

# Road Map to Implement the Framework for Effective Land Administration System in Sri Lanka

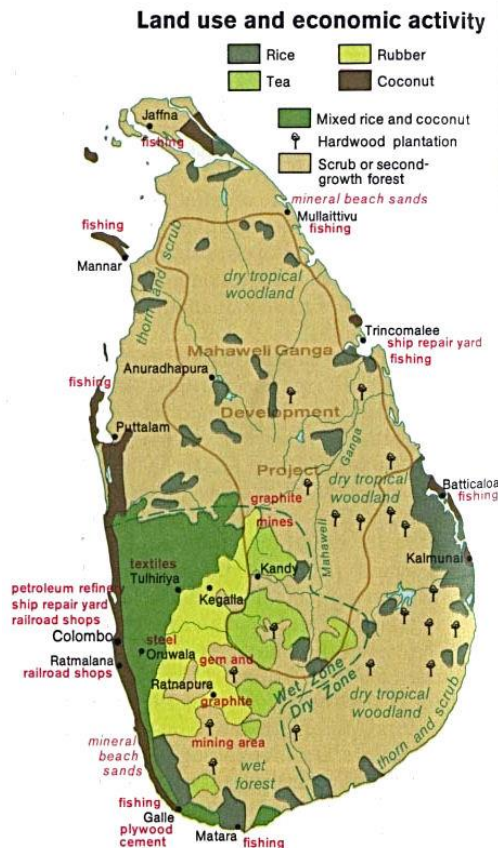
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# Country Context:

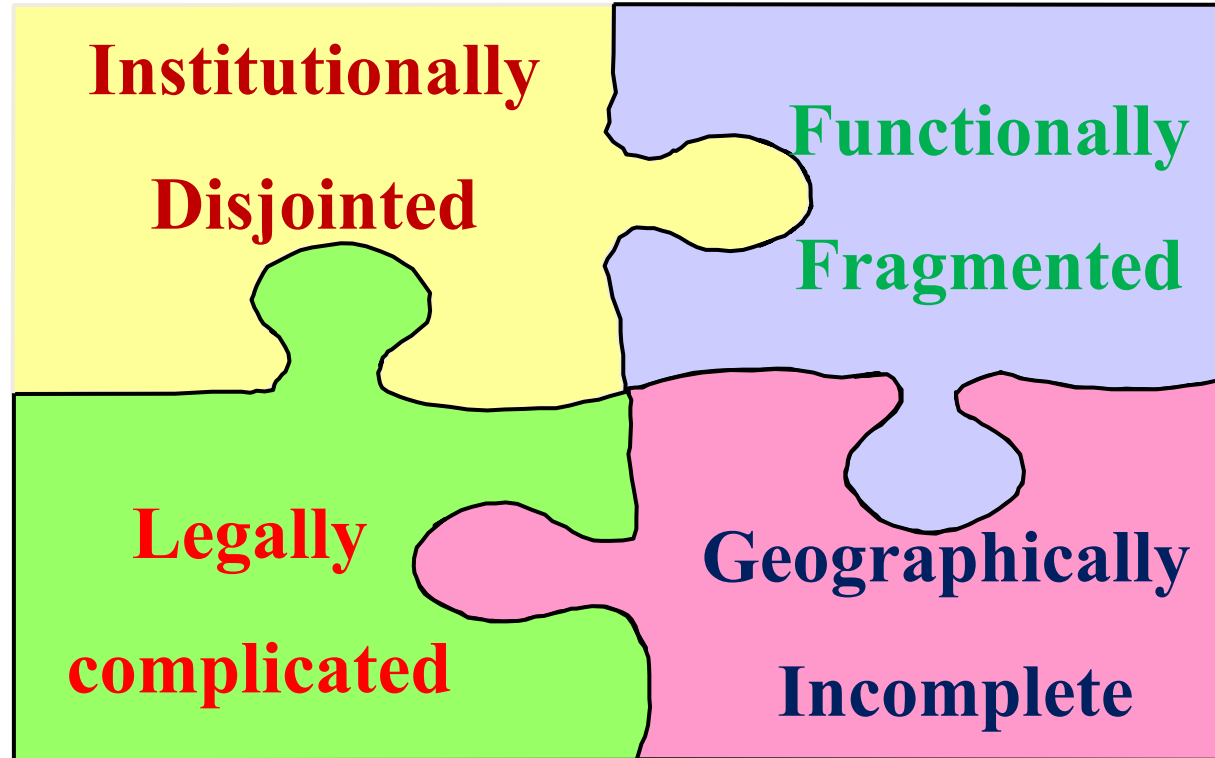
Cyprusandaxi.com

**Area of  
Sri Lanka:  
65,610  
Sq Km**



Land Use	Private (%)	State (%)
Agricultural Land	13.4%	21.0%
Urban Land	0.8%	0.2%
Forests, parks, protected areas, sparsely used land, reserves etc.)	-	64.6%
Total	14.2%	85.8%

# Land Administration Challenges in Sri Lanka:



# Land Administration Challenges in Sri Lanka:

**Institutionally  
Disjointed**

Agencies	Major Institutional Roles and Responsibility
Ministry of Lands and Land Development	Land Policy formulation and dissemination.
Survey Department	Standardization and production of all Surveying and Mapping in Sri Lanka & Receive, approve and maintain, cadastral surveying records & Creating Parcel Based LIS.
Land Settlement Department	Determination of ownership of lands under the Land Settlement Ordinance.
Land Commissioner General's Department	Planning, implementation of resettlement schemes and issuing grants for the distributed lands.
Land Use Policy Planning Department	Formulation and implementation of national Land Use Policy
Land Reform Commission	To fix a ceiling on the extent of agricultural land that may be owned by persons.
Registrar General's Department	Registration of Land Transactions
Urban Development Authority	Formulate and implement urban land use policy.
Valuation Department	Provides services in the sphere of Valuation and Property Management.
Mahaweli Authority	Alienating Lands in Declared Areas.
Provincial Land Commissioner's Departments (9)	Responsibility of Land Administration in Provincial Level
Divisional Secretariats (331 Divisional Secretariats under the Ministry of Public Administration and Management)	Provides land related services include provision of State land by grant, lease or purchase.

## Land Administration Challenges in Sri Lanka:

Institutions		Functions					
		Alienation of State Land	Document Recording	Land acquisition	Valuation	Clarification of rights	Land management
Ministry of Lands and Land Development							
Survey Department							
Land Settlement Department							
Land Commissioner General's Department							
Land Use Policy and Planning Department							
Land Reform Commission							
Registrar General's Department							
Urban Development Authority							
National Physical Planning Department							
Valuation Department							
Mahaweli Authority							
National Land Commission							
Provincial Council							
Provincial Land Commissioner							
Divisional Secretariat							
Agencies responsible for protected areas (forest, wildlife reserves, etc.)							
		Key role and responsibility			Supporting role and responsibility		

# Functionally Fragmented

# Land Administration Challenges in Sri Lanka:

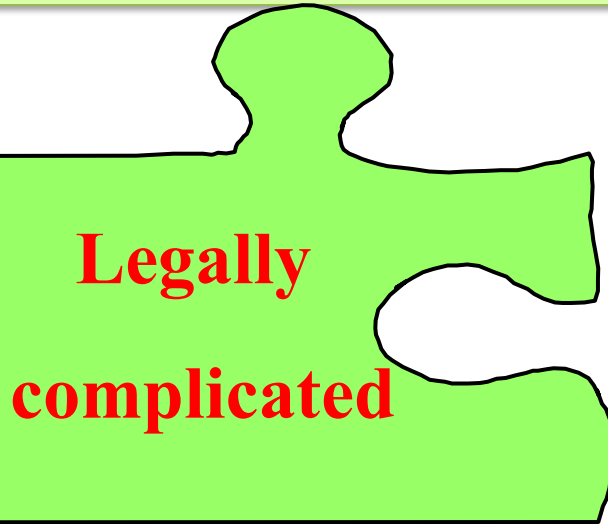


**Legally  
complicated**

Many Ordinance & Acts have a long history & very complex, inconsistent and fails to address the current and future needs of society.

1. State Lands Encroachment Ordinance No 12 of 1840 as amended
2. Prescription Ordinance No. 22 of 1877 as amended
3. Land Resumption Ordinance No. 4 of 1887 as amended
4. Housing and Town Improvement Ordinance No. 19 of 1915 as amended
5. Flood Protection Ordinance No. 4 1924 as amended
6. Land Settlement Ordinance No. 20 of 1931 as amended
7. State Land (Claims) Ordinance No. 31 of 1931 as amended
8. Land Development Ordinance No. 19 of 1935 as amended
9. Town and Country Planning Ordinance No. 13 of 1946 as amended
10. Irrigation Ordinance No. 32 of 1946 as amended
11. Municipal Councils Ordinance No. 29 of 1947 as amended
12. Special Areas (Colombo) Development Ordinance No. 40 of 1947 as amended
13. Land Acquisition Act, No. 9 of 1950 as amended
14. Requisitioning of Land Act No. 33 of 1950 as amended
15. Soil Conservation Act No. 25 of 1951 as amended
16. National Housing Act No. 37 of 1954 as amended
17. Sri Lanka State Plantation Corporation Act No. 4 of 1955 as amended
18. Estate Bazaars (Compulsory Acquisition) Act No. 19 of 1958 as amended
19. Tourism Development Authority Act No. 14 of 1968 as amended
20. Atomic Energy Authority Act No. 19 of 1969

# Land Administration Challenges in Sri Lanka:



Many Ordinance & Acts have a long history & very complex, inconsistent and fails to address the current and future needs of society.

21. Land Reform Act No. 1 of 1972 as amended
22. National Water Supply and Drainage Board Act No. 2 of 1974 as amended
23. River Valleys Development Board Act No. 4 of 1975 as amended
24. Board of Investment Act No. 4 of 1978 as amended
25. Sri Lanka Land Reclamation and Development Corporation Act No. 27 of 1978 as amended
26. Urban Development Authority Act No. 41 of 1978 as amended
27. State Lands (Recovery of Possession) Act No. 7 of 1979 as amended
28. Mahaweli Authority Act No. 23 of 1979 as amended
29. Sri Lanka Ports Authority Act No. 51 of 1979 as amended
30. Urban Development Projects (Special Provision) Act No. 2 of 1980
31. Road Development Authority Act No. 73 of 1981
32. Predeshiya Sabhas Act No. 15 of 1987 as amended
33. Agrarian Development Act No. 46 of 2000 as amended
34. National Housing Development Authority Act No. 17 of 2002 as amended
35. Tourism Act No. 38 of 2005
36. Resettlement Authority Act No. 9 of 2007 as amended
37. Strategic Development Projects Act No. 14 of 2008 as amended
38. Urban Settlement Development Authority Act No. 36 of 2008
39. National Thoroughfares Act No. 40 of 2008
40. Sri Lanka Electricity Act No. 20 of 2009 as amended

# Land Administration Challenges in Sri Lanka:

**Legally  
Complicated**

Range of Tenure  
Tools in State  
Land.



- ✓ Land permits,
- ✓ Land grants,
- ✓ Annual land permits,
- ✓ Long-term leases,
- ✓ Land releases to Government agencies
- ✓ Land releases through vesting orders.



Range of Tenure Rights  
in State Land.



**Obtaining permits  
and grants is  
typically a  
complex and non-  
transparent  
process.**

Restrictions in the trading in many rights but transfers are happening in practice and creating informality that is difficult to resolve.



# Land Administration Challenges in Sri Lanka:

**Legally  
Complicated**

The Deeds  
Registration  
System

Dual system of registering  
private rights to Land  
Property

- ✓ Dates back to the British colonial administration & covers approximately 7 million land parcels (of the estimated total of 13 million land parcels in Sri Lanka)
- ✓ Registration is not mandatory and there is no legal guarantee on the rights
- ✓ No certainty that a registered deed is valid.
- ✓ No maps in the land registries, therefore uncertainty on boundaries and the risk of gaps and overlaps in the parcels with rights recorded in registered deeds.
- ✓ If a deed does not correctly refer to a previous deed there is the chance that the new deed will be registered as a new property and the risk of duplicate records of rights.
- ✓ There are also claims of fake deeds and land grabbing by manipulation of the system

# Land Administration Challenges in Sri Lanka:



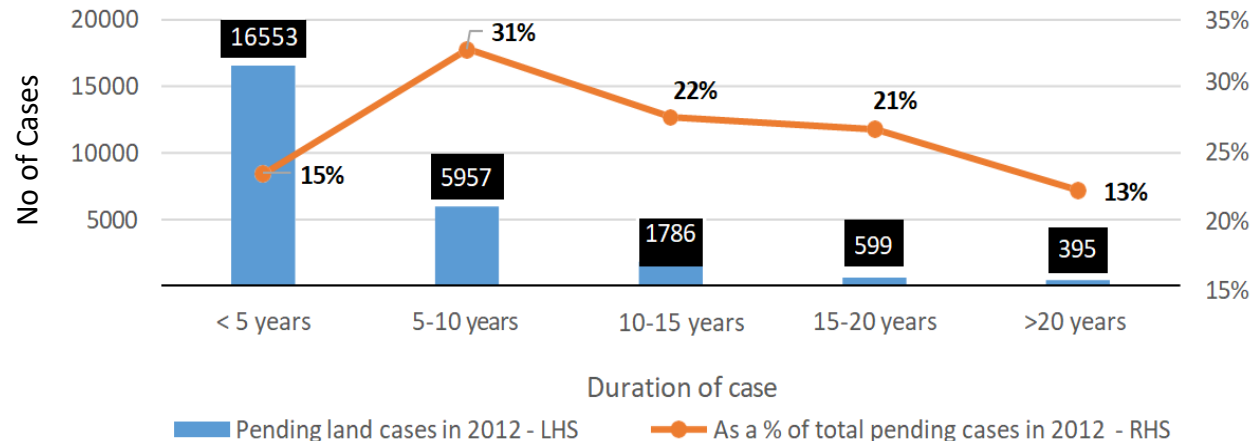
- ✓ TRS was introduced under the Registration of Title Act No. 21 of 1998
- ✓ This Act sets out a process to demarcate and survey property boundaries and to adjudicate the rights over these properties and register this information as titles with state guarantee.
- ✓ TRS is being implemented by the Survey Department (SD) and Land Settlement Department.
- ✓ The title register is maintained by the Registrar General's Department. 505,813 titles had been registered under the National Land Titling Program (Bim-Saviya).
- ✓ The SD prepare national Cadastral Map.
- ✓ TRS was intended to replace deeds registration, but the implementation of title registration has taken longer than anticipated with clearly issues in both survey and adjudication processes in acquiring title.

# Land Administration Challenges in Sri Lanka:

**Legally  
complicated**

Disputes involving the ownership, partition and intestate succession also contribute substantially to cases that take more than 5 year to complete

Contributed to the backlog  
of land cases in the Sri  
Lankan Judicial system



## Survey Department of Sri Lanka

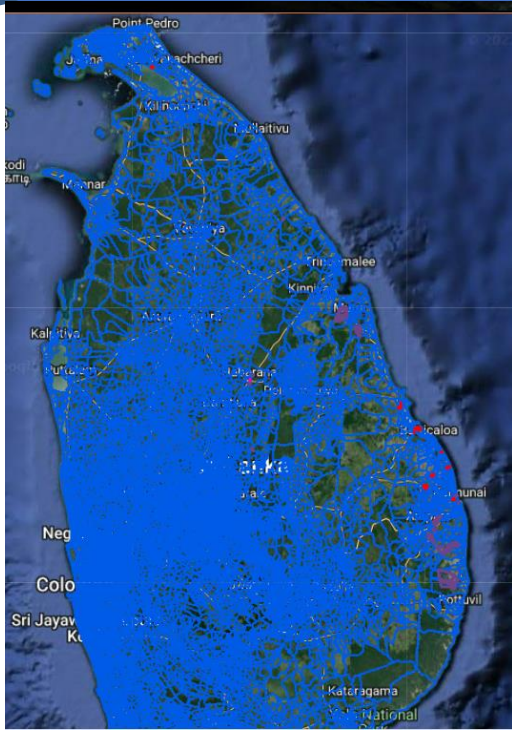


- ✓ Missing of Complete Geographical Data for Land Administration
- ✓ No single platform to access available Data
- ✓ No Mechanism to bring survey plans made by registered licensed surveyors to a common platform
- ✓ Lands are surveyed not compulsory to be connected to national reference framework

# Road Map to Implement the Framework :

1

Defining, Determining, Delimiting and Solving Administrative Boundary Disputes



# Road Map to Implement the Framework :

2

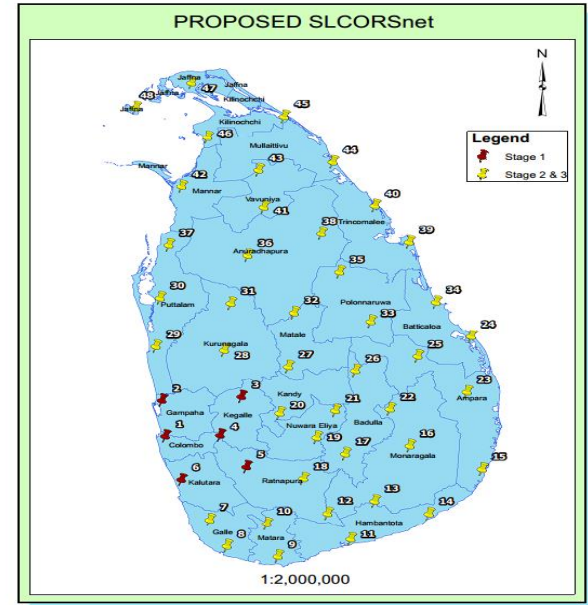
Digitize and harmonize a unified cadastre and cadastral map as the core elements of the land administration system.

- Establishing CORS network (SLCORSnet) is planned to be established in 2 Stages

Stage-1 - 6 Stations



Stage- 2 –  
42 Stations





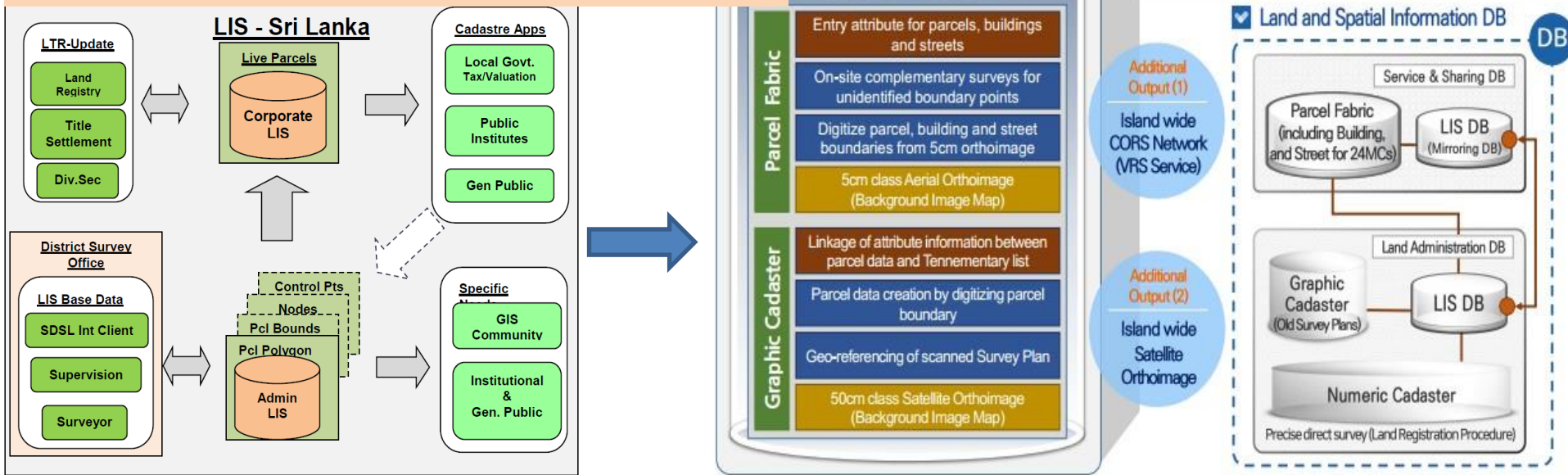


# Road Map to Implement the Framework :

2

Digitize and harmonize a unified cadastre and cadastral map as the core elements of the land administration system.

Survey Department has a leading role in the creation of parcel-based land information

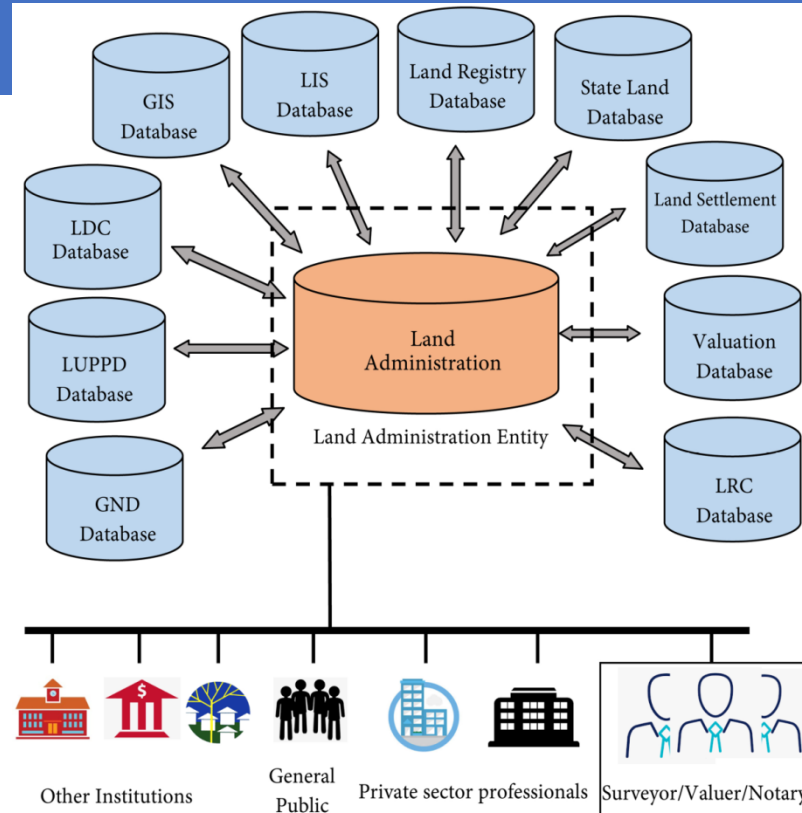




# Road Map to Implement the Framework :

3

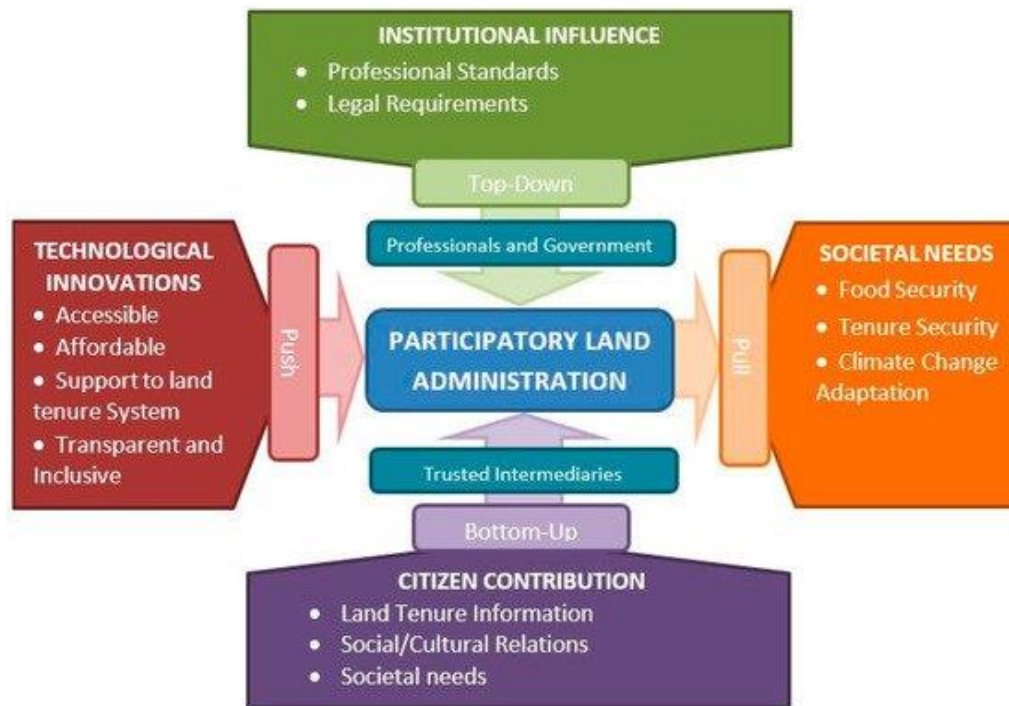
Establish comprehensive land administration database with all stakeholders



# Road Map to Implement the Framework :

4

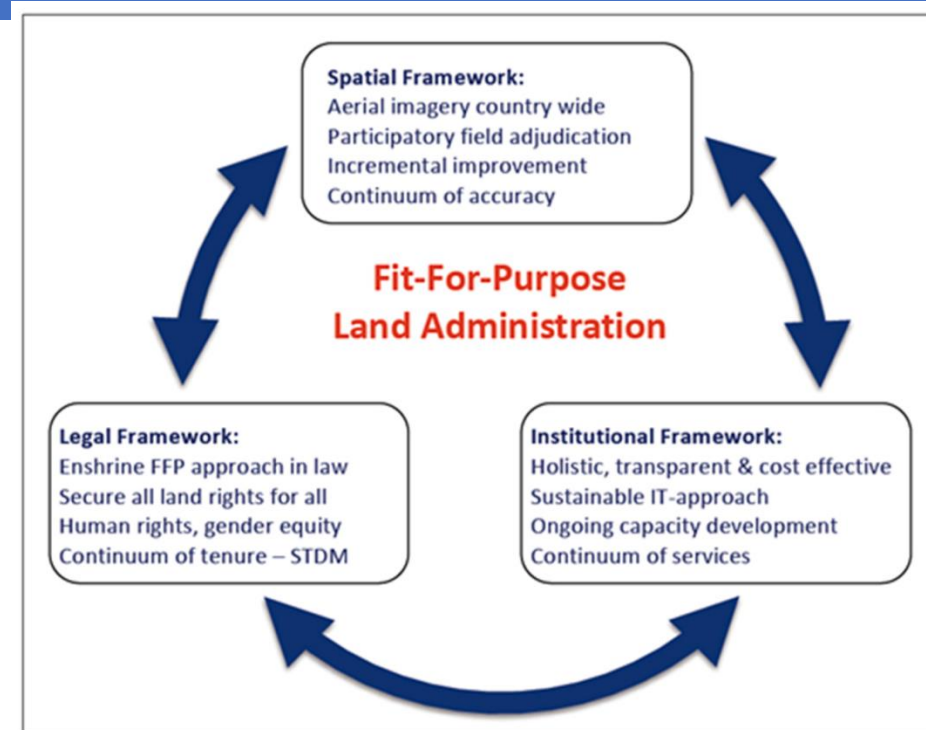
Introducing new policies, objectives and action plan for establishing a quality land administration system



## Road Map to Implement the Framework :

5

Complete a comprehensive land register, cadastre and cadastral map through a systematic fit-for-purpose first registration campaign.



## Road Map to Implement the Framework :

6

Accompany technical reforms by regulatory reforms to improve the quality, clarity and sustainability of the land administration system.

## How the UN & Group of Expertise Can Help?

- ✓ The **UN & Group of Expertise** has significant experience working with many countries worldwide on national land registration, cadastre and land administration programs.
- ✓ **UN & Group of Expertise** could provide **educations, technical & financial** assistance for conducting a systematic analysis on the quality of land administration and recommending a plan of actions systematic and incremental modernization of the entire land administration system in Sri Lanka.

