

# Urban Profile Distorted

- Implications of the census of population - 2001 -

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Sri Lanka which had an urban population of 260,376 or 10.8% living in 19 towns at the first Census of Population in 1871<sup>1</sup> increased it to 3,192,489 or 21.8% in 1981 living in 134 administratively<sup>2</sup> recognized urban areas. However this has dropped to 2,466,474 or 14.6% living in 45 towns in 2001. Only Municipal (MC) and Urban councils (UC) are considered as urban in 2001 by the Department of Census and Statistics. The enumeration has covered only the towns falling within these categories situated in Provinces other than North and East but includes Ampara which is an Eastern Province District. This is due to the impossibility of carrying out the enumeration in full in those seven Districts. The Department has dropped all Town Council (TCC) areas created under the Town Councils Ordinance No. 3 of 1946, "as they are considered"<sup>3</sup> rural after the establishment of Pradeshiya Sabhas (PS) under the Pradeshiya Sabha Act No. 15 of 1987 (PSA). The above drop has occurred in a situation where the average annual growth of Urban population in the given 45 towns is 1.4 percent or is above the growth of the national population, an experience unprecedented in the Urban Sector. In all past Censuses a higher urban growth has resulted from either declaration of new areas as towns or enlargement of the physical area of existing towns. The definition followed by the Department of Census and Statistics is not their own invention. Even the Report of the Commission of Inquiry into Local Government Reform- 1999 shares the same opinion. According to it<sup>4</sup> there are three types of Local Authorities namely Municipal Councils, Urban Councils, and Pradeshiya Sabhas. Generally Municipal Councils have been established for cities and large towns, urban Councils for less urbanized areas and Pradeshiya Sabhas for rural areas<sup>5</sup>. Section 6.2.2.1 of the report further states that "it is revealed that by the adoption of Urban area classification under Municipal councils, Urban Councils and Town Councils Ordinances the Urban Population which was calculated as 21 p.c. in 1981, had dropped to 14.8 p.c. in the same year, consequent to the abolition of 83 town councils and inclusion of these areas as sub-offices by the Development Councils. The Country's Urban population in 1994 was 15.5 p.c. (this however excludes the Northern and Eastern Provinces. After the establishment of Pradeshiya Sabhas from 1998 these institutions have been classified as rural areas whereas in fact they are composed of urban and rural areas. On the establishment of Pradeshiya Sabhas former Town Councils are

included in Pradeshiya Sabhas, although they are defined as Town Councils in the now defunct Town Councils Ordinance"<sup>6</sup>. However this pro Urban growth which may be the first in our history has been distorted as a result of the standing taken by the Department of Census and Statistics. The above approach of the Department of Census and Statistics and the Report of Commission of Inquiry into Local Government Reform -give rise to three issues, namely:-

1. The PSA has repealed the TCO.
2. PSA has defined the old TCC as rural.
3. This has reduced the share of urban population.

## REPEAL OF THE TOWN COUNCIL ORDINANCE

According to S. 234 of the Pradeshiya Sabha Act (PSA) No. 15 of 1987 it is not only the Town Councils Ordinance that is repealed but also the Village Councils Ordinance. Therefore it is rational to hold that PSA abolished not only TCC but also VCC and created an entirely new Unit. The objective of the PSA is not the creation of a rural local authority amalgamating the former village councils and the Town Councils but to create a community level organization<sup>7</sup> with a view to provide greater opportunities for the people to participate effectively in decision making process relating to administration and development activities at local level. To specify the powers functions and duties of the such Sabhas, and to provide for matters connected with or incidental thereto<sup>8</sup>. As a result of this the number of local authorities in the country were reduced from 682 consisting of 12MCC, 39 UCC, 83 TCC and 509 VCC in 1981 to 309 consisting of 14 MCC 37 UCC and 258 PSS. The last combined the 83 former TCC and 509 VCC. From an integrated development point of view this is a healthy sign as it reduced the number of planning units thereby facilitating the decision making process except for the illogical nature of boundary formation. This may be compared with the county councils in Great Britain, which consist of both rural and urban areas.

Although the above sources hold that the TCO was repealed in fact the PSA is in essence a combination of the provisions contained in the TCO and the VCO. Some provisions found in parts III, IV, and V of the TCO have been included in the corresponding parts. On the other hand one who seriously studies the PSA along with the TCO and the VCO is sure to come to a different conclusion.

Another opinion popular among the Sri Lankan professionals is that MCO, UCO, and TCO pro-

vide a definition or at least a guidance to what an urban area is. They based this view on S. 2 of the TCO/UCO which empowers the Minister to declare any area which by reason of its development or its amenities is urban in character to be a town<sup>9</sup>. According to Prof. Willie Mendis<sup>10</sup> in Sri Lanka Urban Status is conferred on an area by the Minister in charge of Local Government purely for Local Government administrative purposes. Ministerial discretion seems to have been based on the nature and development (of the locality) or its amenities and urban character. Accordingly the Municipal, Urban, and Town Council areas were termed as urban and used in such a context for purposes of computing Census data and for governance<sup>11</sup>. In fact although this statement is true for urban councils and (S.2 UCO) and Town Councils (S.2 TCO), it does not apply in case of Municipal Councils as Sec 2 of that Law simply empowers the Minister to declare any area to be a Municipality, define the limits of the Municipality and assign a name and a designation to the Municipal Council. Therefore if Pradeshiya Sabhas are designated rural simply because the PSA does not designate them urban for that matter Municipal Councils also should not be treated as Urban because it only empower the Minister to declare areas as Municipalities without any reference to the development and amenities and the urban character thereof as in the case of other two. However a deeper analysis of the relevant enactment would provide a clearer picture. Although S.2 of UCO and TCO refers to "its development or its amenities" which are "urban in character" in declaring them as a UC or a TC these legal terms are too vague to be considered as a definition of an urban area. This definition itself rests on the definition of what is urban character and development. India where a very precise definition of Urban area is in force considers an area with a density of 390 persons per sq. kilometer, with pronounced urban characteristics and at least three fourth of the male population employed in pursuits other than agriculture<sup>12</sup>.

## DEFINITION OF URBAN AREA

"Professionals generally hold that the term urban" has not been adequately defined so as to identify an urban area and classify them by status. First to discuss the issue was the department of Census itself which held that: it is very difficult to define the term urban and area" especially in a country like Ceylon, where the traditional economic heritage is agriculture, to

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distinguish for purposes of statistical comparison as 'urban area' from a rural area.<sup>9</sup>

Although at a glance it looks simple to define legal terms certain terms are so complicated by nature they can be comprehended only by studying the whole legal enactment. A local authority ordinance is one such law. A common section to all four Ordinances except the VCO is sec. 4 in MCO, UCO, TCO and S. 3 of PSA. It states that a Municipality, a UC a TC or a PS "be the local authority within the administrative limits of the MC, UC, TC or PS area (as the case may be) charged with the regulation, control and administration of all matters relating to public

health, public utility services, and public thoroughfares and generally with the protection, and promotion of comfort convenience and welfare of the people and the amenities of the area".<sup>10</sup> This object clarifying section is not found in the VCO. Thus a PS shares an important common object with the higher urban areas in the country. While under the TCO the powers given in Parts III, IV and V could be implemented only within the TC boundary now under the PS system they are enforceable throughout the PS which are very much larger than the TCC. The total area of TCC in the country was 448.2 sq. kilometers whereas the PSS cover an area of 60,779sq.kilometers.

It is pertinent to elaborate the Section further. This obligation entrusts the PS with the protection and promotion of convenience and comfort in the area. Such a measure is not required in all local authorities. It is a requirement created by densities which leads to the restraint of the natural environment due to the pressure exerted by over utilisation of natural amenities requiring the supplementation of the same by man made amenities. Such a situation does not occur normally in rural areas where densities are bearable to the environment. Average population density in rural areas is 1.8 persons per Ha. In 1981 whereas in urban areas it was 33 persons per ha. To meet this requirement the PS is given powers detailed in Parts III, IV and V, which are listed below.

- 1.0. Part III Powers and Duties with regard to thoroughfare.
- 1.1. Preparation of a Street-line scheme within 3 years.
- 1.2. Construct new streets and improve existing streets
- 1.3. Obtain gift of lands required for this purpose.
- 1.4. Dispose discontinued streets and take land adjoining new streets for building purposes.
- 1.5. Construct roads for the benefit of individual property owners.
- 1.6. Maintain vehicular communication.
- 1.7. Cut trees.

Table-I Change In Urban Population and Number of towns by status 1871- 2001.

Census Year	Total Pop.	Percentage of total Pop.	Number of Towns by Status.			
			MCC	UCC	TCC	Total
1871	260,376	10.8				19
1881	281,065	10.2				20
1891	321,413	10.7				20
1901	414,025	11.6				28
1911	541,945	13.2				36
1921	637,870	14.2				42
1931	737,272	13.9				42
1946	1,023,042	15.4				42
1953	1,239,133	15.3				43
1963	2,016,285	19.1	10	34	56	100
1971	2,848,116	22.4	12	39	84	135
1981	3,192,489	21.8	12	39	83	134
2001	2,466,474	14.6	13	32	—	45

Source :- Census Reports.

- 1.8. Power to remove ruinous and dangerous buildings.
- 1.9. Control erection of buildings abutting public streets.
- 1.10. Demarcate building limits.
- 1.11. Remove unauthorised buildings.
- 1.12. Acquire adjoining lands for owners of land falling within the building line.
- 1.13. Prevent injury to streets.
- 1.14. Prevent nuisance on thoroughfares.
- 1.15. Recover expenses caused by excessive traffic.
- 2.0. PART IV. Public Health.  
Power to
- 2.1 Apply Nuisance Ordinance and Housing and Town Improvement Ordinance.
- 2.2 Make public drains.
- 2.3 Remove insanitary buildings.
- 2.4 Prevent Nuisance.
- 2.5 Licensing of slaughter Houses.
- 2.6 Maintain public utility services.

Except the power to maintain public utility services which are found in the VCO also all others are common to MCO, and UCO also. It should be noted that these powers are granted to deal with situations arising from the level of development and urban character in amenities given in the section 3 and 4. of the urban Local authority laws. Thus there are powers peculiar to urban local authorities. True that the MCC enjoy greater autonomy in most of these situations. But what is important is that unlike in the case of former VCC these powers can be implemented in every part of the PS. Not only that an important provision is that S. 78 of the PSA that provides for the application of the Nuisance Ordinance and the Housing and town Improvement Ordinance within the jurisdiction of the PS. This empowers the PS to use planning control powers in the latter act and to create a physical environment for better housing. Thus they can prepare a zoning scheme under S. 28 of the Housing and Town Improvement Ordinance if necessary. It is important that a Local Authority can use planning powers, to protect and promote comfort and convenience of the people physical planning powers are essential. This could raise the productivity of urban

land as well as physical quality of life in a larger area than the old TC areas which extended only over a total area of 448.62 sq. kilometers of the island. As the urbanizing process continues the urban sprawl being a common feature in the process of urbanization in Sri Lanka this is a very favourable legal basis to extend amenities urban in character to such areas. The above two acts and the powers in parts III, IV and V in the PSA lay the foundation for the PS to have adequate technical support in the form human resources to deal with the legal responsibilities in the area.

Its financial resources can be enlarged by expanding the builtup areas, through rates. In fact the unified administration although a PS consists of several units based on the pre amalgamated period, for administrative purposes now the PS can integrate its financial and man power resources to extend its service network to a larger area than the old TC area. In fact S. 19 (xii) provides for "integrated development of selected villages". It also should be noted that government policy as well as donor agencies have recognized PSS as urban areas for purposes of investment in urban infrastructure and both in 1991 and 1998 development under the Asian Development Bank funding program. In 1991 PSS of Monneragala, Tamankaduwa, and Beruwala were selected for donor funding in infrastructure development. In 1998 the PSS of Hikkaduwa, Akuressa, Tissamaharamaya, Ambalantota, Hingurakgoda, and Embilipitiya have been selected on the basis that they area among the Urban Local Authorities with the "greatest potential to contribute to national and regional economic development"<sup>11</sup>

LOCAL AUTHORITY FUNDS

Another important difference between Urban and Rural local Authorities (ULAA and RLAA) is the power to collect rates from properties on the basis of the annual value thereof. S.230 of MCO, S. 160 of UCO and S.159 of TCO have given a general power in this respect. However in case of PSS rates are chargeable only from properties lying in areas declared to be built up areas by the PS with the approval of the Assistant Commissioner of Local Government. When Development Councils were replaced by PSS S.16 (4) thereof provided for all "rates, taxes, duties, or other charges levied by a Development Council in the exercise of its local government powers with respect to a Pradeshiya Sabha area shall with effect from the date appointed under S.1 stand transferred to, and vest in the Pradeshiya Sabhas as constituted for that Pradeshiya Sabha". Thus the TC areas within the PS became rating areas while new built up areas can be declared under S.134 (1) The

urbanization pattern in Sri Lanka indicates that such built up areas usually form around existing urban centers, specially when the town is a larger one. This process can be clearly seen in the Western Province and other larger towns such as Kandy, Galle, Kurunegala, and Ratnapura for example. In addition to there are a large number of isolated centers which deserve urban status without which the allocation of human resources required for the running of urban amenities is impossible. example Embilipitiya, Medawachchiya, and a large number of Mahaveli towns can be listed under this category. Most of them are at present declared as built up areas. Thus built up areas are urbanizing areas, which receive urban amenities for which they pay user charges in the form of rates. According to S. 6 (3) of rating and valuation Ordinance No. 30 of 1946 rate is a charge made for the provision of services. The term services according to ULA enactments include maintenance of drains, public latrines provision of conservancy services, collection of garbage, maintenance of roads and prevention of nuisance. These services are required to make life comfortable and convenient only in areas where owing to higher densities individuals cannot themselves provide them. Such a situation arises only in higher density built up areas and urban areas.

centers under the imperial Government experienced a slow growth until the Donomough Reforms which gave Dominion Status with an executive Committee system of Government. A significant event in the urbanization process is the enactment of the Town Councils Ordinance No.3 of 1946 by the then Minister of Health and Local Government Mr. S.W.R.D. Bandaranayake. Section .2 of the above enactment empowered the Minister to declare " any area which by reason of its development or its amenities is urban in character, to be towns for purposes of this ordinance". Between

TABLE II - POPULATION DENSITY OF TOWNS BY TOWN CATEGORY -1981.

Total	Total Num of towns Ha.	Total Area * 1981	Total Population persons/Ha	Pop. Density
Municipal Councils	12	21,040	1,304,846	62
Urban Councils	39	33,340	898,466	27
Town Councils	83	44,816	989,177	22
All towns	134	99,786	3,192,489	33

\*Based on Appendix 3(g), (w) and (l) of Local Government in Sri Lanka by Prof. W.M.G.J. Mendis.

The above average density in TCC per ha. is 12 times larger than the rural population density.

Thus 70 or 84.25% of the towns came up in areas dominated by peasant and small-holder plantation agriculture. Thus it was complimentary to the new smallholder plantation agriculture. Thus it was complimentary to the new surge in the peasant economy based on the

The rural area of the PS is subjected to an acreage tax only. This is a provision borrowed from the VCO. Thus PS clearly is a hybrid unit of urban and rural areas although all do not compose of old TCC and VCC. The PS is at liberty to have the urban part declared as built up areas. There is no guideline to demarcate the boundaries of a Built up Area. So the PS is at liberty to demarcate it considering the future settlement pattern based on even expert opinion.

As the PS is unified for administrative purposes they continue to have the old VC or TC units separately administered and therefore there is no difficulty in identifying the old TC areas for enumeration purposes. In this context the argument of the Department that old TCC have been extinguished is illogical.

**REDUCTION OF URBAN POPULATION**

Towns which arose as service or administrative



1871 and 1946 the number of towns increased from 19 to 42. Between 1946 and 1971 it rose to 134 by 92 and 83 of this number were TCC. Of the urban population increase of 1824777 between this period 857,339 or 46.9% were resident in TCC declared under the above act. Of the 83 TCC 36 or 43.3% was in the dry zone while 34 (40.9%) are in the Western Province and Galle and Matara Districts.

rehabilitation of the ancient irrigation system. The following Table gives the change in urban population and the number of towns between 1871 and 2001 by administrative status.

It seems that although the number of towns grew continuously up to 1971, not a single new town has been declared, since then despite the significant changes in the socio-economic forces in the country in favour of a non-agricultural set up and the rise in educational standards which fosters higher density settlement formation. This was given a great impetus by the introduction of the free market economy in 1977. Professional opinion is that Sri Lanka's Urban population is very much higher than what the 2001 census reports. Prof. Willie Mendis holds that ' the Country's Urban Population is 22-30%' <sup>12</sup>, while the UDA thought it is about 34% <sup>13</sup>. However in the absence of a legally acceptable physical unit to represent the actual population growth such an estimate also is rather vague.

Table III - Urban Population in Sri Lanka by Town Status and Population size -1981

Status of Town	POPULATION SIZE '000							Total
	Over 100	50 99,999	20 49,999	10 19,999	5 9,999	2 4,999	Below 2,000	
Municipal	03	03	06	--				12
Urban	02	--	13	13	08	02	01	39
Town	--	--	13	21	21	26	02	83
Total	05	03	32	34	29	28	03	134

Source:- General Population of Census- 1981- Department of Census and Statistics

The above estimates based on the practical experience of dedicated professionals and authoritative institutions very well matches with the change in the economic and social factors during the last three decades which are definitely pro-urban. In the sphere of economic change it should be highlighted that the GDP which composed of primary sector (30.7%) secondary sector (23.6%) and services sector (45.3%) in 1978 changed its profile with the primary, secondary and services sectors respectively contributing 20.9%, 27.9% and 51.2% in 1996.<sup>14</sup> The rise in the service sector which is the life blood of urbanization in Sri Lanka has reflected itself in the rise in urban population. Employment pattern by sectors as seen from the following information at least partially represents the above situation. The share of agricultural employment which was 52.9% in 1963 dropped to 36.8% in 1995<sup>15</sup>. However though this dropped further in 1997 to 35.4% again it rose in 1998 to 38.2%. The number of employees per GDP unit in primary sector rose from 53,592 in 1978 to 64,678 in 1998 thus representing a lower per capita income and an over employment situation in the primary sector. This indicates a great economic decline in the rural sector. In the absence of a proper approach to enumerate urban population how this can be physically represented in development policies is the issue in question.

The justification of the existence of TCC as a separate unit is supported by the information in the Table II.

However the general acceptance that the status of towns are arbitrary can be agreed in considering the grant of status without regard for the population levels of the towns as seen from the following table which gives a picture of towns by

population size and status.

This shows that there is hardly any relationship between the population size and the status of towns, at least in case of towns above 10,000. Legal justification of maintaining a hierarchy of status is to provide different levels of services and conveniences for which different rates, taxes and levies can be made from property owners. If the demand for different levels of services is based on the affordability of the property owners who pay a higher price for better serviced lands this is reflected in population densities in a free market economy and larger the population larger being the networks that have to be maintained by a Local Authority greater must be the powers and autonomy such a council should hold in order to meet this demand. However classification of urban areas has not considered this requirement.

### CONCLUSION

The above discussion adequately indicates that it is a distortion of the urban profile in the country to consider PSS as rural as PSA is a law applicable to both urban and rural areas. There is nothing to direct them as rural in the Law and therefore the Department's standing is arbitrary,

However the implications of this is significant if at all statistics are an important infrastructure in policy formulation and decision making - Declaration of an urban area is basis for user charges according to Rates and Valuation Ordinance S.6(3). High density settlements cannot be livable without the provision of common amenities and services. If an average density of 22 persons

It is generally accepted that level of urbanization represents the physical quality of life of a country. A

sudden drop in urban levels in the country could reflect the country's physical quality of life low or gone down.

Therefore there is still a possibility of correcting this situation as old TCC are identifiable separately on ground and they are

- <sup>1</sup> Demography of Ceylon - Country Monograph- ESCAP- p.65
- <sup>2</sup> General Report Census of population -1981 Appendix-1
- <sup>3</sup> Preliminary Results (Provisional)-Census of Population and Housing - 2001 Department of Census and Statistics- Colombo. P. ix.
- <sup>4</sup> Report of Commission of Inquiry into Local Government Reform -1999 p.27
- <sup>5</sup> Opt. Cite. P. 138.
- <sup>6</sup> Preamble to PSA No. 15 of 1987.
- <sup>7</sup> Prof. Willie Mendis- The Urban Definition and the Implications for Development. The Sri Lankan Perspective\_ The Economic Review- March 1997- Peoples Bank- p.28
- <sup>8</sup> IBID- p. 29
- <sup>9</sup> A.G.Ranasinghe- Census of Ceylon-1946 Vol.-I General Report- Colombo, Department of Census and Statistics-1950. P.73.
- <sup>10</sup> S. 3 PSA
- <sup>11</sup> Project Administration Memorandum for Urban Development and Low-income Housing project [ Loan No. 1632-SRI (SF) ] March 1998.
- <sup>12</sup> Urban Definition and the Implications for development. The Sri Lankan Perspective- Economic Review- March 1997- p. 29.
- <sup>13</sup> Colombo Metropolitan Regional Structure Plan, Urban Development Authority- 1999. Vol.II- P. 10
- <sup>14</sup> Review of the Economy- Central Bank- p.3.
- <sup>15</sup> H.Nakamura,P.Ratnayake and S.M.P. Senanayake- Agricultura Development Past Trends and Policies in Dilema of Development Edt. By Professr W.D. Lakshman