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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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No. 1633/4 - MONDAY, DECEMBER 21, 2009

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PART I : SECTION (I) — GENERAL

Government Notifications

L. D. B. 13/52.

SOIL CONSERVATION ACT (CHAPTER 450)

REGULATION made by the Minister of Agriculture Development and Agrarian Services under Section 4 of the Soil Conservation Act, (Chapter 450).

MAITHRIPALA SIRISENA,
Minister of Agriculture Development and Agrarian Services.

Ministry of Agriculture Development and Agrarian Services.
Colombo,
16th September, 2009.

Regulations

1. These Regulations may be cited as the soil Conservation Regulations No. 01 of 2009.
2. "These Regulations shall apply to the Conservation areas which shall from time to time be declared under Section 4 of the Soil Conservation Act, (Chapter 450) and which are specified in the Schedule to these regulations".
3. A person shall not cultivate annual crops on any land area, which consists of a slope of more than sixty *per centum* (60%).
4. Person shall not convert to the cultivating of annual crops any land area consisting of—
 - (a) natural vegetation or forest ;
 - (b) plantation crop cultivation ; or
 - (c) grasslands,

if such land is situated one Thousand five hundred metres (1,500 m.) above the mean sea level.

5. any person cultivating annual crops or plantation crops shall do so in accordance with guidelines issued from time to time by the Director -General or authorized officer and shall also execute on such land the following measures :-

- (a) cutting or forming of terraces ;
- (b) construction of lock and spill drains or stone bunds ;
- (c) construction of conservation platforms or planting of cover crops ;
- (d) construction of drainage channels or for the conservation of the surface soil ;
- (e) construction of side walls or planting of cover crops to ensure the stability of slopes ;
- (f) laying of paving stones along the whole or part of any gully ;
- (g) planting of cover crops or construction of side walls along the whole or part of any bank ;
- (h) construction of check dams across gullies to prevent the scouring and expansion of gullies.

6. An Authorized officer may require every owner, occupier or custodian of any marginal land with exposed rocks, uncultivated areas or insufficient plant cover to carry out on such land any one or more of the following measures —

- (a) retain plants and trees on the land to prevent reduction of vegetation ;
- (b) plant and maintain suitable plants and trees ;
- (c) established fire prevention belts of specified width by planting special plants or paving the areas with paving stones ;
- (d) establish live fences for the protection of the soil and prevention of erosion ; and
- (e) construction of check dams across gullies to prevent the scouring and expansion of gullies.

7. A cultivator of tea shall not for the purpose of weeding use or permit the use such land —

- (a) any mamoty ; or
- (b) any tool with a working edge exceeding 5 cm and an overall length exceeding 50cm.

8. No person shall cultivate rice or any other crop on any land unless he constructs along the edge of the terraces of such land, a bund of not less than twenty centimeters (20cm.) in height and twenty centimeters (20cm.) in width.

9. Where it is apparent to an authorized officer that any land cultivated with an annual crops is subject to soil erosion by irrigation, he shall order the owner , user or custodian of the land to adopt the following measures :-

- (a) the reduction of the size of the irrigation water inlet of the land by allowing only the required amount of water to flow into the land and ensuring that the excess water flows along the supply channel ; or
- (b) discontinues the use of the present irrigation practice.

10. The authorized officer may in order to prevent erosion of bank and damage being caused to the banks, require the owner, user or custodian of any land bordered by streams, to take the following measures—

- (a) the construction of side walls along the bank or part thereof ;
- (b) to plant cover crops or suitable trees along the bank or part thereof ;
- (c) prohibit the cutting of any plants or trees presently growing along the bank or part thereof ;
- (d) take necessary measures to prevent trespass by animals accessing the bank.

11. (1) Where an authorized officer is in terms of these regulation is required to notify to the owner, user custodian of any land to take such measures as are specified in these regulation, he shall inform the owner, user or custodi of the same by a written notice sent by registered post.

(2) Where the authorized officer is unable to determine who the owner, user or custodian of any land is, he shall affix a notice on a conspicuous place in such land. The notice shall contain the measures required to be taken.

12. Where it becomes apparent to an authorized officer that the owner, user or custodian of any land is not implementing measures in accordance with these regulations in compliance with the written notice served on them, he shall forthwith notify the owner, user or custodian to immediately refrain from continuing the present measures and that he is required to act according to the provisions of these regulations as stated in the written notice served on him.

13. The Orders No. 10560 of 7, August 1953, No. 12027 of 1, January 1960 and No. 12314 of 10, March 1961 are hereby rescinded.

14. In these regulations unless the context otherwise requires :-

“annual crop” means all crops, which grow, bear fruits and die within one year ;

“Authorized officer” means the Director-General of Agriculture or any other officer authorized by him ;

“Director-General” means the Director-General of Agriculture ;

“plantation crops” means all crops, which are grown as plantation including planted forests ;

“stream” means a natural waterway that carries water either seasonally or throughout the year.

SCHEDULE

Regulation 2

CONSERVATION AREAS TO WHICH THESE REGULATIONS ARE APPLICABLE

1. Conservation area declared by Order published in *Gazette Extraordinary* No. 1550/9 of 22nd May, 2008.