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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.-B 9/73 (XI)

THE FAUNA AND FLORA PROTECTION ORDINANCE (CHAPTER 469)

REGULATIONS made by the Minister of Environment under section 2 of the Fauna and Flora Protection Ordinance (Chapter 469) read with sections 56 and 71 of that Ordinance.

HETTITHANTHRI PATABENDIGE DAMMIKA,
Minister of Environment.

Colombo,
30th January, 2026.

Regulations

1. These regulations may be cited as the Managed Elephant Reserve (Management of State lands and lands other than State lands) Regulations of 2026.
2. The provisions of these regulations shall apply to and in relation to the management of State lands and lands other than State lands located within any Managed Elephant Reserve declared as such under subsection (2) of section 2 of the Fauna and Flora Protection Ordinance (Chapter 469) in order to ensure-
 - (a) the peaceful existence of elephants within such Managed Elephant Reserve whose natural habitats are located within such Reserve; and



- (b) the conservation of the natural habitats, movements paths and foraging areas of such elephants found within such Reserve, including water resources.
3. (1) Any grantee or permit holder of any State land or any owner or occupier of any land other than a State land, referred to in regulation 2, who intends to carry out any of the following development activities in such land shall make an application in writing to the Director-General together with an Environmental Impact Assessment (EIA) report or an Initial Environmental Examination (IEE) report, as the case may be, in the following manner: -
- (a) in case of -
- (i) a mining operation;
 - (ii) a blasting operation;
 - (iii) a construction of any canal;
 - (iv) a construction of any road;
 - (v) construction of any housing complex consisting of more than ten housing units;
 - (vi) any activity which temporarily alters the existing land use pattern of the land in any form in an area the extent of which is equal to or greater than zero point five (0.5) hectares; or
 - (vii) any activity which permanently alters the existing land use pattern of the land in any form in an area the extent of which is less than one (1) hectare,
- the relevant application shall accompany an Environmental Impact Assessment report;
- (b) in case of any development activity-
- (i) other than an activity referred to in paragraph (a); or
 - (ii) which involves the expansion of any existing usage of such land,
- the relevant application shall accompany an Initial Environmental Examination report.
- (2) Any development activity which permanently alters the existing land use pattern of the land in any form in an area the extent of which is equal to or greater than one (1) hectare shall not be permitted within a Managed Elephant Reserve.
- (3) For the purpose of this regulation, the grantee or permit holder of a State land means any person who has been granted any grant or permit as the case may be, in respect of such land under any written law, prior to the date of declaration of the relevant Managed Elephant Reserve.
4. (1) Upon receipt of any application under paragraph (a) or paragraph (b) or paragraph of regulation 3, the Director-General shall refer such application together with the relevant Environmental Impact Assessment report or the Initial Environmental Examination report as the case may be, within two weeks of the date of receipt of same, to the Managed Elephant Reserve Steering Committee established under regulation 7, for its recommendations and the said Committee shall on receipt of same forward its recommendation in writing to the Director-General within one month of the date of receipt of such application by the said Committee.
- (2) The Director-General shall upon considering the recommendations made by the said Committee under sub-regulation (1), either grant his approval for the relevant activity requested for under regulation 3 or refuse to grant his approval.

- (3) Where the Director- General refuses to grant his approval for the activity requested for under regulation 3, he shall inform the applicant of such refusal in writing giving reasons therefore within a period of two weeks of such refusal.
 - (4) Any applicant who is aggrieved by the decision of the Director-General under subsection (3), may, within thirty days of the date of the notification of such decision, appeal in writing against such decision to the Minister and the provisions of section 56 of the Ordinance shall mutatis mutandis apply in respect of such appeal.
5. (1) Any grantee, permit holder, cultivator or occupier of any State land located within any Managed Elephant Reserve shall when using such land for chena cultivation, maintain standards of cultivation specified below:-
- (a) the extent of the chena shall not exceed three (3) acres;
 - (b) the crops shall be grown only in rain fed conditions and agricultural wells or any kind of ground water extraction shall not be permitted;
 - (c) no perennial crops shall be grown on the land;
 - (d) at the end of each cropping season and upon collecting the harvest, there shall be a mandatory fallow period of two years within which period the land shall not be used for any cultivation purposes;
 - (e) cropping land shall be cultivated on rotation basis;
 - (f) cultivations shall be carried out only in areas used for cultivation purpose prior to the date of declaration of the Managed Elephant Reserve;
 - (g) the fencing around the cropping land including electric fencing shall be removed immediately after completion of the collection of the harvest and only be re-erected immediately before the commencement of the next crop cultivation; and
 - (h) permanent structures or any other constructions of permanent nature shall not be permitted on the chenas.
- (2) The grantee, permit holder, cultivator or occupier specified in subsection (1) shall be any of the following persons as applicable: -
- (a) a person who possesses a licence or any other written permission granted under the provisions of any written law to use such land for chena cultivation prior to the date of declaration of the relevant Managed Elephant Reserve; or
 - (b) a person whose name is entered as a chena cultivator of such State land in the records maintained by any Government Institution in which such state land is vested, prior to the date of declaration of the relevant Managed Elephant Reserve.
6. Any owner or occupier of any land other than a State land as referred to in regulation 2 of these regulations shall not-
- (a) subdivide such land into land parcels of less than forty perches in extent;
 - (b) grow any permanent or perennial crops within such land unless authorized therefor by the Director-General in writing, upon consulting the Managed Elephant Reserve Steering Committee established under regulation 7;
 - (c) clear or remove any natural forest unless authorized in writing by the Director-General upon a written request made therefor by such owner, or occupier in respect thereof.

7. (1) There shall be established for each Managed Elephant Reserve a Steering Committee to be called and known as Managed Elephant Reserve Steering Committee (hereinafter referred to as “the Committee”) for the purpose of making recommendations to the Director-General for his consideration on matters pertaining to the proper implementation of the provisions of these regulations.
- (2) The composition of the Committee shall be as follows: -
- (a) the District Secretary of the relevant District or the District Secretaries of the relevant Districts as the case may be, within which the Managed Elephant Reserve is located;
 - (b) the Regional Assistant Director of the Department of Wildlife Conservation appointed under the provisions of the Ordinance;
 - (c) the District Forest Officer of the Forest Department appointed under the provisions of the Forest Ordinance (Chapter 451);
 - (d) the Residential Project Manager of the Mahaweli Authority of Sri Lanka established under the Mahaweli Authority of Sri Lanka Act, No. 23 of 1979 or his nominee;
 - (e) the Director-General of the Central Environmental Authority established under the National Environmental Act, No. 47 of 1980 or his nominee; and
 - (f) the Senior Superintendent of Police of the relevant area or his nominee.
- (3) District Secretary of the relevant District in which the Managed Elephant Reserve is located shall be the Chairman of the Committee. In case where any Managed Elephant Reserve is located within more than one District and there are more than one District Secretaries having authority over the relevant area, the District Secretary of the District having the largest land area shall be the Chairman of the Committee.
- (4) Where the Chairman is absent from any meeting of the Committee the members present shall elect a Chairman from among themselves in respect of that meeting.
- (5) The Director-General shall appoint the Regional Assistant Director of the Department of Wildlife Conservation as the Secretary to the Committee.
- (6) The Committee shall meet as often as necessary, but not less than once in every three months.
- (7) The quorum for any meeting of the Committee shall be three members including the Secretary.
- (8) A member of the Committee shall hold office as long as such member holds the office by virtue of which he is a member of the Committee.
- (9) The Committee may consult-
- (a) experts who possess academic or professional qualifications and wide experience in the area of Conservation Biology, Environmental Science or Environmental Law; or
 - (b) representatives of Community Based Organizations in the area within which the Managed Elephant Reserve is located,
- whenever the Committee deems necessary, to consider their views on making recommendations under regulation 4.
- (10) Every decision of the Committee shall be taken by the majority of votes of the members present.
- (11) In the event of equality of votes, the person holding the office of Chairman shall have a casting vote.

- (12) A member of the Committee or any other person authorized in writing by the Chairman to the Committee may, for the purpose of implementing the provisions of these regulations enter upon any extent of land referred to in regulation 2 at all reasonable times for the purpose of inspecting such land.
- (13) The functions of the Committee shall be to make recommendations to the Director- General -
- (i) on matters referred to the Committee under regulation 4, as soon as practicably possible;
 - (ii) on mitigation of human-elephant conflicts;
 - (iii) on regulating the land use of any Managed Elephant Reserve which may necessary to be considered by the Management Planning Committee appointed by the Director-General in terms of section 2A of the Ordinance; and
 - (iv) any other matter relevant to environmental issues within the Managed Elephant Reserve.
8. Any person who contravenes the provisions of these regulations commits an offence under the Ordinance.
9. In these regulations, unless the context otherwise requires-
- “development activity” shall have the same meaning assigned to such expression in the Ordinance;
- “Director-General” means the Director-General appointed under section 68 of the Ordinance;
- “Environmental Impact Assessment report” means an Environmental Impact Assessment report to be submitted under the provisions of the National Environmental Act, No. 47 of 1980;
- “Initial Environmental Examination report” means an Initial Environmental Examination report to be submitted under the provisions of the National Environmental Act, No. 47 of 1980;
- “occupier of any land other than a State land” means a person who occupies any land other than a State land within a Managed Elephant Reserve with the written permission of the owner thereof;
- “Ordinance” means the Fauna and Flora Protection Ordinance (Chapter 469);
- “State land” shall have the same meaning assigned to such expression in the Ordinance.

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