

Exclusion of the Estate Residential Communities from the Pradeshiya Sabhas' Service Delivery System: Causes and Consequences

S. Vijesandiran

Department of Economics and Statistics, Faculty of Arts, University of Peradeniya

The *Gam Sabha* was the oldest Local Government System in Sri Lanka and the present system introduced in 1987 consists of three types of local government institutions: Municipal and Urban councils for urban areas and *Pradeshiya Sabhas* which covers rural and estate areas. The total population of 18.3 million of the country consists of 72.2% rural, 21.5% urban, and 6.3% estate sector residents. The estate sector has the characteristics of a rural scenario but has not been mandated to Local Authorities, in this case, *Pradeshiya Sabhas*, to serve them. Exclusion of nearly 2200 estate settlements and 0.9 million estate residents from the administrative purview and service delivery mechanism of Local Governments throughout its history is a major political and development issue in the country.

This study attempted to analyse the legitimate issues that *Pradeshiya Sabhas* face in extending their administration and services to the estate sector by using their funds and the legal limitations in the system. The *Pradeshiya Sabhas Act No 15 of 1987* was reviewed in this study and three *Pradeshiya Sabhas*, namely Nuwara-Eliya, Panvillla and Udapalatha were purposely selected to collect necessary information. Interviews were conducted with *Pradeshiya Sabha* members, officers and estate community and political leaders.

This study highlights that the major clauses of the present *Pradeshiya Sabha Act* was redrafted from the previous Village Councils Act which excludes estate residents being served from public funds. Clauses 2(1), 33, 18 (xiv), 18 (xxii) and 134 (4) of the present *Pradeshiya Sabha Act* states that every *Pradeshiya Sabha* can administrate only rural areas. The estate residential areas that are part of the estate business enterprises are considered as private entities and any part of *Pradeshiya Sabha* funds can be spent only on village and rural development. Further, they do not have the mandate to impose rates and taxes on estate residents, residential buildings and their properties because those are considered as built-up localities of estate enterprises. These clauses limit the legitimate mandate and powers of the *Pradeshiya Sabhas* extending their functions to the estate sector. Hence, estate residents remain as mere voters without entitlement to any services from local authorities. Exclusion of estate settlements from public service delivery leads to social, economic and political marginalisation of all estate communities and to a non-economic form of poverty among them. Therefore, institutional arrangements are necessary to enhance the effectiveness of local authorities as local level democracies in securing the rights of the estate residents to be provided with public service deliveries.

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