

**Devolution versus Deconcentration:
A Study on Land Service Delivery System in Sri Lanka**

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Abstract

Sri Lanka has experienced decentralization practices from deconcentration administration (*Kachcheri* system) from the time of Colebrook (1833) to devolution of Government power (Provincial Councils system) in 1987. Provincial Councils (PCs) are given 37 subjects under the Thirteenth Amendment to the Constitution including land (administration). The Divisional Secretariat (DS) system (Deconcentration administration system at the divisional level) established in 1992 to with the objective of providing public service under one roof without going to district, provincial or national level institutions. Due to this new system a large number of functions and responsibilities had to retransfer to the Centre from PCs. Some responsibilities of land administration are one among them.

The general objective of the study is to examine the impact of devolution versus deconcentration practices on quality of land service delivery in Sri Lanka. The study has two specific objectives. First, identify factors affecting the land service delivery in DSs and PCs systems. Second, assess the quality of land service delivery by both PCs and DSs.

The study was conducted in Thawalama DS division (DSD) in Southern Province (SP) and Nachchaduwa DSD in North-Central Province (NCP). Both primary and secondary data were used for the study which gathered by using four types of data collection methods viz; content analysis, survey methods, case studies and observations. Two types of survey methods employed for the study-questionnaire survey on service seekers and in-depth interview of officials who are dealing with land service delivery in both PCs and DSs. The total sample of study was 70 including 50 service seekers and 20 officials.

The land service delivery suffered central control practices such as blurred areas of constitutional and other legal provisions, controlling practices of financial and administrative capacity. The service delivery mechanism seems to be fragmented. The inhabitant weak administrative capacity deteriorates further due to implementation of some Central policies such as abolishing carder under the Management Circular No. 2002/16/1. Lack of coordination between each tier of Government, frequent transfer of DSs especially in remote

rural areas, lack of competence and experience of officers, lack of information on service delivery and bureaucratic behaviour of officials make further complexities on service delivery.

It appears that with the establishments of DSs system, it has resulted in overlapping functions and responsibilities and recentralization of the PCs subjects to the DSs. Furthermore, it helps to increase complexities of PCs subjects such as land. With this complex situation it creates some conflicts between PCs System and DSs system, especially in service delivery.

Though Citizen's Charter displayed standard time for service delivery, service seekers were unable to get service within specified period. The service seekers spent time varied from 0.2 to 14 person days in NCP while it reported from 0.2 to 53.7 person days in SP. The average time of which respondents spent to get service is 14 person days in NCP while it reported as 18.6 person days in SP. In addition to service charge 84 percent and 88 percent of the respondents in NCP and SP spent additional amount of money on transport, bribery, fee for lawyers and private survey in State granted lands. The additional cost of NCP varied from LKR 50 to 2,000 while it varied from LKR 25 to 14,000 in SP. The average cost (excluding service charge) of service is LKR 4,190 in NCP and LKR 18,276 in SP.

Eighty-four percent of the respondents in each province were not satisfied with land service delivery. Twenty and 36 percent of the respondents in NCP and SP faced negative bureaucratic attitudes such as asking for bribe, favoritism/nepotism of the officials, scolding service seekers, not providing customer-friendly service, asking to come again repeatedly, making delays and hiding documents etc.