



# **ANNUAL PERFORMANCE REPORT 2016**

**Delimitation Commission  
Sri Lanka**

## **Vision**

To achieve excellence in boundary delimitation based on ethical and equitable principles.

## **Mission**

To conduct boundary delimitation as mandated by the Constitution in an independent, ethical, equitable, efficient, transparent and credible manner and in accordance with the Law.

## **Goals/Objectives**

- To ensure that the boundaries of electoral or any other assigned geographical units are drawn in such a way as to achieve equitable representation for each vote or citizen to the greatest degree possible, to ensure effective safeguarding of the democratic rights of the people and of the environment.
- To complete assigned tasks on delimitation of electoral boundaries or any other assigned geographical boundaries for administration or socio-economic services to citizens, such as education, health or security, within the scheduled time frame.
- To provide knowledge and data on boundary delimitation to government and others to facilitate their decisions.
- To develop a resource centre for boundary delimitation literature and related materials.

## **1. Introduction**

I am pleased to present the first annual performance report of the sixth National Delimitation Commission for Sri Lanka.

Following the 19<sup>th</sup> Amendment to the Constitution of the Democratic Socialist Republic of Sri Lanka (Constitution), a three member Delimitation Commission (DC) was appointed on 13<sup>th</sup> November 2015 under Article 41B and 95(1) of the Constitution. The Commission is currently awaiting parliamentary legislation that will provide it with a mandate regarding the electoral system, number of members of Parliament and criteria for demarcation of constituencies, to start its substantive work. A permanent office of the DC was opened in the Surveyor General Office's building in November 2016.

The strength of the DC as at end-December 2016 was three members including the Chairman, a part-time Secretary, a part-time Accountant, a permanent Coordinating Secretary to the Chairman and 2 Public Management Assistants. Since mid-2016, the President Secretariat has provided 2 vehicles (cars) for the DC.

Since its inception, the DC has been surveying the literature on global experiences in delimitation and studying the history of and rationale for previous delimitation work in Sri Lanka in preparation for its substantive work. During this exercise, the DC has been made aware that in the past, at different points in time, separate bodies had been assigned the responsibility for delimitation of Parliamentary Constituencies, Local Government areas and Public Administration areas.

The studies show that the delimitation work required for elected bodies and administrative areas demands a well-organized, permanent structure which functions within a framework underpinned by a well-established set of principles that would need review and revision from time to time. As the demography of the country is constantly changing, creating, amalgamating and upgrading Local Authorities (Municipal Councils, Urban Councils and Pradeshiya Sabhas), especially after every national population census, is a continuous process. At present, a large number of requests for new local authorities' status are pending decisions at the Ministry of Provincial Councils and Local Government. The present practice is that the Government (Minister) appoints a Committee with one or more members to study each request. This practice does not bring either consistency or uniformity to the process. If all such issues are assigned to a single independent Delimitation Commission, a consistent, uniform yardstick can be established within a uniform framework and set of principles.

Against this background the DC wishes to put forward a proposal to Government to have ONE independent Delimitation Commission as the legal authority to undertake all

delimitation work related to elected bodies- Parliament, Provincial Councils and Local Government Authorities. Besides the delimitation work for elected bodies, the DC is aware that the delimitation and demarcation of consistent administrative areas for all state services (Agrarian, Education, Health, Judicial, Police, Public Administration, etc.) requires urgent attention. The DC recommends that such delimitation is also brought under this same independent Delimitation Commission.

K.Thavalingam

Chairman

Delimitation Commission

## **2. Background**

The current Delimitation Commission was constituted under articles **41B and 95 (1)** of the Constitution of the Democratic Socialist Republic of Sri Lanka on 13-11-2015. The Delimitation Commission (DC) consists of three members appointed by His Excellency the President. Dr. K.Thavalingam, former Surveyor General, is the Chairman and Dr. Anila Dias Bandaranaike, former Assistant Governor and Director of Statistics, Central Bank of Sri Lanka, and Prof. S.H. Hasbullah, Professor of Geography, University of Peradeniya, are the members of the DC.

The present Constitution does not provide a mandate for the newly appointed Delimitation Commission. Meanwhile, several Legislative enactments and procedures in Sri Lanka cater to different forms of delimitation at electoral and administrative levels which need to be rationalized for optimum benefit to the country.

Following on the acceptance of their appointments, DC members were invited to their first meeting with the Constitutional Council (CC) on 19-11-2015. The thinking conveyed by the Constitutional Council indicated that all delimitations would be rationalized under the new mandate of a single Delimitation Commission, once it is spelt out in an amendment to the constitution or under new legislature.

At that meeting, it was agreed that a meeting with the CC, Elections Commission and Ministry of Provincial Councils and Local Government was necessary to clarify the position with regard to the overlap between the Delimitation Review Committee (DRC) appointed under Act 22 of 2012 pertaining to Local Government elections and the CC's anticipated broader, future responsibilities of the DC. This meeting was scheduled for 23-11-2016. At that meeting, it was agreed that the DRC would need to complete its work for the oncoming Local Government elections, while any proposed changes to the mandate and work of the DC would need to be made with constitutional changes thereafter.

### **2.1. Statutory Provisions for the Appointment, Powers and Functions of the Delimitation Commission**

In terms of the Constitution, as amended up to the 19<sup>th</sup> Amendment,

#### **41B.**

(1) No person shall be appointed by the President as the Chairman or a member of any of the Commissions specified in the Schedule to this Article, except on a recommendation of the Council.

(2) The provisions of paragraph (1) of this Article shall apply in respect of any person appointed to act as the Chairman or as a member of any such Commission.

(3) It shall be the duty of the Council to recommend to the President fit and proper persons for appointment as Chairmen or members of the Commissions specified in the Schedule to this Article, whenever the occasion for such appointments arises, and such recommendations shall endeavor to ensure that such recommendations reflect the

pluralistic character of Sri Lankan society, including gender. In the case of the Chairmen of such Commissions, the Council shall recommend three persons for appointment, and the President shall appoint one of the persons recommended as Chairman.

(4) The President shall appoint the Chairman and the members of the Commissions specified in the Schedule to this Article, within fourteen days of receiving the recommendations of the Council for such appointments. In the event of the President failing to make the necessary appointments within such period of fourteen days—

(a) the persons recommended under paragraph (3), to be appointed as members of a Commission, shall be deemed to have been appointed as the members of the Commissions; and

(b) the person whose name appears first in the list of names recommended under paragraph (3), to be appointed as the Chairman of a Commission, shall be deemed to have been appointed the Chairman of the respective Commission, with effect from the date of expiry of such period.

(5) No person appointed under paragraph (1) or a person appointed to act as the Chairman or a member of any such Commission, shall be removed except as provided for in the Constitution or in any written law, and where there is no such provision, such person shall be removed by the President only with the prior approval of the Council.

(6) All the Commissions referred to in the Schedule to this Article, other than the Election Commission, shall be responsible and answerable to Parliament.

#### SCHEDULE

- (a) The Election Commission.
- (b) The Public Service Commission.
- (c) The National Police Commission.
- (d) The Audit Service Commission.
- (e) The Human Rights Commission of Sri Lanka.
- (f) The Commission to Investigate Allegations of Bribery or Corruption.
- (g) The Finance Commission.
- (h) The Delimitation Commission.
- (i) The National Procurement Commission.

#### 95.

(1) Within three months of the Commencement of the Constitution the President shall for the delimitation of electoral districts, establish a Delimitation Commission consisting of three persons appointed by him who he is satisfied are not actively engaged in politics. The President shall appoint one of such persons to be the Chairman.

(2) If any member of the Delimitation Commission shall die or resign or if the President is satisfied that any such member has become incapable of discharging his functions as such,

the President shall, in accordance with the provisions of paragraph (1) of this Article, appoint another person in his place.

**96.**

(1) The Delimitation Commission shall divide Sri Lanka into not less than twenty and not more than twenty-five] electoral districts and shall assign names thereto.

(2) Each Province of Sri Lanka may itself constitute an electoral district or may be divided into two or more electoral districts.

(3) Where a Province is divided into a number of electoral districts the Delimitation Commission shall have regard to the existing administrative districts so as to ensure as far as is practicable that each electoral district shall be an administrative district or a combination of two or more administrative districts or two or more electoral districts together constitute an administrative district.

(4) The electoral districts of each Province shall together be entitled to return four members, (independently of the number of members which they are entitled to return by reference to the number of electors whose names appear in the registers of electors of such electoral districts) and the Delimitation Commission shall apportion such entitlement equitably among such electoral districts.

(5) In the event of a difference of opinion among the members of the Delimitation Commission, the opinion of the majority thereof shall prevail and shall be deemed to be the decision of the Commission. Where each member of the Commission is of a different opinion, the opinion of the Chairman shall be deemed to be the decision of the Commission. Any dissentient member may state his reasons for such dissent.

(6) The Chairman of the Delimitation Commission shall communicate the decisions of the Commission together with the reasons, if any, stated by a dissentient member to the President.

**2.2. Limitations in the Statutory Provisions under the present Constitution**

Sections 95 and 96 of the Constitution of the Democratic Socialist Republic of Sri Lanka establish the Commissions and state their main tasks. However, unlike for most other Commissions, the following in respect of the DC have not been mentioned either in the Constitution or in the 19<sup>th</sup> Amendment to the Constitution.

- Functions of the Commission
- Powers of the Commission

The DC brought this to the notice of the CC at its meeting on 23-11-2015. Since this would require further constitutional amendments or a new constitution, it was agreed with the CC that the DC would commence preliminary studies on the Principles to establish a Delimitation Framework for Sri Lanka relevant to all levels of political representation-

National, Provincial and Local Government, in anticipation of the required constitutional amendments.

### **3. Administration of the Delimitation Commission**

#### **3.1. Preliminary arrangements for the functioning of the Delimitation Commission**

Following a letter from the DC requesting clarification of its mandate and functions, Chairman, DC was invited to a meeting with the CC on 01-09-2016 to discuss the following matters:

- Office Accommodation for the Delimitation Commission.
- Appointment of staff to the Delimitation Commission and
- Finances for the Delimitation Commission for 2016.

At that meeting, it was agreed that the DC take immediate steps to:

- Identify office space to establish its office
- Get cadre approval from Management Services for staff
- Get Budget approval from the General Treasury for expenditure.

The immediate action plan included the following:

- Identifying office space
- Opening a Bank Account.
- Appointing required staff
- Purchasing necessary office equipment -furniture, computers, photocopier etc.

Until these administrative issues were resolved, members agreed to meet regularly in a member's house. Thereafter, 13 meetings were held in this manner until a formal office was established in the Surveyor General's Office building in November 2016.

#### **3.2 Delimitation Commission meetings** -Fifteen meetings were held during the period from 13-11-2015 to 31-12-2016 as follows:

1 <sup>st</sup> meeting on 19-11-2015	9 <sup>th</sup> meeting on 08-06-2016
2 <sup>nd</sup> meeting on 21-12-2015	10 <sup>th</sup> meeting on 26-07-2016
3 <sup>rd</sup> meeting on 13-01-2016	11 <sup>th</sup> meeting on 29-08-2016
4 <sup>th</sup> meeting on 29-01-2016	12 <sup>th</sup> meeting on 28-09-2016
5 <sup>th</sup> meeting on 29-02-2016	13 <sup>th</sup> meeting on 26-10-2016
6 <sup>th</sup> meeting on 17-03-2016	14 <sup>th</sup> meeting on 25-11-2016
7 <sup>th</sup> meeting on 05-04-2016	15 <sup>th</sup> meeting on 30-12-2016
8 <sup>th</sup> meeting on 27-04-2016	



### **3.3 Office Space, Furniture, Equipment and Transport**

Office Space: At the outset, members agreed that, for its convenience, the DC requires an office either close to the Survey Department or Department of Elections. As there was space available in the Survey Department building and the Surveyor General was willing to provide such space, it was decided to establish the DC office there. The identified space provided a total area of 790 sq. ft. which could be partitioned into 3 rooms, as required. The Surveyor General agreed to undertake the required renovations and partitioning under the Survey Department vote. Thereafter, the DC requested the Surveyor General to consider a suitable rent that would cover all services that would be provided with the space, such as electricity, water, parking, etc., and inform the DC of the same at his earliest. As the Surveyor General required an official letter from the CC in this regard, CC letter no. Cc/delc/1 of 11-02-2016 was sent to the Surveyor General with copy to Chairman, Delimitation Commission. Renovations progressed smoothly over 6 months and the office was ready for occupation in time for the 14<sup>th</sup> meeting of the DC in November 2016.

#### **Present Official Address**

Delimitation Commission  
Surveyor General's Office Building  
P.O.Box 506  
Colombo-5

**Office Equipment:** Further to submission of the draft Budget for 2016 (see Section4) and allocation received from the Presidential Secretariat, purchasing of office equipment progressed and was near completion by the fourth quarter of 2016.

**Transport:** The Treasury assigned two cars to the DC in 2016. Vehicle No.CAP 7180, registered in the President's Secretary's name and insured by the Presidential Secretariat, was received from the Presidential Secretariat and assigned to the Chairman. Initially, a driver from the Election Commission was assigned to DC on a temporary basis and the Surveyor General's approval was obtained to park this vehicle in the same premises. The Presidential Secretariat assigned a second car, vehicle No. CAR 0347 to the DC in September 2016. DC sent a request to the Treasury to obtain a double cab in place of the second car. The Treasury informed the DC that this was not possible.

### **3.4 Appointment of staff to DC**

Considering the expected volume of work to be entrusted to the DC, the following posts were created with the approval of the Director General, Department of Management Services, by letter no. DMS/1029 dated 05-02-2016.

<b>Designation</b>	<b>Level</b>	<b>No. of Posts</b>	<b>Salary Code</b>
Secretary	Senior	1	SL-3-2006
Accountant	Senior	1	SL-1-2006
Co-ordinating Secretary	Tertiary	1	MN-7-2006
Administrative Officer (AO)	Tertiary	1	MN-7-2006
Translator	Secondary	3	MN-6-2006
IT Assistant	Secondary	2	MT -1-2006
Public Management Assistant (PMA)	Secondary	2	MN -2-2006
Driver	Primary	2	PL-3-2006
Office Assistant (OA)	Primary	2	PL-1-2006
<b>TOTAL</b>		<b>15</b>	

During the year, the following appointments were made to the DC:

- Mr.R.M.A.L. Rathnayake, Additional Election Commissioner, as part-time Secretary to the DC with effect from 15-03-2016 for one year up to 14-03-2017 by DC letter no. DC/Cadre/4/2.
- Mr. H.W.N. Kumara, Accountant at the Election Commission, as part-time Accountant to the DC with effect from 28-03-2016 for one year by DC letter no. DC/Cadre/4/3.
- The Surveyor General released Mr. Nalin Kusumsiri, Survey Department, as Coordinating Secretary to the DC with effect from 15-03-2016 by his letter no. CG/1/2/7/363 of 01-04-2016. Mr.Nalin Kusumsiri was been issued an appointment letter no. DC/Cadre/4/5 of 28-03-2016.
- A letter was sent to the DG, Combined Services Department requesting 2 PMAs, one driver and one AO as the DC faced difficulties with routine administration without an AO or PMA. On 04-07-2016, two PMA were assigned to DC by the Ministry of Public Administration. Thereafter, they underwent training at the Department of Election under the supervision of the Secretary.

Accordingly, the employment profile as at 31-12-2016 was:

<b>Designation</b>	<b>Approved</b>	<b>Filled</b>	<b>Vacancies</b>
Secretary	1	1 <sup>a</sup>	-
Accountant	1	1 <sup>a</sup>	-
Coordinating Secretary	1	1	-
Administrative Officer (AO)	1	0	1
Translator	3	0	3
IT Assistant	2	0	2
Public Management Assistant (PMA)	2	2	-
Driver	2	0	2
Office Assistant (OA)	2	0	2
<b>TOTAL</b>	<b>15</b>	<b>5</b>	<b>10</b>

a- Secretary and Accountant employed on part time basis

### 3.5 Quarterly Performance Reports

In November 2016, Performance reports of the DC for the quarters January- March; April-June and July-September 2016 were requested by the CC to be submitted to Parliament. These reports were sent to the CC in all three languages on schedule.

## 4 Finances of the Delimitation Commission

During the first quarter, a budget proposal for 2016 of Rs. 16.2 million comprising Rs 15.4 million for Recurrent Expenditure and Rs. 800,000 for Capital Expenditure (Annex 1). was sent to CC with copy to the Presidential Secretariat.

On 16-03-2016, the General Treasury approved a budgetary allocation through the President Secretariat amounting to Rs. 10.8 million comprising of Rs 10,000,000 under vote 01-01-02-1405 (Recurrent Expenditure) and Rs. 800,000 under vote 01-01-02-2501 (Capital Expenditure). As the Capital Expenditure allocation was not sufficient, an additional allocation (under vote 01-01-02-2501) of Rs. 250,000 was requested and later received on 23-11-2016.

Although the DC was constituted from 13-11-2015, its members agreed that payments (allowances) to Commissioners be made with effect from 01-01-2016. As the President Secretariat had informed that there would be a small change in the originally approved allowances to the Chairpersons and members of the Independent Commissions, payments were held back until such approval was received. Cabinet approval for the payment of allowances to the Chairperson and members was obtained in mid-2016.

The DC opened bank account no. 7042792 at BOC, Narahenpita on 10-05-2016 with an initial Rs.2.0 million received from Treasury for expenditure. Payments to the Chairperson, Commissioners and appointed staff (Secretary, Accountant and Coordinating Secretary) commenced from June 2016. Until a PMA was appointed to the DC, the DC received support from a PMA attached to the Election Commission to maintain accounts, prepare and type letters in Sinhala and other administrative work on an overtime basis.

### Expenditure:

Total expenditure during 2016 amounted to Rs. 7.2 million, comprising Recurrent Expenditure of Rs. 6.2 million and Capital Expenditure of Rs. 1.0 million as follows:

Vote	Allocation	Expenditure	Savings	Savings %
01 -01-02-1405	10,000,000.00	6,209,380.32	3,790,619.68	38%
01 -01-02-2501	1,050,000.00	1,031,665.64	18,334.36	2%
TOTAL	11,050,000.00	7,241,045.96	3,808,954.04	34%

While the latter Expenditure on furniture and office equipment (Annex 2) amounted to 98% of the budget, the former incurred 38% under-expenditure and cost-savings due to the following factors:

- Anticipated programs could not be implemented without a mandate, resulting in under-expenditure on fuel and transport
- Savings on rent and utilities achieved by obtaining office space in the Survey Department building. Savings achieved by appointing part-time instead of permanent senior staff (2 posts) until mandate is received.
- Under expenditure due to delays in appointing approved staff (10 posts).
- Changes in approved payments to members of independent commissions.

## **5 Policy Issues**

### **5.1 Progress Made in 2016**

During the first quarter, several e-mails and related documents were shared among members regarding the history of delimitation in Sri Lanka and the need to establish a clear mandate, principles and a frame work for the work of the DC. Dr. Dias Bandaranaike presented a draft paper to the members on Principles and an initial Framework, based on documents circulated by Chairman as well as information taken from official websites on previous Constitutions of Sri Lanka since 1946, when the first Delimitation Commission was appointed.

As directed by the CC, DC made plans to prepare a proposal to bring the redrawing of the following geographical boundaries under the mandate of the DC.

- a) Parliamentary electoral boundaries
- b) Provincial electoral boundaries
- c) Local Authorities electoral boundaries (Municipal Councils, Urban Councils, Pradeshiya Sabha).

In this regard, Chairman prepared a background paper on the history of electoral representation and delimitation in Sri Lanka, Prof Hasbullah was to prepare a paper on the historical delimitation experience of other countries and Dr. Dias Bandaranaike was to revise her paper based on the initial discussion with the other 2 members.

Information was also collected on population and land areas within the existing electoral and administrative systems. Thereafter, the DC planned to establish principles and a frame work for the above

As previously mentioned, the DC has noted that the present Constitution does not provide a mandate for the newly appointed Delimitation Commission. Meanwhile, several Legislative enactments in Sri Lanka cater to different forms of delimitation at electoral and administrative levels which need to be rationalized for optimum benefit to the country. In this regard, a Proposal on “Widening the Powers and Functions of the Delimitation Commission through Constitutional Amendments” was sent to the Chairman, CC during the third quarter (Annex 3). This same proposal was sent to the Secretary, Sub Committee on Public Services with an annex prepared by the Chairman entitled “Points to be considered while amending the Constitution or preparing a new constitution regarding Delimitation Commission” This proposal was considered by the subcommittee. In October 2016, a letter prepared by the Delimitation Commission on “Principles and Framework for Delimitation in Sri Lanka” for Consideration by the Steering Committee of the Constitutional Assembly when Drafting a New Constitution

was sent to its Chairman, the Hon. Prime Minister (Annex 5).The DC is awaiting feedback on all these proposals.

## **5.2 Responses to Proposals made by the General Public**

- a) Proposal made by Mr. Robert Anthony (JP) of No. 546, Tewatta, Ragama regarding creation of new Parliamentary Constituency: Mr. Robert Anthony sent a proposal to Hon. Speaker with copy to President and others requesting to make Ragama, Parliamentary Constituency. Commission decided to send a reply to him stating that his request will be considered at time of delimitating the constituencies.
- b) Proposal made by Mr. G.D. Ratnayake, Retired Principal regarding creation of new Parliamentary Constituency : Mr.G.D.Ratnayake sent a proposal to Prime Minister with copy to President and others requesting to make Kolonnawa, Parliamentary Constituency into two. Commission decided to send a reply to him stating that his request will be considered at time of delimitating the constituencies.
- c) Proposal made by Mr. M. Gunasekara, (Former Secretary, Village Development Committee, Balapitiya-Karandeniya-Ambalangoda, Ambalangoda Road, Urugasmanhandiya.) regarding carving out Boralukettiya GN division (no.16C) from Balapitiya Parliamentary Constituency and include with Karandeniya Parliamentary Constituency was discussed. Commission decided to send a reply to him stating that his request will be considered at time of delimitating the constituencies.

## **5.3 Vision and Mission Statements and Suggested Action Plan for 2017**

Delimitation of boundaries (electoral & administrative) is a constitutional requirement. Accordingly, the constitution should clearly state the requirements and criteria for delimitation. In this context, urgent constitutional amendments are required to provide a clear mandate to the present DC to commence its work.

There are usually two phases in the electoral district delimitation process. The first phase is the allocation, or apportionment, of seats in the legislature to regional entities such as districts or provinces. This is usually a mechanical process, with the number of seats assigned to each district or province usually dependent on the relative population of that district or province. Based on its preliminary studies and discussions, DC is of the view that population should not be the only factor to be considered when seats are allocated, as equally important are: community or diversity of interests and land area and terrain that determine accessibility within each constituency. Criteria for this process, generally, are given in the Constitution or Legal Acts. The second phase of the process is usually the adjustment of the boundaries of current electoral districts and/or the creation of new electoral districts within the districts or provinces themselves. This is usually done by a Delimitation Commission. Hence to commence the second phase, the principles and framework for the first phase need to be clearly specified in the proposed new constitution.

As no Constitutional changes took place during the year, the DC faced difficulty in preparing an Action Plan for 2017. Without a mandate, preparing vision and a mission statement was also not easy for the DC. As requested by Treasury for Budgetary purposes, preliminary draft vision and mission statements, objectives and outcome indicators were prepared and sent, to be modified later, as needed.

Eventually, the DC revised its Vision and Mission statements and Objectives in keeping with the knowledge gained over the past year of study, dialogue and debate, and decided to include the following points to prepare its Action Plan 2017.

1. Collecting relevant information. (Action has been taken to collect all necessary Gazette notifications regarding the establishment of local government authorities).
2. Further detailed analysis of previous Delimitation reports in the context of Sri Lanka's current population and land priorities.
3. Study of information received on the recent Report of the National Delimitation Committee constituted under Act 22 of 2012 on the Delimitation of Local Government Authorities.

## **6. Acknowledgements**

The Chairman and members of the DC wish to thank

- (1) The Surveyor General and his staff for providing an office and other facilities to DC to commence its work in a permanent location.
- (2) The Chairman, Election Commission, the Department of Elections and its staff for providing several facilities to the DC, such as release of staff, training of staff, etc..
- (3) The President Secretary, Presidential Secretariat and General Treasury' staff for providing required financial allocations and vehicles and
- (4) The Constitutional Council for the support provided to the DC

## Annex 1

## Draft Budget for year 2016

Description		Total (Rs)
<b>Recurrent Expenditure</b>		
<b>Personal Emoluments</b>		
1001	Salaries and Wages	7,393,380.00
1002	Overtime and Holiday Payments	25,000.00
1003	Other Allowances	4,030,548.00
<b>Travelling Expenses</b>		
1101	Domestic	50,000.00
<b>Supplies</b>		
1201	Stationery and Office requisites	100,000.00
1202	Fuel	1,354,860.00
1203	Other	
<b>Maintenance Expenditure</b>		
1301	Vehicles	00
1302	Plant and Machinery	25,000.00
<b>Services</b>		
1401	Transport	1,800,000.00
1402	Postal and Communication	250,000.00
1403	Electricity & Water	75,000.00
1404	Rents and Local Taxes	300,000.00
1405	Other	
<b>Transfer</b>		
1505	Subscriptions and Contributions fee	00.00
1506	Property Loan interest to Public Servants	
<b>Total Recurrent Expenditure</b>		<b>15,403,788.00</b>
<b>Capital Expenditure</b>		
<b>Acquisition of Capital Assets</b>		
2102	Furniture and Office Equipment	800,000.00
2104	Building and Structures	00
<b>Capacity Building</b>		
2401	Staff Training	00
<b>Total Capital Expenditure</b>		<b>800,000.00</b>
<b>Grand Total Expenditure</b>		<b>16,203,788.00</b>

**Annex 2****Furniture and Office Equipment of the Delimitation Commission  
As at 31-12-2016**

Item	Nos.
Computers with accessories	02
UPS	02
Printer	01
Photo copier	01
Fax Machine	01
Steel Cabinets	03
Calculators	02
High Back Executive Chairs- cushion	03
Executive Tables (L angle)	03
Executive Tables (normal)	03
High Back Executive Chairs- leather	02
Computer tables	02
Computer Chairs	02
PMA Tables	02
PMA Chairs	02
OA Tables	02
Lobby Chairs	06
Electric Kettle	01



### **Annex 3**

My No:- DC/SL/PowersDC/1

2016-07-07

Hon. Karu Jayasuriya  
Chairman  
Constitutional Council  
Office of the Speaker  
Parliamentary Complex  
Sri Jayawardenapura, Kotte

**Dear Sir,**

#### **Widening the Powers and Functions of the Delimitation Commission Through Constitutional Amendments**

Following the 19<sup>th</sup> Amendment to the Constitution of the Democratic Socialist Republic of Sri Lanka (Constitution), a three member Delimitation Commission (Commission) was appointed on 13<sup>th</sup> November 2015 under Article 41B and 95(1) of the Constitution. The Commission is currently awaiting parliamentary legislation that will provide it with a mandate regarding the electoral system, number of members of Parliament and criteria for demarcation of constituencies, to start its substantive work.

Meanwhile, since inception, the Commission has been attending to administrative requirements to establish a permanent office, surveying the literature on global experiences in delimitation and studying the history of and rationale for previous delimitation work in Sri Lanka. During this exercise, the Commission has been made aware that in the past, at different points in time, separate bodies had been assigned the responsibility for delimitation of Parliamentary Constituencies, Local Government areas and Public Administration areas. This has led to inconsistencies and inefficiencies in the availability of information and the delivery of services, including political representation of the citizenry at different levels. At present, the Parliamentary system has 160 polling divisions, while there are 336 Local Government Authorities. At the same time, the Public Administration System has 14,021 Grama Niladhari Divisions (GNDs) which combine into 331 Divisional Secretariats (DSs) in 25 Districts. In key state service areas, there are 340 Medical Officers of Health (MOH) areas, 311 Educational Divisions and 439 Police areas, to mention a few, with some of these service areas cutting across GNDs and DSs. Absence of harmonious, hierarchical spatial units in all service sectors has affected development activities and co-ordination among Ministries, government departments and other state actors. In addition, there is considerable variation between the same tier administrative divisions. For example, at the smallest Public Administration unit, the GND, the Mattakkuliya GND covered a population of 28,000 in an area of 2 sq.km and Panama South GND had 1,209 persons in an area of 560 sq. km, while several GNDs had less than 100 persons (Census of Population and Housing 2012).

The system of naming (nomenclature) used by different departments and state services for referring to an administrative area has also created confusion among the public as well as administrators as uniform criteria are not followed by Government Departments, Semi-Government Boards and other State Institutions. For example, the Elections Commission refers to 160 Electoral **Districts**, whereas in Public Administration System, there are 25 **Districts**, each of which covers thousands of square kilometers and is next in size to the Province.

The delimitation work required for elected bodies and administrative areas demands a well-organized, permanent structure which functions within a framework underpinned by a well-established set of principles that would need review and revision from time to time. As the demography of the country is constantly changing, creating, amalgamating and upgrading Local Authorities (Municipal Councils, Urban Councils and Pradeshiya Sabhas), especially after every national population census, is a continuous process. At present, a large number of requests for new local authorities' status are pending decisions at the Ministry of Provincial Councils and Local Government. The present practice is that the Government (Minister) appoints a Committee with one or more members to study each request. This practice does not bring uniformity. If all such issues are assigned to a single Delimitation Commission, a uniform yardstick can be established within a uniform framework and set of principles.

Against this background the Commission wishes to put forward a proposal to Government to have ONE Delimitation Commission as the legal authority to undertake all delimitation work related to elected bodies- Parliament, Provincial Councils and Local Government Authorities. Besides the delimitation work for elected bodies, the delimitation and demarcation of consistent administrative areas for all state services (Agrarian, Education, Health, Judicial, Police, Public Administration, etc.) requires urgent attention.

Considering the above, we recommend that the Delimitation Commission's powers and functions be widened to cover all areas requiring delimitation. The benefits would be:

1. Consistent and uniform patterns of delimitation- demarcation.
2. A common national policy on delimitation could be adopted.
3. One body is answerable to the Public and the Government.
4. The cost of delimitation work will be significantly reduced.
5. A permanent institutional structure for delimitation will allow for greater efficiency with a trained body of staff who have special knowledge and expertise in delimitation work.
6. This institutional structure can support the resolution of internal boundary disputes among local elected bodies and state service administration units.

The Commission brings this matter for your kind consideration

Chairman  
Delimitation Commission

Annex 4

**Points to be considered while amending the Constitution or preparing a new constitution regarding Delimitation Commission**

<b>Current Article in Constitution</b>	<b>Proposed Article in Constitution</b>
<p><b>95.</b>                      (1) Within three months of the commencement of the Constitution the President shall for the delimitation of electoral districts, establish a Delimitation Commission consisting of three persons appointed by him who he is satisfied are not actively engaged in politics. The President shall appoint one of such persons to be the Chairman.</p> <p>(2) If any member of the Delimitation Commission shall die or resign or if the President is satisfied that any such member has become incapable of discharging his functions as such, the President shall, in accordance with the provisions of paragraph (1) of this Article, appoint another person in his place.</p>	<p><b>95.</b>                      (1) Within three months of the commencement of the Constitution the President shall for the delimitation of electoral districts, establish a Delimitation Commission consisting of three persons appointed by him who he is satisfied are not actively engaged in politics. The President shall appoint one of such persons to be the Chairman.</p> <p>(2) If any member of the Delimitation Commission shall die or resign or if the President is satisfied that any such member has become incapable of discharging his functions as such, the President shall, in accordance with the provisions of paragraph (1) of this Article, appoint another person in his place.</p> <p><i>The following new Articles have to be inserted immediately after Article 95 and shall have effect as Articles 95A , 95B, 95C, 95D,95E,95F,95G,95H of the Constitutions.</i></p> <p><b>95A Staff of the Commission:-</b> The Commission shall appoint a Secretary and other officers as it may consider necessary for the proper discharge of its functions on such terms and conditions as may be determined by the Commission.</p> <p><b>95B Expenses of the Commission:-</b>The Commission shall prepare an Annual Budget to meet the expenses of the Commission which shall be charged</p>

<b>Current Article in Constitution</b>	<b>Proposed Article in Constitution</b>
	<p>on the consolidated fund. The Chairperson and members of the Commission shall be paid such allowances as are determined by Cabinet. Such allowances shall be charged on the Consolidated Fund. on the consolidated fund. The Chairperson and members of the Commission shall be paid such allowances as are determined by Cabinet. Such allowances shall be charged on the Consolidated Fund.</p> <p><b>95C Meetings of the Commission:-</b>The Commission shall meet as often as may be necessary for the discharge of its functions. The Chairperson shall preside at all meetings of the Commission. In the absence of the Chairperson from any meeting of the Commission, one of the other members shall function as Chairperson.</p> <p><b>95D</b> In the event of a difference of opinion among the members of any Delimitation Commission, the opinion of the majority of the members thereof shall be deemed to be the decision of the Commission. Where each member of the Commission is of a different opinion, the opinion of the Chairperson shall be deemed to be the decision of the Commission.</p> <p><b>95E</b>The geographical boundaries for National, Provincial and local government elections; currently Parliamentary Electorates, Provincial Councils, MCs, UCs and Pradeshiya Sabha shall be determined by a Delimitation Commission in accordance with the principles &amp; criteria set out in the Constitution, amendments to the Constitution or ACT.</p>

<b>Current Article in Constitution</b>	<b>Proposed Article in Constitution</b>
	<p data-bbox="842 241 1406 591"><b>95F</b> Within 2 years of the completion of a national population census, the Delimitation Commission shall subject such electoral geographical boundaries to review and revision on the basis of changes in population patterns. Any such basis and revision shall transparently be made available to the public.</p> <p data-bbox="842 640 1406 1025"><b>95G</b> Boundary Delimitation of Provincial and Administrative District: when necessity arises to change or alter the boundary of Provinces and Administrative Districts and their boundary limits, this boundary delimitation to be assigned to Delimitation Commission by respective Ministries with the approval of Parliament.</p> <p data-bbox="842 1075 1406 1666"><b>95H</b> The boundary establishment of new Divisional Secretariat Divisions, establishment of Grama Niladhari Divisions and revision of existing Grama Niladhari Divisions, the establishment of new Local Authorities, upgrading Local Authorities and revision of existing Local Authorities, altering and redefining the limits of Local Authority's area, the respective Ministries should prepare memorandum to submit to Cabinet for approval to proceed with such work through Delimitation Commission.</p>

<b>Current Article in Constitution</b>	<b>Proposed Article in Constitution</b>
<p><b>96.</b></p> <p>(1) The Delimitation Commission shall divide Sri Lanka into not less than twenty and not more than 23 [twenty-five] electoral districts, and shall assign names thereto.</p> <p>(2) Each Province of Sri Lanka may itself constitute an electoral district or may be divided into two or more electoral districts.</p> <p>(3) Where a Province is divided into a number of electoral districts the Delimitation Commission shall have regard to the existing administrative districts so as to ensure as far as is practicable that each electoral district shall be an administrative district or a combination of two or more administrative districts or two or more electoral districts together constitute an administrative district.</p>	<p><b>96.</b></p> <p><b>To be amended based on NEW ELECTORAL SYSTEM</b></p> <p><b>To be amended based on NEW ELECTORAL SYSTEM</b></p> <p><b>To be amended based on NEW ELECTORAL SYSTEM</b></p>

<b>Current Article in Constitution</b>	<b>Proposed Article in Constitution</b>
<p>(4) The electoral districts of each Province shall together be entitled to return four members, (independently of the number of members which they are entitled to return by reference to the number of electors whose names appear in the registers of electors of such electoral districts), and the Delimitation Commission shall apportion such entitlement equitably among such electoral districts.</p> <p>(5) In the event of a difference of opinion among the members of the Delimitation Commission, the opinion of the majority thereof shall prevail and shall be deemed to be the decision of the Commission. Where each member of the Commission is of a different opinion, the opinion of the Chairman shall be deemed to be the decision of the Commission. Any dissentient member may state his reasons for such dissent.</p> <p>(6) The Chairman of the Delimitation Commission shall communicate the decisions of the Commission together with the reasons, if any, stated by a dissentient member to the President.</p>	<p><b>To be amended based on NEW ELECTORAL SYSTEM</b></p> <p>In the event of a difference of opinion among the members of the Delimitation Commission, the opinion of the majority thereof shall prevail and shall be deemed to be the decision of the Commission. Where each member of the Commission is of a different opinion, the opinion of the Chairman shall be deemed to be the decision of the Commission. Any dissentient member may state his reasons for such dissent.</p> <p>The Chairman of the Delimitation Commission shall communicate the decisions of the Commission together with the reasons, if any, stated by a dissentient member to the President.</p>

<b>Current Article in Constitution</b>	<b>Proposed Article in Constitution</b>
<p><b>Section 62(1) of the Constitution 1978</b>  There shall be a Parliament which shall consist of one hundred and ninety-six Members elected by the electors of the several electoral districts constituted in accordance with the provisions of the constitution.</p> <p><b>14<sup>th</sup> Amendment to the Second Republican Constitution 1978</b>  <u><b>Section 3 Amendment of Article 62 of the Constitution</b></u>  3. Article 62 of the Constitution is hereby amended by the repeal of paragraph (1) of that Article and the substitution, of the following paragraph therefor :-  "(1) There shall be a Parliament which shall consist of two hundred and twenty-five Members elected in accordance with the provisions of the Constitution."  <i>(Of the 225 members, 196 are elected from 22 electoral districts which are multimember. The remaining 29 MPs are elected from National lists allocated to the parties and independent groups in proportion to their share of the national vote.)</i></p>	<p><b>To be amended based on NEW ELECTORAL SYSTEM</b></p> <p><b>To be amended based on NEW ELECTORAL SYSTEM</b></p>



Current Article in Constitution	Proposed Article in Constitution
<p data-bbox="240 280 778 432"><b>14<sup>th</sup> Amendment to the Second Republican Constitution 1978</b> <b><u>Section 5 Insertion at Article 96a in the Constitution</u></b></p> <p data-bbox="256 443 802 589">5. The following Article is hereby inserted immediately after Article 96 and shall have effect as Article 96A of the Constitution:-</p> <p data-bbox="189 640 721 707"><b>96A (Division of electoral districts into zones)</b></p> <p data-bbox="248 719 802 1189">(1) Within two weeks of the coming into force of this Article, the President shall, for the purpose of dividing where necessary, electoral districts entitled to return more than ten members into zones, establish a Delimitation Commission consisting of three persons appointed by him who he is satisfied are not actively engaged in politics. The President shall appoint one of such persons to be the Chairman.</p> <p data-bbox="248 1200 802 1509">(2) If any member of the Delimitation Commission shall die or resign or if the President is satisfied that any such member has become incapable of discharging his functions as such, the President shall, in accordance with paragraph (1) of this Article, appoint another person in his place.</p>	<p data-bbox="828 719 1114 748"><b>Covered in article 95</b></p> <p data-bbox="828 1077 1114 1106"><b>Covered in article 95</b></p>

<b>Current Article in Constitution</b>	<b>Proposed Article in Constitution</b>
<p>(3) Where it appears to the Delimitation Commission that there is in any electoral district entitled to return more than ten members, a substantial concentration of persons united by a community of interest, whether racial religious or such other like interest, but differing in one or more respects from "the majority of the electors in that electoral district", the Delimitation Commission may, after affording the public an opportunity of making representation as far as possible divide that electoral district into zones so as to ensure the representation of that interest, so however that an electoral district entitled to return more than ten but less than twenty members, shall be divided into not more than two zones, and an electoral district entitled to return more than twenty members, shall be divided into not more than three zones.</p> <p>(4) In dividing an electoral district into zones, the Delimitation Commission shall have regard to the polling divisions into which that electoral district has been divided under the law for the time being in force relating to the registration of electors, So as to ensure, as far as practicable, that each zone is a combination of two or more of such polling divisions.</p> <p>(5) The provisions of paragraphs (5) and (6) of Article 96 shall, mutatis mutandis, apply to decisions of the Delimitation Commission:</p> <p>(6) The Chairman of the Delimitation Commission shall communicate to the President, the decisions of the Commission as regards the division of electoral districts into zones within two months of the coming into force of this Article.</p>	<p><b>Repealed</b></p> <p><b>Repealed</b></p> <p><b>Repealed</b></p> <p><b>Repealed</b></p>

<b>Current Article in Constitution</b>	<b>Proposed Article in Constitution</b>
<p>(7) The President shall by Proclamation publish the names and boundaries of the zones into which an electoral district has been divided, in accordance with the decisions of the Delimitation Commission. The zones specified in the Proclamation shall come into operation at the next ensuing General-Election of Members of Parliament, and shall be the zones of that electoral district for the purpose of the Constitution and any law for the time being in force relating to the election of Members of Parliament".</p>	<p><b>Repealed</b></p>
<p><b>15<sup>th</sup> Amendment to the Second Republican Constitution 1978</b></p> <p>The Fifteenth Amendment to the Constitution of Sri Lanka reduced the cut-off for parliamentary representation from 1/8 (12.5%) to 1/20 (5%), abolished electoral zones and reintroduced electoral districts. The amendment came into effect on 17 December 1988.</p> <p>Short title.     1. This Act may be cited as the Fifteenth Amendment to the Constitution.</p> <p>Repeal of Article 96a of the Constitution.     2. <b>Article 96A of the Constitution of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as " the Constitution") is hereby repealed.</b></p>	<p><b>To be amended based on NEW ELECTORAL SYSTEM</b></p>

## Annex 5

6 October 2016

Hon. Ranil Wickremesinghe

Prime Minister and Chairman,

Steering Committee of the Constitutional Assembly

Prime Minister's Office

58, Sir Ernest De Silva Mawatha

Colombo-7

Hon Prime Minister Sir,

### **Principles and Framework for Delimitation in Sri Lanka**

*Prepared by the Delimitation Commission for Consideration by the Steering Committee of the Constitutional Assembly when Drafting a New Constitution*

The current Delimitation Commission (DC) was constituted under articles **41B and 95 (1)** of the present Constitution on 13 November 2015. The DC consists of three members appointed by His Excellency the President, namely, Dr. K.Thavalingam, Chairman, Dr.Anila Dias Bandaranaike and Prof. S.H. Hasbullah.

The Constitution establishes 9 independent Commissions while other relevant Articles state their main tasks. However, Articles 95 and 96 that apply to the DC, *provide a mandate for a Delimitation Commission (DC) that would have been established within 3 months of that Constitution coming into being*. Since the present Commissioners were not appointed within that stipulated period, it is not clear whether and how Articles 95 and 96 apply to the present DC. The Constitution also does not specify the functions and powers of the DC, unlike for most other independent commissions. These issues were discussed with the Constitutional Council on 23 November 2015, since it would require attention in further constitutional amendments or in a new constitution. The DC has submitted its preliminary suggestions regarding its functions and powers to the Secretary, Sub Committee on Public Services, and to the Chairman, Constitutional Council, on 7 July 2016 (copy annexed).

Meanwhile, we understand that the Constitution in the making is being developed through a systematic consultation process that includes all levels of stakeholders in the country. We therefore wish to share with you and the Steering Committee, our views, which have arisen from our deliberations since being appointed to our task, on important aspects of delimitation that would need to be considered for inclusion in the proposed constitution, in the context of the current political and socio-economic climate in Sri Lanka. **The attached note on the above subject is submitted to you for that purpose.**

We would appreciate an opportunity to meet with you, and other members of the Steering Committee whom you wish to include in the discussion, to discuss the same at your earliest convenience.

Yours faithfully

K. Thavalingam  
Chairman, Delimitation Commission

To: Hon. Ranil Wickremesinghe, Prime Minister and Chairperson, Steering Committee,  
Constitutional Assembly of Sri Lanka

From: Dr. K. Thavalingam, Chairperson, Delimitation Commission

Date: 4 October 2016

## **Principles and Framework for Delimitation in Sri Lanka**

*Prepared by the Delimitation Commission of 2015 for Consideration by the Steering Committee of the Constitutional Assembly when drafting a new Constitution for Sri Lanka*

### **1. Introduction**

Sri Lanka is at a cross roads. The new Constitution, which is currently in the making, is expected to lead the country towards peace, stability and sustainable development. We, the Chairman and the members of the recently appointed Delimitation Commission (DC), are hopeful of such positive change, which will be expedited with the change of constitution. We recognise the significant efforts that will be required to make this a reality and are hopeful that all aspects of delimitation will be dealt with fully in the new Constitution.

As we understand, the present Constitution in the making is being developed through a systematic consultation process that includes all levels of stakeholders in the country. Accordingly, we wish to share our views, which have arisen from our deliberations since we were appointed to our task last November, on important aspects and principles of delimitation that we feel need to be considered for inclusion in the proposed constitution. This brief note is submitted to you for that purpose. It has been prepared after reviewing previous Delimitation Reports and available documents on related issues, including the experiences of other countries, with input from our knowledge and experiences.

### **2. Current Status and Future Outlook**

The constitutions of Sri Lanka up to the first Republican Constitution of 1972 provided a clear mandate and rationale for DCs based on *population and land characteristics*. The later 1978 Constitution, as amended to date, is not clear about the appointment of a DC or providing a rationale in specifying a mandate.

Furthermore, delimitation for local government electoral boundaries comes under the purview of a different National Delimitation Committee under a separate piece of legislation, leading to some confusion on responsibility for the subject of Delimitation, rationales and mandates.

Therefore, it is important that there be a set of principles and a framework that would help the Government to re-establish a rational basis for delimitation that is linked to population patterns, land and other relevant characteristics of electoral districts in the future. In doing so, it would be sensible to set up such principles and framework for establishing electoral boundaries at all levels, whether at national, provincial or local government.

At the same time, it is observed that, in Sri Lanka there has been no priority given to synchronise, nor ensure consistency among geographical boundaries for electoral (National, Provincial, Local Government), administrative (District, Divisional Secretariat, GN Divisions) and service delivery (health, education, security, etc.) purposes. This has led to sub-optimum resource allocation as well as inefficiencies in co-ordination among electoral representation, administration and service delivery within the country. The present context provides a timely opportunity to address such lacunas in the national system.

### **3. Principles - Based on Long Term Objectives**

The objective of casting a vote for a candidate in a designated geographical area should be to ensure representation towards:-

#### **3.1 Safeguarding the People -Improving its citizens' well-being (material, intellectual and emotional)**

- Material– access to food, clothing, housing, utilities, healthcare, transportation, communication
- Intellectual –access to education, employment, culture
- Emotional – Freedom of thought and speech, personal safety and security, access to places of religious worship, leisure, sports

#### **3.2 Safeguarding the Land - protecting its resources (land, water, air)**

- Land - preservation of flora, fauna, mineral & land resources
- Water – preservation of fresh water & marine resources
- Air – preservation of atmosphere, rainfall & ozone layer

#### **3.3 Ensuring equitable access to opportunities for betterment of their well-being to all its citizens, irrespective of race, religion, caste, gender, social status, political affiliation or any other such differentiating characteristic.**

The framework for delimiting electoral districts for citizens to elect their representatives should be based on these 3 principles, namely, 1) citizen's well-being, 2) a sustainable environment and 3) equitable access.

Addressing Short-term concerns: We are well aware of the current political and social landscape in the country and recognise that introducing the notion of changes to the thinking of the past needs to be done sensitively and in stages. Given the adverse conditions of civil strife that the country faced at several intervals since Independence, particularly over the past 30 years, the country is in an unavoidable, unenviable situation of having to give due consideration to the immediate fears and insecurities of ethnic and religious minorities. We believe that these short-term concerns can also be addressed, by maintaining a firm, equitable rationale for delimitation based on the long term principles specified above. This would be the ideal situation from which the notion of a Sri Lankan identity could be built upon.

## 4 Framework for Delimitation - based on Established Principles

### 4.1 Factors to Consider

- Existing administrative, service delivery and electoral boundaries
- Population size, population density and household density
- Land area, geographic features and land characteristics
- Access to housing, utilities, healthcare, transportation, communication
- Access to education, employment
- Access to police (security), places of religious worship, cultural activities, sports
- Level of current and future resources and potential for economic development

### 4.2 Shortcomings of the Draft 20th Amendment on Delimitation

The previous draft 20<sup>th</sup> Amendment emphasized that the ethnic factor be given due consideration under delimitation. This emphasis is also found in Act No. 22 of 2012 pertaining to Local Government elections. This may have been because of the ground situation in the country at that time.

For example, Sec 3b 2(a) of the Local Authorities Elections (Amendment) Act No. 22 of 2012 and Section 96A 2 (a) of the previous draft 20<sup>th</sup> Amendment state that, among others,

2. ....the following factors shall be taken into consideration ..... :-

(a) *The ratio of the ethnic composition of the population of the area concerned and the need to ensure a representation based on such ethnic ratio;.....*

We observe that, if the proposed Constitution recognizes ethnic composition only, it is not only divisive, but also, ignores religious, caste, gender, age, social status, political affiliation and all other such population differences in that sub population. This issue needs to be reconsidered and discussed deeply and openly to find a solution that is inclusive rather than divisive, and that would create a culture of a "Sri Lankan" identity and of "we", instead of "them vs. us". In this context, it should be noted that the factors identified in Section 4.1 above, which are akin to (b), (c) and (d) of the same sections 3b (2) and 96A (2), respectively, are not divisive.

### 4.3 Other Practical Considerations

As noted in Section 2 above, currently Sri Lanka's a) Electoral boundaries (National, Provincial, and Local Government), b) Administrative boundaries (District, Divisional Secretariat, and Grama Niladhari Division) and c) Service delivery boundaries (Education, Health, Justice, Police, Agricultural Extension, etc.) are neither consistent nor synchronized. However, in essence, all such demarcations are created finally towards achieving those principles enshrined in Section 3 above, through a) elected representation, b) decentralized administration and c) decentralized service delivery to the citizens. Hence, the subject of Delimitation must necessarily address all such boundaries within one set of principles and framework.

### 4.4 Ground Realities - Current Population and Land Patterns

Table 1 below shows that, in terms of population and land characteristics, Sri Lanka's 9 provinces fall into 3 clearly distinct subgroups as follows:



The Western province, which contains the Capital City, centres of government, industry, commerce and business as well as the main international air and seaport in the country, is the only province with a population of over 5 mn and the smallest land area of below 4000 sq. kms, leading to over 5 times the average population density in the country of 310/sq. km.

The 4 provinces adjacent to this centre of economic activity, namely, Central, Southern, North Western and Sabaragamuwa, fall into a second subgroup, all having mid-size populations of between 1.9 and 2.6 mn and land areas of between 4,900 and 8,000 sq. km, with population densities closer to the average.

The 4 provinces furthest away from the centre of activity, Eastern, North Central, Uva and Northern, are rich in land, but poor in human resources, having populations of between 1.0 and 1.6 million, with land areas of between 8,500 and 10,500 sq. km., resulting in a third subgroup with population densities of around half the average.

This grouping pattern is unlikely to change significantly for several years. Hence, the characteristics of these 3 subgroups may need to be considered carefully, when allocating electoral representation in terms of population and land area per electoral district, particularly in relation to the 3 principles laid out in Section 3, for any of the 3 categories of delimitation a, b or c specified in Section 4.3 above. Consideration of these 3 subgroups as distinct entities may also provide meaningful criteria and a rational basis for allocation of electoral representation that could overcome some of the concerns and fears about non- or reduced representation among minority groups that fall into any of the differentiating characteristics mentioned under Principle 3.3 above.

**TABLE 1: Current Population and Land Characteristics**

Province	Group	Population-P	HH	Area-A	P/Km <sup>2</sup>	HH/Km <sup>2</sup>	P/Km <sup>2</sup> Ratio	HH/Km <sup>2</sup> Ratio
Western	1	5,851,130	1,482,221	3,684	1,588	402	13.3	13.8
Central	2	2,571,557	658,911	5,674	453	116	3.8	4.0
Southern	2	2,477,285	636,406	5,544	447	115	3.7	3.9
N Western	2	2,380,861	646,145	7,888	302	82	2.5	2.8
Sabaragamuwa	2	1,928,655	506,642	4,968	388	102	3.2	3.5
Eastern	3	1,555,510	397,083	9,996	156	40	1.3	1.4
N Central	3	1,266,663	342,366	10,472	121	33	1.0	1.1
Uva	3	1,266,463	335,037	8,500	149	39	1.2	1.3
Northern	3	1,061,315	259,471	8,884	119	29	1.0	1.0
<b>TOTAL</b>		<b>20,359,439</b>	<b>5,264,282</b>	<b>65,610</b>	<b>310</b>	<b>80</b>	<b>2.6</b>	<b>2.7</b>
<b>KEY</b>	<b>Characteristics of Population Size, Land area, Population and HH Density</b>							
<b>Group 1</b>	<b>P&gt;5mn, A &lt; 4,000 Km<sup>2</sup> : P/Km<sup>2</sup>&gt;1,500, HH/Km<sup>2</sup>&gt;400</b>							
<b>Group 2</b>	<b>1.9Mn&lt; P&lt;2.6 Mn, 4,900&lt;A&lt;8,000; 300&lt;P/Km<sup>2</sup>&lt;500, 80&lt;HH/Km<sup>2</sup>&lt;120</b>							
<b>Group 3</b>	<b>1.0Mn&lt;P&lt;1.6Mn,8,500&lt;A&lt;10,500; 100&lt;P/Km<sup>2</sup>&lt;160, 25&lt;HH/Km<sup>2</sup>&lt;40</b>							

As we indicated, if the country is to move forward towards a more stable and secure future, it has to seriously think of adopting a sensible and non-divisive basis and practices for delimitation, not only for electoral boundaries but also for other geographical boundaries that are part and parcel of a smooth and just political, administrative and service delivery system.

- 5 Recommendations:** In light of the above, it would be timely if the new Constitution could include the following:
- 5.1 Enshrine the 3 principles suggested in Section 3 above;
  - 5.2 Give conceptual recognition to the 3 distinct subgroups among the 9 provinces in relation to land and population distribution presented in Table 1 above;
  - 5.3 Expand the concept of Delimitation to ensure that the 3 types of geographical boundaries specified at a, b and c in Section 4.3 above, namely electoral, administrative and servicedelivery, are synchronized and consistent; and
  - 5.4 Assign this responsibility and mandate to lie with a single body, effectively a permanent Delimitation Commission.

The Chairman and members of Delimitation Commission wish to meet with you, and other members of the Steering Committee whom you wish to include in the discussion, at your earliest convenience, to discuss the above recommendations in relation to the Steering Committee's views on the principles and framework that need to be enshrined in the proposed Constitution on the subject of Delimitation.

Thank you.