

CHAPTER 586

RIVER VALLEYS DEVELOPMENT BOARD

Act
Nos. 51 of 1949,
40 of 1952,
46 of 1961,
50 of 1961,
6 of 1965,
18 of 1965,
Law
No. 4 of 1975.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND REGULATION OF A BOARD FOR THE DEVELOPMENT OF THE GAL OYA VALLEY AND OTHER AREAS WHICH MAY BE BROUGHT UNDER THE CONTROL OF THE BOARD, AND TO MAKE PROVISION FOR MATTERS INCIDENTAL TO OR CONNECTED THEREWITH.

[15th December, 1949.]

Short title. 1. This Act may be cited as the River Valleys Development Board Act.
[§2.6 of 1965.]

(b) if he has, directly or indirectly, any interest in a subsisting contract with, or in any work being done for, the Board except as a shareholder (other than a director) in an incorporated company.

PART I

[§2.6 of 1965.] ESTABLISHMENT OF RIVER VALLEYS DEVELOPMENT BOARD

River Valleys Development Board.
[§2.6 of 1965.] 2. (1) With effect from such date* as the Minister may appoint by Notification published in the Gazette there shall be established a board by the name of the River Valleys Development Board.

(4) Where a member of the Board is a shareholder (other than a director) in an incorporated company which has entered into any contract with, or is doing any work for, the Board, he shall disclose to the Minister the nature and extent of the shares held by him in such company.

(2) The Board shall be a body corporate having perpetual succession and a common seal and may by its name sue and be sued.

(5) The Minister may, if he thinks it expedient to do so, remove, by Order published in the Gazette, any member of the Board from office without reason stated.

Constitution of the Board. 3. (1) The Board shall consist of four members appointed by the Minister, one of whom shall be a person nominated for the purpose by the Minister in charge of the subject of Finance, such person being either the Secretary to the Ministry charged with the subject of Finance or any other officer of the General Treasury.

(6) A member of the Board in respect of whom an Order under subsection (5) is made by the Minister shall vacate his office on the date of the publication of such Order in the Gazette.

(2) The Minister shall appoint one of the members of the Board to be the Chairman of the Board.

(7) A member of the Board who has been removed from office shall not be eligible for reappointment as a member of the Board or to serve the Board in any other capacity.

(3) A person shall be disqualified for appointment or for continuing, as a member of the Board—

(8) A member of the Board may at any time resign his office by letter addressed to the Minister.

(a) if he is a Member of Parliament, or

(9) If the Chairman or any other member of the Board is temporarily unable to

* 19th December, 1949.—Gazette No. 10,054 of 16th December, 1949.

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discharge the duties of his office on account of ill health or absence from Sri Lanka or for any other cause, the Minister may appoint some other person to act in his place as the Chairman or as a member.

(10) Every member of the Board shall, unless he earlier vacates office by death, resignation or removal, hold office for a period of five years. Any member of the Board who vacates office by effluxion of time shall be eligible for reappointment.

(11) No act or proceeding of the Board shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the appointment of a member thereof.

4. The members of the Board shall be remunerated in such manner and at such rates, and shall be subject to such conditions of service, as may be determined by regulations made under section 27.

5. (1) The Board may appoint such officers and servants as it considers necessary for the efficient discharge of its functions:

Provided that a person who is not a citizen of Sri Lanka, according to the law for the time being in force relating to citizenship of Sri Lanka, shall not be appointed an officer or servant of the Board without the prior sanction of the Minister.

(2) The officers and servants of the Board shall be remunerated in such manner and at such rates, and shall be subject to such conditions of service, as may be determined by rules made under section 2L

(3) No person who has directly or indirectly, by himself or his partner or agent, any share or interest in any contract made by or on behalf of the Board shall become or remain an officer or servant of the Board.

PART II

FUNCTIONS AND POWERS OF THE BOARD

6. (1) The Board may, subject to the other provisions of this Act, discharge all or

any of its functions and exercise all or any of its powers within any area (hereinafter referred to as an "area of authority") consisting of—

(a) the area declared by Order of the Minister to be the Gal Oya Valley for the purposes of this Act, and

(b) such other areas in any part of the Island as may, from time to time, be declared by like Order to be within the control of the Board. [§3,6 of 1965.]

(2) No Order made by the Minister under subsection (1) shall have effect until such Order together with the plan of development and the estimated cost has been approved by Parliament and published in the Gazette. [§ 3, 6 of 1965.]

(3) Nothing in subsection (1) shall be deemed to preclude the Board from maintaining any office or stores outside an area of authority. [§3.6 of 1965.]

(4) Notwithstanding anything to the contrary in this Act- the Board may, acting under the authority granted by the Minister by Order under his hand, execute, outside an area of authority, any such work specified in the order as may be necessary for the discharge of its functions under this Act. [§ 2, 50 of 1961.] [§ 3, 6 of 1965.]

(5) The Minister may by Order published in the Gazette direct that the Board shall cease to discharge or exercise all or any of its functions or powers within the whole or any part of an area of authority ; and every such Order shall be complied with by the Board. [§2. 50 of 1961.] [§3. 6 of 1965.]

7. (1) The Minister shall divide each area of authority into—

(a) the developed area, and [Developed area and undeveloped area. [§4,6 of 1965.]

(b) the undeveloped area.

The limits of each such area shall be specified by Notification published in the Gazette.

(2) If any local authority within an area of authority is likely to be affected by the division of that area into the developed area [§4.6 of 1965.]

Remuneration and conditions of service of members of the Board.

Appointment of officers and servants.

Areas of authority. [§3,6 of 1965.]

and the undeveloped area, the Minister shall, in making such division, consult the Minister in charge of the subject of Local Government.

Functions of the Board.
[§5,6 of 1965.]

8. The functions of the Board shall be—

- (a) to develop each undeveloped area;
- (b) to promote and operate schemes of—
 - (i) irrigation,
 - (ii) water supply,
 - (iii) drainage,
 - (iv) generation, transmission and supply of electrical energy, and
 - (v) flood control;
- (c) to promote and control irrigation and fisheries;
- (d) to promote afforestation ;
- (e) to control soil erosion;
- (f) to promote public health ;
- (g) to prevent and control plant and animal diseases; and
- (h) generally to promote agricultural and industrial development and economic and cultural progress in each area of authority.

[§ 6, 6 of 1965.]

Roads and irrigation.

9. (1) The Board may construct and maintain roads and construct, maintain and operate dams, channels and other irrigation works.

(2) The Board may determine and levy rates for the supply of water for irrigation.

Water supply.

10. (1) The Board may construct waterworks for the supply of water for industrial or domestic purposes and may supply water to any Government department, local authority, or any other person or body of persons.

(2) The Board may determine and levy rates or fees for the supply of water whether in bulk or by retail, and such rates or fees may be levied from any consumer of water supplied by the Board whether such consumer is a Government department or a local authority or any other person or body of persons.

11. All irrigation works which, at the date on which the Board is established or the date with effect from which any area is declared to be within the control of the Board under section 6, are maintained and operated within the area of authority by the Government shall, on and after that date, be maintained and operated by the Board.

Existing irrigation works.
[§6,6 of 1965.]

12. Save as otherwise prescribed, no person shall, on or after the date on which the Board is established, construct in an undeveloped area any irrigation works or waterworks without the prior sanction of the Board or otherwise than in accordance with such conditions as may be imposed by by-laws or directions made or issued by the Board.

Works requiring sanction of the Board.
[§7,6 of 1965.]

13. (1) Notwithstanding anything in the electricity law, the Board may within an area of authority—

Generation and supply of electrical energy.
[§ 8, 6 of 1965.]

(a) establish, maintain and operate such installations as may be necessary for the purpose of generating, transmitting and supplying electrical energy, and

(b) sell such energy to any consumer or supplier, whether such consumer or supplier is a Government department, local authority, or any other person or body of persons.

(2) For the purpose of establishing, maintaining and operating any installation for the generation, transmission and supply of electrical energy, the Board shall have all the powers conferred on the General Manager of the Ceylon Electricity Board by or under the electricity law: and the Board shall, in the exercise of those powers, comply with such provisions of that law as the aforesaid General Manager is required by that law to comply with when exercising those powers.

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[§8.6 of 1965.] (3) The electricity law shall apply within an undeveloped area subject to the following modifications : ~

(a) the Board shall be the authority who is empowered to issue licences and permits under the electricity law and who is generally responsible for the administration of that law, and accordingly every reference in that law to the General Manager of the Ceylon Electricity Board shall be deemed to be a reference to the Board ;

(b) the Board shall determine the fees to be charged for the supply of electrical energy whether in bulk or by retail, and such fees shall be recovered in accordance with the electricity law and credited to the fund of the Board ;

(c) the Board may, in any contract for the supply of electrical energy in bulk by the Board to any other supplier, impose such terms and conditions, including the rates of fees to be charged by the other supplier for the sale of electrical energy by retail to consumers, as it may deem necessary or desirable for the purpose of encouraging the use of electrical energy.

Other activities of the Board.

14. (1) The Board may establish, maintain and operate laboratories, experimental and research stations and farms for conducting experiments and research in respect of any of the following subjects:—

(a) the utilization of the water, electrical energy and other resources in the most economical manner for the development of any area of authority;

[§9.6 of 1965.]

(b) the determination of the effect of the operations of the Board on the flow of rivers in any area of authority;

[§9.6 of 1965.]

(c) any other subject included in the functions specified in section 8.

(2) The Board may establish its own departments or agencies for the purposes of any work of planning, designing, construction or operation, or make contracts or other arrangements for such purposes with Government departments, local authorities, educational and research institutions or any person or body of persons:

Provided, however, that the Board shall not, without the prior sanction of the Minister, enter into any such contract or arrangement with any Individual or firm not resident in Sri Lanka or with any company not formed and registered in Sri Lanka.

15. (1) In an undeveloped area the Board shall, notwithstanding the provisions of Part XI of the State Lands Ordinance, be the sole authority responsible for and charged with the administration of that Ordinance, and accordingly every reference in any provision of that Ordinance to the Land Commissioner or any other officer of Government entrusted with any duties in respect of State lands shall, for the purposes of the application of that Ordinance in an undeveloped area, be deemed to be a reference to the Board or to any such officer of the Board as may be authorized by the Board for the purposes of that provision.

State lands. [§ 10, 6 of 1965.]

(2) The Board shall, notwithstanding anything in any other written law, be the sole authority for making recommendations to the Minister in regard to the exercise of such powers of the President in an undeveloped area as are conferred by the State Lands Ordinance or by any other written law relating to State lands.

[§, 10, 6 of 1965.]

(3) The Board may use any State land in an undeveloped area for any of its purposes or reserve any such land for future use.

[§ 10. 6 of 1965-]

16. (1) Where any land or any interest in any land in an area of authority is required by the Board for any of its purposes, that land or interest may be acquired under the land acquisition law by the Government for the Board, and the provisions of that law shall, save as otherwise provided in subsection (2), apply for the purposes of the acquisition of that land or interest.

Compulsory acquisition of land in area of authority. [§ 11. 6 of 1965.]

(2) In any case where any land or any interest in any land is to be acquired under the land acquisition law for any purpose of the Board and the public notice of the intention to acquire that land or interest is published as required by that law at any time within the period of three years commencing on the appointed date, the following provisions shall apply for the purpose of determining the amount of compensation to be paid in respect of that land or interest notwithstanding anything to the contrary in the land acquisition law :—

- (a) the market value of the land shall be deemed to be the market value which the land would have had at the appointed date if it then was in the same condition as it is at the time of acquisition;
- (b) in ascertaining the market value of the land at the appointed date no account shall be taken of any benefit or increase in value which may have accrued, or of any expectation of benefit or increase in value likely to accrue, directly or indirectly, from any work of development or other operation of the Government after the 1st day of October, 1948. or from any work of development or other operation of the Board in pursuance of this Act.

(3) Where the Board requires for any of its purposes any land situated in such part of an undeveloped area as is described in a notice published and displayed under the preceding provisions of this section and where no claim of any right, title or interest to or in that land has been made to the Board as required by that notice or all the claims made in respect of that land are, after due investigation, considered by the Board to be invalid, the Board may take possession of that land and cause any work to be done thereon, notwithstanding that no proceedings under the land acquisition law have been taken in respect of that land.

[§ 12. 6 of 1965.]

(4) Any person authorized in writing in that behalf by the Board may, for and on behalf of the Board, take possession of any land referred to in subsection (3).

(5) Where any person who is authorized in writing by the Board to take possession of any land referred to in subsection (3) is unable to take possession of that land because of any obstruction or resistance which has been offered, he shall, on his making an application in that behalf to the Magistrate's Court having jurisdiction where that land is situated, be entitled to an order of that court directing the Fiscal to deliver possession of that land' to him for and on behalf of the Board.

(6) Where an order under subsection (5) is issued to the Fiscal by a Magistrate's Court, he shall forthwith execute that order and in writing report to that court the manner in which that order is executed.

(7) For the purpose of executing an order issued by a Magistrate's Court under subsection (5), the Fiscal or any person acting under his direction may use such force as may be necessary to enter the land to which that order relates and to eject any person offering obstruction or resistance and to deliver possession of that land to the person who is duly authorized to take such possession for and on behalf of the Board.

17. (1) The Board may, by notice published and displayed in accordance with the provisions of subsection (2). require every person who claims any right, title or interest to or in any land situated in such part of an undeveloped area as is described in the notice to prefer his claim in writing to the Board within such time as may be specified in the notice.

(2) The notice referred to in subsection (1) shall be published in the Gazette and in at least one newspaper in the Sinhala language and one newspaper in the Tamil language and shall be displayed, in accordance with directions of the Board, at conspicuous places in such part of an undeveloped area as is described in the notice.

18. (1) Any land of which possession is taken by the Board under section 17 shall, with effect from the date of commencement of such possession, vest absolutely in the Board free from all encumbrances.

Effect of possession under section 17.

Possession of land in undeveloped area otherwise than under land acquisition law. [§, 12. 6 of 1965.]

[§ 12. 6 of 1965.]

(2) No person claiming any right, title or interest to or in any land of which possession has been taken by the Board under section 17 shall, save as provided in subsection (3), be entitled to institute any suit or other legal proceeding against the Board in respect of that land, or of the taking of possession thereof by the Board or of the doing of any work thereon by or under the authority of the Board.

(3) Any person who would but for the provisions of subsection (1) have any right, title or interest to or in any land of which possession has been taken by the Board under section 17 may institute in a court of competent jurisdiction an action against the Board for a declaration of such right, title or interest and for obtaining compensation from the Board in respect of that land.

(4) The amount of compensation which is to be awarded to any person in an action under subsection (3) shall, save as otherwise provided in subsection (5), be determined on the basis on which compensation would be determined under the land acquisition law if the land in respect of which compensation is to be awarded were acquired under that law.

(5) Where compensation is to be awarded to any person in an action under subsection (3) in respect of a land of which possession has been taken by the Board at any time within the period of three years commencing on the appointed date, the provisions of paragraphs (a) and (b) of subsection (2) of section 16 shall apply for the purpose of determining the amount of such compensation.

19. The Board may—

- (a) acquire and hold any movable or immovable property and dispose of any movable or immovable property acquired or held by it;
- (b) cause the construction of such dams, barrages, reservoirs, power houses, power structures, electrical transmission lines and sub-stations, navigation works, irrigation,

navigation and drainage canals, and such other works and structures, as may be required;

- (c) stock its reservoirs and watercourses with fish;
- (d) undertake resettlement of the population displaced by its operations;
- (e) establish and finance co-operative societies;
- (f) undertake measures for the prevention of malaria and other diseases ; and
- (g) execute such other works, and carry out such other operations, as may be necessary for the purpose of discharging its functions under this Act.

***19A.** No person shall erect a monument on any land belonging to the State or on any land vested in or belonging to the River Valleys Development Board except with the prior approval of the Minister granted upon an application made in that behalf by such person.

Control and erection of monuments. [§ 7. Law 4 of 1975.]

In this section " monument " includes any statue, pillar, post, or any structure erected to commemorate any person, whether living or dead, but does not include any structure, tomb, or cross erected in any cemetery or burial ground.

[§ 9, Law 4 of 1975.]

***19B.** It shall not be lawful for the River Valleys Development Board to name any public park, playground, library, reading room, stadium, building, clock tower, bridge or bathing-well except with the prior approval of the Minister.

Naming of public parks, &c. [§ 8. Law 4 of 1975.]

20. (1) The written laws for the time being specified in the First Schedule to this Act shall have effect in every undeveloped area subject to the modification that it shall be lawful for the Board—

Special powers in respect of undeveloped area. [§ 13. 6 of 1965.]

- (a) to make or issue for the whole or any specified part of an undeveloped area any by-law, regulation, order or notification under any such written law, and

[§13.6of 1965.]

* New sections 19*i* and 19*n* have been introduced in the course of the revision and are based on sections 7, 8 and 9 of the Naming of Streets and the Control of the Erection of Monuments Law. No. 4 of 1975-

General powers.

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[§ 13. 6 of 1965.]

(b) to exercise and discharge in an undeveloped area or any part thereof all or any of the powers or functions vested by any such written law in any officer or person,

in like manner as though references in any such written law to the authority, officer or person empowered to make or issue such by-laws, regulations, orders or notifications or to exercise or discharge such powers or functions include references to the Board.

(2) No officer or person in whom any powers or functions are vested by any written law for the time being specified in the First Schedule to this Act shall, within an undeveloped area. exercise or discharge any of those powers or functions except where necessary for the purpose of executing or carrying out any contract or arrangement made by the Board under subsection (2) of section 14.

(3) The Board may—

(a) by by-law made under section 22 of this Act apply any provision of any written law for the time being specified in the Second Schedule to this Act, with or without modification, to any part of an undeveloped area which is not within the operation of such written law, or

(b) make for any part of an undeveloped area which is not within the operation of any written law for the time being specified in the Second Schedule to this Act any by-law which could, if such part had been within the operation of such written law, have been made by the appropriate local authority.

(4) Any power or function which the Board is authorized by paragraph (h) of subsection (1) to exercise or discharge, may be exercised or discharged on behalf of the Board by any member of the Board or by any such officer of the Board as is authorized in writing in that behalf by the Chairman.

[§ 13. 6 of 1965.]

[§ 13.6 of 1965.]

[§ 13. 6 of 1965.]

21. (1) The Board may make rules in respect of all or any of the following matters:—

(a) any matter which has to be determined under subsection (2) of section 5;

(b) the appointment, promotion, dismissal and disciplinary control of its officers and servants ;

(c) the meetings of the Board and the quorum for and the procedure to be followed at such meetings.

(2) No rule made under subsection (1) shall have effect until it has been approved by the Minister.

(3) The Minister shall not, without the concurrence of the Minister in charge of the subject of Finance, approve of any rule made by the Board in respect of any matter referred to in paragraph (a) or paragraph (b) of subsection (1).

22. (1) The Board may make by-laws in respect of all or any of the following matters:—

(a) any matter which is required by this Act to be prescribed or for or in respect of which by-laws are required or authorized by this Act to be made;

(b) the control of the use of water for irrigation within any area of authority; [§ 14, 6 of 1965.]

(c) the prevention of the pollution of water within any area of authority ; [§ 14, 6 of 1965.]

(d) the prevention of damage to, or the obstruction of, channels in any area of authority ; [§ 14, 6 of 1965.]

(e) the conditions, restrictions and exemptions subject to which any rate imposed under this Act shall be levied;

(f) the recovery, whether in a summary manner or otherwise, of—

(i) rates for the supply of water for irrigation, and

(ii) rates or fees for the supply of water for industrial or domestic purposes;

(g) the regulation of fishing in waters within any area of authority ;

(h) the regulation of navigation within any area of authority;

(i) the ejection of persons trespassing on such lands within any undeveloped area as are under the control of the Board ;

(j) the regulation of the transport or movement of cattle, grain and other agricultural produce within any undeveloped area;

(k) the regulation of the use of roads within any undeveloped area;

(l) the regulation of the erection of buildings within any undeveloped area.

(2) No by-law made under subsection (1) shall have effect until it has been approved by the Minister, confirmed by Parliament, and published in the Gazette.

(3) Every by-law made under subsection (1) and approved by the Minister and confirmed by Parliament shall upon its publication in the Gazette be as valid and effectual as if it were herein enacted.

PART III

FINANCE AND ACCOUNTS

23. (1) The Board shall have its own fund. All moneys received by the Board, including such sums as may be voted by Parliament for the use of the Board, shall be credited to the fund, and all payments made by the Board shall be made therefrom.

(2) The excess of the revenue over the expenditure of the Board for each financial year shall, after the deduction of any sum necessary for such reserves for depreciation or any other purpose as the Minister may approve, be paid by the Board to the General Treasury.

24. Notwithstanding anything in any other written law the Principal Collector of Customs may, with the sanction of the Secretary to the Treasury, waive the customs duty on any articles imported by, or for, the Board, or purchased out of bond by the Board, for any of its purposes.

25. (1) The Board shall cause proper accounts of its income and expenditure to be kept and shall prepare an annual statement of accounts relating to its business in such form and containing such particulars as the Minister with the concurrence of the Minister in charge of the subject of Finance may, from time to time, specify.

(2) The accounts of the Board for each financial year shall be audited by the Auditor-General. For the purpose of assisting him in the audit of such accounts, the Auditor-General may employ the services of any qualified auditor or auditors who shall act under his direction and control.

(3) For the purpose of meeting the expenses incurred by him in the audit of the accounts of the Board, the Auditor-General shall be paid by the Board such remuneration as the Minister may determine with the concurrence of the Minister in charge of the subject of Finance. Any remuneration received from the Board by the Auditor-General shall, after deducting any sums paid by him to any qualified auditor employed by him for the purposes of such audit, be credited to the Consolidated Fund.

(4) The Auditor-General shall examine the accounts of the Board and furnish a report—

(a) stating whether he has or has not obtained all the information and explanations required by him ;

(b) stating whether the accounts referred to in the report are properly drawn up so as to exhibit a true and fair view of the affairs of the Board ; and

(c) drawing attention to any item in the accounts which in his opinion may be of interest to Parliament in any examination of the activities and accounts of the Board.

[§ 14, 6 of 1965.]

[§ 14, 6 of 1965.]

[§ 14, 6 of 1965.]

[§ 14, 6 of 1965.]

[§ 14, 6 of 1965.]

[§ 14, 6 of 1965.]

[§ 2, 46 of 1961.]
[§57, (1) 18 of 1965.]

Accounts of [he Board and audit of such accounts.
[§ 15, 6 of 1965.]

Fund of the Board.

(5) The Auditor-General shall transmit his report to the Board.

(6) The Auditor-General and any person assisting the Auditor-General in the audit of the accounts of the Board shall have access to all such books, deeds, contracts, accounts, vouchers and other documents of the Board as the Auditor-General may consider necessary for the purposes of the audit, and shall be furnished by the Board or its officers with such information within their knowledge as may be required for such purposes.

(7) For the purposes of this section, the expression "qualified auditor"* means any person who is registered as an auditor under the Companies Ordinance.†

Report of Board and copies of Auditor-General's report, and statement of accounts to be sent to Minister and laid before Parliament. [§ 16, 6 of 1965.]

26. (1) The Board shall, as soon as possible, after the end of each financial year of the Board, make to the Minister a report on the exercise and performance by the Board of its powers and duties during that year and on its policy and programme. The Minister shall lay a copy of such report before Parliament.

(2) The Board shall, on receipt of the Auditor-General's report in each year, transmit to the Minister—

- (a) a copy of such report, and
- (b) a copy of the statement of accounts prepared under subsection (1) of section 25.

(3) The Minister shall lay copies of the report and statement referred to in subsection (2) before Parliament before the end of the year next following the financial year to which such report and statement of accounts relate.

Minister's power to make regulations.

27. (1) The Minister may, with the concurrence of the Minister in charge of the subject of Finance, make regulations for all or any of the following matters ;—

- (a) any matter which has to be determined under section 4 ;
- (b) the manner in which the accounts of the Board shall be kept and audited.

* See also Article 154 (S) of the Constitution.

† Repealed and replaced by the Companies Act, No. 17 of 1982.

(2) No regulation made by the Minister under subsection (1) shall have effect until it has been approved by Parliament and published in the Gazette.

PART IV

MISCELLANEOUS

28. (1) Where any village area or any part of a village area is, by any Order under section 6(1), included in such part of an area of authority as forms an undeveloped area, that village area or that part of a village area is hereby excluded from the operation of the Village Councils Ordinance with effect from the date on which that Order comes into force, and the Village Council for any village area which is so excluded from the operation of that Ordinance is hereby dissolved with effect from the aforesaid date, notwithstanding anything in any other written law.

Dissolution of Village Councils in undeveloped area- [§ 17,6 of 1965.]

(2) All the property, rights, debts, liabilities and obligations of every Village Council dissolved by subsection (1) are hereby transferred to and vested in the Board with effect from the date of dissolution of that Village Council, and any such property which is immovable property of the State vested in that Village Council subject to any conditions shall be held by the Board subject to those conditions.

(3) Every by-law which has been or is deemed to have been made by any Village Council dissolved by subsection (1) and which is in force at the date of dissolution of that Village Council shall continue in force as though it were a by-law made by the Board under section 20 (3) (b) and may be amended or rescinded by by-law made by the Board under that section.

(4) Where only a part of a village area is, by virtue of subsection (1), excluded from the operation of the Village Councils Ordinance with effect from any date, every by-law which has been or is deemed to have been made by the Village Council for that village area and which is in force at that date shall continue in force in that part as though it were a by-law made by the Board under section 20 (3) (b) and may be

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amended or rescinded by by-law made by the Board under that section.

which in good faith is done or purported to be done, under this Act.

Constitution of local authorities in undeveloped area. [§ 18, 6 of 1965.]

29. No local authority shall, without the prior approval of the Minister, be constituted in an undeveloped area, notwithstanding anything in any other written law.

34. All forests owned by, or under the supervision or control of, the Board shall be deemed to be reserved forests for the purposes of sections 6 and 7 of the Forest Ordinance.

Forests of the Board.

Minister's directions to the Board.

30. (1) In the discharge of its functions and the exercise of its powers the Board shall be subject to, and act in accordance with, such general or special directions as the Minister may, from time to time, issue.

35. (1) Every person who contravenes any provision of this Act or of any by-law made by the Board under section 22 shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to imprisonment of either description for a term not exceeding six months or to a fine not exceeding one thousand rupees or to both such imprisonment and fine.

Offences.

(2) The Minister shall, in issuing directions under subsection (1) with regard to any matter affecting the functions of any other Minister, act in consultation with that other Minister.

Power to enter any land or premises.

31. Any officer or servant of the Board who is generally or specially authorized in that behalf by the Board may, at all reasonable times, enter upon any land or premises and there do such acts as may be reasonably necessary for the purpose of carrying out any work of the Board, or of making any survey, examination or investigation preliminary or incidental to the exercise of any power, or the discharge of any function, of the Board.

(2) No court shall take cognizance of any offence under subsection (1) except on a complaint by an officer of the Board who is authorized by the Board to make the complaint.

Members and employees of the Board to be deemed to be public servants.

32. (1) Every member, officer and servant of the Board shall, when acting or purporting to act in pursuance of any of the provisions of this Act, be deemed to be public servants within the meaning of the Penal Code.

36. The provisions of this Act or of any by-law, regulation, order or notification made or issued under this Act shall have effect notwithstanding anything in any other written law.

Effect of other laws.

37. The Minister may by Order published in the Gazette amend any Schedule to this Act.

Amendment of Schedules.

38. In this Act, unless the context otherwise requires,—

Interpretation

(2) The members, officers and servants of the Board shall, for the purposes of the Public Servants (Liabilities) Ordinance, be deemed to be public servants.

"appointed date" means the 15th day of December, 1949;

"Board" means the River Valleys Development Board established under section 2;

[§ 2, 6 of 1965.]

"Chairman" means the person appointed under this Act to be or to act as the Chairman of the Board;

Protection for action taken under this Act.

33. (1) No suit or other legal proceeding shall lie against the Board for any damage caused, or likely to be caused, by any act which in good faith is done, or purported to be done, under this Act.

"developed area" includes any area declared to be, or to be a part of, a Municipality under the Municipal Councils Ordinance or a town under the Urban Councils Ordinance or the Town Councils

[§ 19, 6 of 1965.]

(2) No suit, prosecution or legal proceeding shall lie against any person in the employment of the Board for any act

Ordinance, or any area within the jurisdiction of a Village Council declared to be a built-up locality under section 37 (7) of the Village Councils Ordinance;

"land acquisition law" means the Land Acquisition Ordinance, 1876,* or the Land Acquisition Act, and includes any written law enacted under that Ordinance or Act;

"electricity law" means the Electricity Act or the Ceylon Electricity Board Act, and includes any written laws made or deemed to be made under those Acts;

"local authority" means any Municipal Council, Urban Council, Town Council or Village Council;

"General Treasury" means the department of Government known as the General Treasury ;

" prescribed " means prescribed by by-law made under section 22 ; and

" village area " has the same meaning as in the Village Councils Ordinance.

[Section 20.]

FIRST SCHEDULE

- Animals Act
- Entertainment Tax Ordinance
- Fauna and Flora Protection Ordinance
- Flood Prelection Ordinance
- Forest Ordinance
- Irrigation Ordinance
- Land Development Ordinance
- Mines and Minerals Law
- Thoroughfares Ordinance
- Tolls Ordinance
- Vehicles Ordinance
- Wells and Pits Ordinance
- Written Law enacted under any of the aforesaid enaclments.

[Section 20.]

SECOND SCHEDULE

- Municipal Councils Ordinance
- Town Councils Ordinance
- Urban Councils Ordinance
- Village Councils Ordinance.

* Repealed by Act No. 9 of 1950,