the meaning given in this Law and shall include private lands, lands alienated under the Land Development Ordinance or the State Lands Ordinance or any other enactment and includes also things attached to the earth or permanently fastened to anything attached to the earth but shall exclude -

Requisitioning of Land No. 33 of 1950 defines "agricultural land" as,

"agricultural land" means any land used for cultivation, plantation, or pasture and includes land used for the purpose of poultry farming, market gardens, nurseries, or orchards;

State Lands Encroachments Ordinance, No. 12 of 1840 defines

"unoccupied land" includes land occupied by, on behalf of, or under, the State.

Appendix VI : Provincial Councils (Consequential Provisions)
Act, No. 12 of 1989



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

PROVINCIAL COUNCILS
(CONSEQUENTIAL PROVISIONS)

ACT. No. 12 OF 1989

[Certified on 30th May, 1989]

Printed on the Orders of Government

Published as a Supplement to Part II of the Gazette of the Democratic
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Provincial Councils (Consequential Provisions)
Act, No. 12 of 1989
(Certified on 30th May, 1989)

L.D.-O. 77/88

AN ACT TO MAKE INTERIM PROVISION FOR THE
INTERPRETATION OF WRITTEN LAW ON MATTERS SET
OUT IN LIST I OF THE NINTH SCHEDULE TO THE
CONSTITUTION.

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

1. This Act may be cited as the Provincial
Councils (Consequential Provisions) Act, No. 12 of
1989 and shall cease to have effect on such date
as the Minister may, by Order published in the
Gazette, appoint.

Short title

2. (1) Where any power or function is conferred
on, or assigned to a Minister or to a public officer,
as the case may be, by any written law made prior
to November 14, 1987 on any matter set out in List I
of the Ninth Schedule, such power or function may,-

Provision
regarding
interpretation
of
written
law on
matters set
out in
List I of
the Ninth
Schedule
to the
Constitution

(a) if such power or function is conferred on, or
assigned to a Minister, be exercised or
discharged, in relation to a Province and
unless the context otherwise requires, by the
Governor of that Province or the Minister of
the Board of Ministers of that Province to
whom the subject has been assigned; and
accordingly, references in every such written
law to a Minister shall be deemed to include
references to a Governor of a Province or the
Minister of the Board of Ministers of such
Province to whom the function has been
assigned; and

(b) if such power or function is conferred on, or
assigned to, a public officer, be exercised or
discharged, in relation to a Province and
unless the context otherwise requires, by the
officer of the provincial public service holding
an office, corresponding to the office held by
such public officer; and accordingly,
references in every such written law to a
public officer shall be deemed to include a
reference to the officer of the provincial
public service who holds an office
corresponding to the office held by such
public officer.

2 Provincial Councils (Consequential Provisions)
Act, No. 12 of 1989

(2) Where any law made prior to November 14, 1987, on any matter set out in List I of the Ninth Schedule to the Constitution confers power on a Minister to make any order, Proclamation, Notification, regulation or rule, such power shall, in relation to a Province and unless the context otherwise requires, be exercised by the Governor of that Province or the Minister of the Board of Ministers of that Province to whom that subject has been assigned, and accordingly, references in any provision of the law conferring that power, to a "Minister" shall be deemed to include a reference to the Governor of the Province or the Minister of the Board of Ministers of the Province to whom that subject has been assigned.

(3) Where any such law as is referred to in subsection (2) makes provision –

- (i) for any Order, Proclamation, Notification, regulation or rule made under that law to be laid before Parliament; or
- (ii) for the annulment or approval of any such Order, Proclamation, Notification, regulation or rule, by Parliament,

such provision shall have effect in relation to a Province as if references in it to Parliament were a reference to the Provincial Council established for that Province.

(4) In this Act, the expressions "public officer" and "written law" shall have the respective meanings assigned to them by the Constitution.

Appendix VII: The Statement of Expenditure of Provincial Councils 1988-2004
Grant Transferred to Provincial Councils by Government -
1988-2004 (Rs'000)

Year	Criteria Based Grants	Matching Grants	Block Grants	PSDG	MTIP and IRDP	Total
1988	200,006	-	80,600	-	-	280,606
1989	931,007	-	-	-	-	931,007
1990	89,000	-	13,413,863	-	1,917,900	16,210,763
1991	772,666	-	8,508,334	-	1,760,660	11,041,660
1992	1,000,000	-	9,000,000	-	2,248,659	12,248,659
1993	967,000	-	10,290,400	-	2,073,994	13,331,394
1994	829,330	-	12,852,661	-	2,451,644	16,133,635
1995	897,132	325,000	14,065,899	-	2,387,833	17,675,864
1996	800,011	242,148	16,151,603	-	3,050,433	20,244,195
1997	1,167,950	325,000	16,854,600	-	3,051,746	21,399,296
1998	1,163,400	236,490	19,506,000	-	3,507,709	24,413,599
1999	1,235,820	428,600	21,122,136	-	3,180,301	25,966,857
2000	1,323,054	664,818	22,519,597	3,998,875	-	28,506,344
2001	576,000	282,000	24,698,686	4,289,800	-	29,846,486
2002	1,000,000	307,000	30,570,380	3,404,628	-	35,282,008
2003	607,100	246,200	30,462,778	3,332,447	-	34,648,528
2004	220,000	-	14,433,560	950,000	-	313,439,445
Total	14,240,463	3,057,256	264,535,097	15,975,750	25,630,879	313,439,445

Source: Hansard, 20 August, 2004

The Statement of Expenditure of Provincial Councils 1988 – 2004* (Rs. '000)

Schedule - 01

Year		Western	Central	Southern	North-East	North-Western	North-Central	Uva	Sabaragamuwa	Total
1988	A	2,300	4,000	5,500	-	5,400	5,000	6,300	6,900	35,400
	B	28,600	18,800	6,100	-	14,200	-	9,300	11,300	88,300
	C	-	-	-	-	-	-	-	-	-
	Total	30,900	22,800	11,600	-	19,600	5,000	15,600	18,200	123,700
1989	A	23,800	15,200	15,800	53,800	20,700	13,300	18,500	11,400	172,500
	B	134,300	28,700	64,800	62,800	61,900	22,600	27,000	35,200	437,300
	C	-	-	-	-	-	-	-	-	-
	Total	158,100	43,900	80,600	1,166,001	82,600	35,900	45,500	46,600	609,800
1990	A	2,541,270	1,640,353	1,727,367	1,887,397	1,662,653	913,685	835,800	196,268	12,504,793
	B	183,820	119,166	132,301	70,039	117,262	58,205	66,812	63,987	811,592
	C	488,412	253,545	273,736	340,221	141,749	120,866	221,635	192,195	2,032,359
	Total	3,213,502	2,013,364	2,133,404	2,297,657	1,921,664	1,092,756	1,124,247	1,552,450	15,348,744
1991	A	2,271,642	1,435,502	1,438,320	1,430,985	1,362,336	717,909	902,311	1,091,233	10,650,238
	B	208,574	167,551	194,875	80,350	128,187	56,184	64,207	144,637	1,044,565
	C	147,696	117,746	275,434	386,013	110,609	138,399	182,765	137,590	1,496,252
	Total	2,627,912	1,720,799	1,908,629	1,897,348	1,601,132	912,492	1,149,283	1,373,460	13,191,055
1992	A	2,562,034	1,698,843	1,553,856	1,560,873	1,496,045	795,912	869,958	1,143,189	11,680,710
	B	250,992	146,683	203,456	130,778	156,270	57,012	97,371	125,433	1,167,995
	C	223,701	301,987	350,763	548,812	146,161	152,112	255,403	227,486	2,206,425
	Total	3,036,727	2,147,513	2,108,075	2,240,463	1,798,476	1,005,036	1,222,732	1,496,108	15,055,130
1993	A	2,978,677	1,969,317	1,853,422	1,812,195	1,786,426	949,689	1,034,616	1,375,700	13,760,042
	B	269,121	143,140	113,563	110,601	125,827	58,920	50,151	136,973	1,008,296
	C	279,727	190,268	359,370	386,045	168,674	215,302	264,248	208,716	2,072,350
	Total	3,527,525	2,302,725	2,326,355	2,308,841	2,080,927	1,223,911	1,349,015	1,721,389	16,840,688
1994	A	3,432,705	2,307,251	2,120,003	2,078,829	2,036,570	1,170,655	202,295	1,629,611	15,977,919
	B	231,676	143,142	100,466	126,100	115,637	84,729	43,423	100,213	945,386
	C	331,146	231,576	405,416	422,326	183,634	204,305	324,706	221,433	2,324,542
	Total	3,995,527	2,681,969	2,625,885	2,627,255	2,335,841	1,459,689	1,570,424	1,951,257	19,247,847
1995	A	4,355,147	2,745,865	2,613,721	2,622,604	2,599,800	1,461,835	1,379,325	2,016,979	19,795,276
	B	270,880	154,602	110,603	153,881	126,663	68,858	64,694	107,095	1,057,276
	C	273,423	273,367	524,155	232,592	186,113	156,666	298,424	232,583	2,177,323
	Total	4,899,450	3,173,834	3,248,479	3,009,077	2,912,576	1,687,359	1,742,443	2,356,657	23,029,875
1996	A	4,994,417	2,816,209	2,722,034	2,860,897	2,648,730	1,539,156	1,391,885	1,967,927	20,941,255
	B	307,336	176,058	142,445	129,895	135,087	100,901	87,851	107,198	1,186,771
	C	359,190	321,754	854,986	405,282	250,877	283,494	346,900	277,366	3,099,849
	Total	5,660,943	3,314,021	3,719,465	3,396,074	3,034,694	1,923,551	1,826,636	2,352,491	25,227,875

Contd.

Year		Western	Central	Southern	North-East	North-Western	North-Central	Uva	Sabaragamuwa	Total
1997	A	5,306,743	3,121,882	2,840,804	3,049,189	2,651,521	1,617,951	1,513,327	1,953,771	22,055,188
	B	354,671	208,498	175,851	132,445	181,350	102,057	131,936	112,979	1,399,787
	C	382,924	301,477	917,017	332,897	254,315	268,393	350,157	240,301	3,047,481
	Total	6,044,338	3,631,857	3,933,672	3,514,531	3,087,186	1,988,401	1,995,420	2,307,051	26,502,456
1998	A	5,678,209	3,533,735	3,268,439	3,698,106	3,131,236	1,958,595	1,768,833	2,313,005	25,350,158
	B	436,061	193,555	246,024	124,018	170,036	82,458	137,550	163,031	1,552,733
	C	490,576	417,232	865,574	397,449	289,592	299,745	488,268	331,655	3,580,091
	Total	6,604,846	4,144,522	4,380,037	4,219,573	3,590,864	2,340,798	2,394,651	2,807,691	30,482,982
1999	A	5,869,973	3,710,327	3,396,461	3,633,707	3,416,315	1,981,792	1,875,613	2,400,016	26,284,204
	B	736,822	254,093	246,854	181,714	230,790	509,409	113,196	160,002	2,432,880
	C	416,353	385,962	780,854	452,880	338,985	344,969	333,011	302,900	3,355,229
	Total	7,023,148	4,350,382	4,423,484	4,268,301	3,986,090	2,836,170	2,321,820	2,862,918	32,072,313
2000	A	6,542,759	4,020,032	3,782,550	3,882,290	3,704,378	2,233,117	2,010,840	2,680,118	28,856,084
	B	482,904	345,640	364,354	156,743	286,590	135,261	155,615	210,621	2,137,728
	D	533,846	408,796	654,602	507,807	567,493	357,879	387,439	498,423	3,916,285
	Total	7,559,509	4,774,468	4,801,506	4,546,840	4,558,461	2,726,257	2,553,894	3,389,162	34,910,097
2001	A	7,922,655	4,652,385	4,332,976	4,258,261	4,344,329	2,562,883	2,358,936	3,048,143	33,480,568
	B	391,781	198,539	309,189	82,094	248,094	107,610	98,692	104,755	1,540,754
	D	702,374	543,785	525,011	532,860	526,147	369,502	415,715	471,480	4,086,874
	Total	9,016,810	5,394,709	5,167,176	4,873,215	5,118,570	3,039,995	2,873,343	3,624,378	39,108,196
2002	A	8,836,686	5,126,683	4,848,269	5,318,098	5,001,112	2,954,623	2,788,636	3,394,715	38,268,822
	B	488,054	161,428	209,180	146,386	148,961	77,005	87,968	110,128	1,429,110
	D	219,668	435,263	438,005	581,561	345,091	398,432	398,398	520,236	3,336,654
	Total	9,544,408	5,723,374	5,495,454	6,046,045	5,495,164	3,430,060	3,275,002	4,025,079	43,034,586
2003	A	9,000,580	5,432,628	5,128,959	5,545,504	5,232,380	2,989,859	2,896,654	3,573,970	39,800,534
	B	1,020,703	141,330	483,208	162,607	159,177	105,168	66,997	128,758	2,267,948
	D	293,697	404,456	526,670	369,634	422,347	317,751	414,418	487,085	3,236,058
	Total	10,314,980	5,978,414	6,138,837	6,077,745	5,813,904	3,412,778	3,378,069	4,189,813	45,304,540
*2004	A	3,913,931	2,316,139	2,255,151	2,410,255	2,313,692	1,327,852	1,298,749	1,515,890	17,351,659
	B	38,160	9,796	60,888	9,052	22,520	15,152	26,755	46,472	225,795
	D	29,040	92,186	105,455	32,178	111,149	59,394	54,726	72,221	556,349
	Total	3,981,131	2,418,121	2,421,494	2,451,485	2,447,361	1,402,398	1,377,230	1,634,583	18,133,803

* Figures only up to May 2004

A - Recurrent Expenditure B - Capital Expenditure Criteria and Matching

C - Capital Expenditure for MTIP and IRDP D - Expenditure for Provincial Specific Development Grant

Source: Hansard, 20 August, 2004

Schedule - 02

The Statement of Revenue Collections of Provincial Councils 1991 - 2004* (Rs.'000)

Year	Western	Central	Southern	North-East	North-West	North-Central	Uva	Sabaragamuwa	Total
1991	1,320,581	198,403	144,697	11,133	146,222	40,087	55,464	101,559	2,018,146
1992	2,022,820	245,794	210,452	10,323	241,609	77,058	66,463	127,441	3,001,960
1993	1,861,950	251,609	191,040	14,158	208,101	78,517	79,852	130,060	2,815,287
1994	2,061,400	279,184	205,538	14,380	218,796	100,639	104,384	149,168	3,133,489
1995	2,308,340	313,731	217,510	33,897	277,199	124,038	125,910	172,538	3,573,163
1996	2,462,990	320,396	298,706	31,029	267,648	141,000	138,690	187,975	3,848,434
1997	2,843,020	362,168	334,880	34,975	307,778	144,574	136,736	179,319	4,343,450
1998	3,104,670	388,020	337,913	36,834	335,545	156,975	155,225	220,082	4,735,264
1999	3,610,870	437,124	350,411	34,855	339,053	165,483	150,684	201,575	5,290,055
2000	3,882,180	446,458	421,394	38,229	367,830	191,486	159,211	218,724	5,725,512
2001	4,275,370	498,811	463,910	45,308	397,351	195,494	175,818	246,845	6,298,907
2002	4,755,090	542,469	492,192	47,591	432,341	231,123	191,892	281,693	6,974,391
2003	5,252,400	739,002	542,206	71,497	506,206	249,174	225,114	318,642	7,904,241
2004*	3,005,050	392,532	342,119	18,126	284,458	130,183	118,071	203,073	4,493,612
Total	42,766,731	5,415,701	4,552,968	442,335	4,330,137	2,025,831	1,883,514	2,738,694	64,155,911

* Figures only up to May 2004

Source: Hansard, 20 August, 2004

Schedule - 02

The Statement of Block Grants Transferred to Provincial Councils by Central Government 1988-2004* (Rs.'000)

Year	Western	Central	Southern	North-East	North-West	North-Central	Uva	Sabaragamuwa	Total
1988	13,700	9,600	9,400	15,600	9,100	7,400	7,400	8,400	80,600
1989	-	-	-	-	-	-	-	-	-
1990	2,607,407	1,732,327	1,776,820	2,257,323	1,720,078	922,710	974,566	1,422,632	13,413,863
1991	1,278,000	1,153,773	1,344,326	1,122,000	1,253,290	667,188	779,190	910,567	8,508,334
1992	611,023	1,389,801	1,399,970	1,659,247	1,302,059	753,320	823,522	1,061,058	9,000,000
1993	868,379	1,565,436	1,522,703	1,815,417	1,527,314	881,601	882,417	1,227,133	10,290,400
1994	1,099,949	1,945,720	1,854,442	2,393,262	1,814,903	1,167,804	1,065,317	1,511,264	12,852,661
1995	1,304,790	2,089,049	2,089,952	2,581,217	1,937,689	1,302,553	1,151,087	1,609,562	14,065,899
1996	1,828,528	2,327,716	2,321,934	2,754,796	2,370,300	1,442,983	1,297,942	1,807,404	16,151,603
1997	1,849,521	2,610,819	2,539,583	2,947,549	2,303,166	1,472,005	1,388,938	1,743,019	16,854,600
1998	2,570,745	3,036,336	2,815,438	3,352,247	2,562,120	1,679,122	1,515,646	1,974,346	19,506,000
1999	2,673,135	3,136,149	3,118,008	3,362,247	3,013,832	1,914,522	1,670,210	2,234,116	21,122,136
2000	2,319,130	3,554,982	3,422,163	3,979,151	3,029,983	1,971,801	1,818,807	2,423,580	22,519,597
2001	2,804,816	3,911,658	3,511,869	4,012,676	3,704,444	2,257,885	2,030,958	2,464,380	24,698,686
2002	4,202,500	4,436,714	4,060,544	5,268,499	4,363,982	2,682,789	2,577,252	2,982,100	30,574,380
2003	3,042,600	4,538,150	4,515,008	5,338,745	4,400,523	2,720,347	2,628,905	3,278,500	30,462,778
2004*	1,475,500	2,178,002	1,968,991	2,618,995	2,130,973	1,255,573	1,294,526	1,511,000	14,433,560
Total	30,549,723	39,616,232	38,271,151	45,478,888	37,443,756	23,099,603	21,906,683	28,169,061	264,535,097

* Figures only up to May 2004

Source: Hansard, 20 August, 2004

Total Source of Funds (Revenue and Block Grants) Available for Recurrent Expenditure 1988- 2004* (Rs.'000)

Schedule - 02

Year	Western	Central	Southern	North East	North West	North Central	Uva	Sabaragamuwa	Total
1988	13,700	9,600	9,400	15,600	9,100	7,400	7,400	8,400	80,600
1989	-	-	-	-	-	-	-	-	-
1990	2,607,407	1,732,327	1,776,820	2,257,323	1,720,078	922,710	974,566	1,422,632	13,413,863
1991	2,598,581	1,352,176	1,489,023	1,133,133	1,399,512	707,275	834,654	1,012,126	10,526,480
1992	2,633,843	1,635,595	1,610,422	1,669,570	1,542,668	830,378	889,985	1,188,499	12,001,960
1993	2,730,329	1,817,045	1,713,743	1,829,575	1,735,415	960,118	962,269	1,357,193	13,105,687
1994	3,161,349	2,224,904	2,059,980	2,407,642	2,033,699	1,268,443	1,169,701	1,660,432	15,986,150
1995	3,613,130	2,402,904	2,307,462	2,615,114	2,214,888	1,426,591	1,276,997	1,782,100	17,639,062
1996	4,291,518	2,648,112	2,620,640	2,785,825	2,637,948	1,583,983	1,436,632	1,995,379	20,000,037
1997	4,692,541	2,972,987	2,874,463	2,982,524	2,610,944	1,616,579	1,525,674	1,922,338	21,198,050
1998	5,675,415	3,424,356	3,153,351	3,389,081	2,897,665	1,836,097	1,670,871	2,194,428	24,241,264
1999	6,284,005	3,573,273	3,468,419	3,397,019	3,352,885	2,080,005	1,820,894	2,435,691	26,412,191
2000	6,201,310	4,001,440	3,843,557	4,017,380	3,397,813	2,163,287	1,978,018	2,642,304	28,245,409
2001	7,080,186	4,410,469	3,975,779	4,057,984	4,101,795	2,453,379	2,206,776	2,711,225	30,997,593
2002	8,957,590	4,979,183	4,552,736	5,316,090	4,796,323	2,913,912	2,769,144	3,263,793	37,548,771
2003	8,295,000	5,277,152	5,057,214	5,410,242	4,906,729	2,969,521	2,854,019	3,597,142	38,367,019
2004*	4,480,550	2,570,534	2,311,110	2,637,121	2,415,431	1,385,756	1,412,597	1,714,073	18,927,172
Total	73,316,454	45,031,933	42,824,119	45,921,223	41,773,893	25,125,434	23,790,197	30,907,755	328,691,008

* Figures only up to May 2004

Source: Hansard, 20 August, 2004

Schedule - 02

The Criteria Based Grants Transferred to Provincial Council by Central Government 1988-2004* (Rs. '000)

Year	Western	Central	Southern	North-East	North-West	North-Central	Uva	Sabaragamuwa	Total
1988	51,000	38,000	30,000	-	27,000	8,000	19,000	27,000	200,000
1989	158,800	89,500	84,000	111,900	79,400	50,400	51,900	67,200	693,100
1990	134,800	83,500	128,100	128,500	107,100	61,500	55,800	88,600	787,900
1991	121,000	137,227	122,674	105,000	93,710	46,812	65,810	80,433	772,666
1992	211,530	137,960	147,740	146,650	118,160	62,770	65,810	109,380	1,000,000
1993	211,530	137,960	147,740	113,650	118,160	62,770	65,810	109,380	967,000
1994	169,224	110,368	118,192	146,650	94,528	50,216	52,648	87,504	829,330
1995	189,480	123,493	132,966	131,656	106,342	55,758	59,224	98,213	897,132
1996	165,626	106,735	119,818	117,140	106,342	48,964	51,271	84,113	800,011
1997	253,800	165,600	177,240	165,720	138,340	75,360	60,610	131,280	1,167,950
1998	253,800	165,600	177,240	139,320	141,840	75,360	78,960	131,280	1,163,400
1999	195,000	182,160	194,964	193,512	156,024	82,896	86,856	144,408	1,235,820
2000	193,280	202,868	213,712	218,252	180,334	93,770	82,888	137,950	1,323,054
2001	91,814	66,332	76,516	80,098	108,954	60,248	38,656	53,382	576,000
2002	193,000	134,000	142,000	150,000	123,000	76,000	73,000	109,000	1,000,000
2003	62,000	76,000	99,700	98,600	84,200	60,800	53,800	72,000	607,100
2004*	40,000	25,000	25,000	25,000	25,000	25,000	25,000	30,000	220,000
Total	2,695,684	1,982,303	2,137,602	2,071,648	1,808,436	996,624	987,043	1,561,123	14,240,463

* Figures only up to May 2004

Source: Hansard, 20 August, 2004

The Matching Grants Transferred to Provincial Councils by Central Government 1988-2004* (Rs. '000)

Year	Western	Central	Southern	North-East	North-West	North-Central	Uva	Sabaragamuwa	Total
1995	175,028	53,914	17,500	-	28,234	3,449	23,453	23,422	325,000
1996	125,647	41,486	14,199	-	25,410	3,105	15,464	16,837	242,148
1997	117,650	33,962	29,575	-	47,548	21,710	45,435	29,120	325,000
1998	54,150	12,150	75,190	-	13,950	13,500	53,150	14,400	236,490
1999	65,000	69,000	69,000	-	86,400	39,600	58,200	41,400	428,600
2000	166,860	88,000	141,600	-	113,078	38,390	66,820	50,070	664,818
2001	91,312	28,285	36,152	-	42,836	24,562	35,701	23,152	282,000
2002	144,812	24,867	48,260	-	33,923	34,722	15,104	5,312	307,000
2003	50,000	22,500	84,900	-	33,900	15,900	13,500	25,500	246,200
2004*	-	-	-	-	-	-	-	-	-
Total	990,459	374,164	516,376	-	425,279	194,938	326,827	229,213	3,057,256

* Figures only up to May 2004
Source: Hansard, 20 August 2004

Schedule – 02

Money Provided to Provincial Councils for MTIP and IRDP by Central Government 1990-1999 (Rs. '000)

Year	Western	Central	Southern	North-East	North-West	North-Central	Uva	Sabaragamuwa	Total
1990	427,400	225,300	252,400	419,400	150,000	81,800	193,400	167,700	1,917,900
1991	180,705	152,811	334,334	419,989	116,592	150,533	232,985	172,711	1,760,660
1992	230,689	299,858	349,384	585,009	130,737	160,466	257,369	235,147	2,248,659
1993	262,646	204,272	359,111	387,734	164,945	211,286	266,498	217,502	2,073,994
1994	276,840	249,330	416,305	562,895	159,647	203,955	329,345	253,327	2,451,644
1995	371,817	353,483	518,258	271,156	179,111	150,556	303,384	240,068	2,387,833
1996	337,820	322,809	838,854	414,338	229,309	279,301	346,977	281,025	3,050,433
1997	396,882	310,871	912,515	307,982	256,822	267,694	355,868	243,112	3,051,746
1998	490,137	426,362	735,775	406,549	304,344	300,756	492,198	333,588	3,507,709
1999	408,649	359,857	650,886	438,462	336,831	348,318	333,575	303,723	3,180,301
Total	3,383,585	2,904,953	5,385,822	4,213,514	2,028,838	2,154,665	3,111,599	2,447,903	25,630,879

Note : From year 2000 PSDG (Provincial specific Development Grant) is introduced instead of MTIP and IRDP

Source: Hansard, 20 August 2004

Money Provided to Provincial Councils for PSDG by Central Government from 2000 – 2004*

(Rs. '000)

Year	Western	Central	Southern	North-East	North-West	North-Central	Uva	Sabaragamuwa	Total
2000	605,300	425,500	619,800	514,275	563,800	379,800	387,400	503,000	3,998,875
2001	736,400	537,400	502,000	517,000	544,000	486,000	446,000	521,000	4,289,800
2002	237,729	435,600	439,500	567,000	394,200	395,308	403,926	531,365	3,404,628
2003	315,000	407,914	560,069	379,600	412,000	312,440	461,614	483,810	3,332,447
2004*	120,000	120,000	120,000	95,000	120,000	120,000	120,000	135,000	950,000
Total	2,014,429	1,926,414	2,241,369	2,072,875	2,034,000	1,693,548	1,818,940	2,174,175	15,975,750

* - Figures only up to May 2004

Source: Hansard, 20 August, 2004

The Capital Expenditure from the Criteria Based Grants and Matching Grants 1988 – 2004*

(Rs. '000)

Schedule – 03

Year	Western		Central		Southern		North-East		North-West		North-Central		Uva		Sabaragamuwa		Total	
1988 A	28,600	56%	18,800	49%	6,100	20%	-	###	14,200	53%	-	0%	9,300	49%	11,300	42%	88,300	44%
B	51,000	100%	38,000	100%	30,000	100%	-	###	27,000	100%	8,000	100%	19,000	100%	27,000	100%	200,000	100%
1989 A	134,300	85%	28,700	32%	64,800	77%	62,800	56%	61,900	78%	22,600	45%	27,000	52%	35,200	52%	437,300	63%
B	158,800	100%	89,500	100%	84,000	100%	111,900	100%	79,400	100%	50,400	100%	51,900	100%	67,200	100%	693,100	100%
1990 A	183,820	136%	119,166	143%	132,301	103%	70,039	55%	117,262	109%	58,205	95%	66,812	120%	63,987	72%	811,592	103%
B	134,800	100%	83,500	100%	128,100	100%	128,500	100%	107,100	100%	61,500	100%	55,800	100%	88,600	100%	787,900	100%
1991 A	208,574	172%	167,551	122%	194,875	159%	80,350	77%	128,187	137%	56,184	120%	64,207	98%	144,637	180%	1,044,565	135%
B	121,000	100%	137,227	100%	122,674	100%	105,000	100%	93,710	100%	46,812	100%	65,810	100%	80,433	100%	772,666	100%
1992 A	250,992	119%	146,683	106%	203,456	138%	130,778	89%	156,270	132%	57,012	91%	97,371	148%	125,433	115%	1,167,995	117%
B	211,530	100%	137,960	100%	147,740	100%	146,650	100%	118,160	100%	62,770	100%	65,810	100%	109,380	100%	1,000,000	100%
1993 A	269,121	127%	143,140	104%	113,563	77%	110,601	97%	125,827	106%	58,920	94%	50,151	76%	136,973	125%	1,008,296	104%
B	211,530	100%	137,960	100%	147,740	100%	113,650	100%	118,160	100%	62,770	100%	65,810	100%	109,380	100%	967,000	100%
1994 A	231,676	137%	143,142	130%	100,466	85%	126,100	86%	115,637	122%	84,729	169%	43,423	82%	100,213	115%	945,386	114%
B	169,224	100%	110,368	100%	118,192	100%	146,650	100%	94,528	100%	50,216	100%	52,648	100%	87,504	100%	829,330	100%
1995 A	270,880	143%	154,602	125%	110,603	83%	153,881	117%	126,663	119%	68,858	123%	64,694	109%	107,095	109%	1,057,276	118%
B	189,480	100%	123,493	100%	132,966	100%	131,656	100%	106,342	100%	55,758	100%	59,224	100%	98,213	100%	897,132	100%
1996 A	307,336	186%	176,058	165%	142,445	119%	129,895	111%	135,087	127%	100,901	206%	87,851	171%	107,198	127%	1,186,771	148%
B	165,626	100%	106,735	100%	119,818	100%	117,140	100%	106,344	100%	48,964	100%	51,271	100%	84,113	100%	800,011	100%
1997 A	354,671	140%	208,498	126%	175,851	99%	132,445	80%	181,350	131%	102,057	135%	131,936	218%	112,979	86%	1,399,787	120%
B	253,800	100%	165,600	100%	177,240	100%	165,720	100%	138,340	100%	75,360	100%	60,610	100%	131,280	100%	1,167,950	100%
1998 A	436,061	142%	193,555	109%	246,024	97%	124,018	89%	170,036	109%	82,458	93%	137,550	104%	163,031	112%	1,552,733	111%
B	307,950	100%	177,750	100%	252,430	100%	139,320	100%	155,790	100%	88,860	100%	132,110	100%	145,680	100%	1,399,890	100%

A – Capital Expenditure

B – Criteria Based Grant and Matching Grant

The Capital Expenditure from the Criteria Based Grants and Matching Grants 1988 – 2004* (Rs. '000)

Year	Western		Central		Southern		North-East		North-West		North-Central		Uva		Sabaragamuwa		Total	
1999 A	736,822	283%	254,093	101%	246,854	94%	181,714	94%	230,790	95%	509,409	416%	113,196	78%	160,002	86%	2,432,880	146%
B	260,000	100%	251,160	100%	263,964	100%	193,512	100%	242,424	100%	122,496	100%	145,056	100%	185,808	100%	1,664,420	100%
2000 A	482,904	134%	345,640	119%	364,354	103%	156,743	72%	286,590	98%	135,261	102%	155,615	104%	210,621	112%	2,137,728	108%
B	360,140	100%	290,868	100%	355,312	100%	218,252	100%	293,412	100%	132,160	100%	149,708	100%	188,020	100%	1,987,872	100%
2001 A	391,781	214%	198,539	210%	309,189	274%	82,094	102%	248,094	163%	107,610	127%	98,692	133%	104,755	137%	1,540,754	180%
B	183,126	100%	94,617	100%	112,668	100%	80,098	100%	151,790	100%	84,810	100%	74,357	100%	76,534	100%	858,000	100%
2002 A	488,054	144%	161,428	102%	209,180	110%	146,386	98%	148,961	95%	77,005	70%	87,968	100%	110,128	96%	1,429,110	109%
B	337,812	100%	158,867	100%	190,260	100%	150,000	100%	156,923	100%	110,772	100%	88,104	100%	114,312	100%	1,307,000	100%
2003 A	293,697	262%	404,456	411%	526,270	285%	369,634	375%	422,347	358%	317,751	414%	414,418	616%	487,085	500%	3,236,058	379%
B	112,000	100%	98,500	100%	184,600	100%	98,600	100%	118,100	100%	76,700	100%	67,300	100%	97,500	100%	853,300	100%
2004* A	38,160	95%	9,796	39%	60,888	244%	9,052	36%	22,520	90%	15,152	61%	23,755	95%	46,472	155%	225,795	103%
B	40,000	100%	25,000	100%	25,000	100%	25,000	100%	25,000	100%	25,000	100%	25,000	100%	30,000	100%	220,000	100%

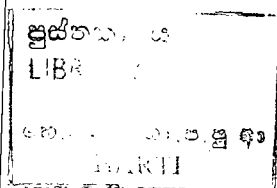
* Figures only up to May 2004 A – Capital Expenditure
Source: Hansard, 20 August, 2004.

B – Criteria Based Grant and Matching Grant

Appendix VIII: Information Regarding Divisional Secretaries (as at 04 June 2008)

District	Number of Divisional Secretaries	Number of Officers in SLAS Class I	Number of Officers in SLAS Class II/I	Number of Officers in Class II/II	Number of Vacancies	Vacant Station
Colombo	13	10	1	2	0	
Gampaha	13	8	3	2	0	
Kaluthara	14	6	5	3	0	
Kandy	20	14	4	2	0	
Matale	11	4	2	5	0	
Nuwara-Eliya	5	2	2	1	0	
Galle	19	8	0	9	2	Neluwa, Karandeniya
Matara	16	8	0	8	0	
Hambantota	12	2	0	9	1	Katuwana
Kurunegala	30	14	4	11	1	Giribawa
Puttalam	16	7	2	7	0	
Anuradhapura	22	3	1	17	1	Rajanganaya
Polonnaruwa	7	0	2	4	1	Dimbulagala
Badulla	15	5	7	1	2	Rideemaliyadda, Welimada
Monaragala	11	2	2	6	1	Buththala
Rathnapura	17	4	0	13	0	
Kegalle	11	6	0	5	0	
Ampara	19	6	5	7	1	Akkarapaththu
Trincomalee	10	1	0	9	0	
Vavuniya	3	1	1	1	0	
Batalo	14	4	5	5	0	
Mannar	3	0	1	2	0	
Jaffna	11	3	3	4	1	Jaffna
Total	312	118	50	133	11	

Source: Ministry of Public Administration and Home Affairs, Divisional Administration Branch



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