

## COMPARATIVE STUDY OF ENVIRONMENTAL & PLANNING LAW AND DISASTER MANAGEMENT LAW RELATING TO THE CONSTRUCTION INDUSTRY IN SRI LANKA FOR SUSTAINABLE DEVELOPMENT

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### Abstract

This research will enable to gain basic understanding of Environmental Law & Planning Law relating to the construction industry; and analyse of new physical planning and disaster management rules and regulations in Sri Lanka. Laws governing protection of environment conservation and the use of natural resources in Sri Lanka are largely based on legislative enactments. There are many physical planning legislation in Sri Lanka such as Housing and Town Improvement Ordinance No. 19 of 1915, Urban Development Authority (UDA) Law No 41 of 1978, Town and Country Planning Ordinance No. 16 of 1946, Municipal Council Ordinance and Urban Council Ordinance, Pradeshiya Sabahas Act of 1987 etc for protection of the environment. Accordingly a set of building regulations are set out in the Schedule to the Ordinances. The objective of the laws are to promote planning of economic, social and physical development and its implementation in the urban areas. The Sri Lanka Parliament enacted two Acts namely Tsunami (Special Provisions) Act No.16 of 2005 and Disaster Management Act No. 13 of 2005 for rehabilitation. These two

Acts specially mentioned planning and recovery techniques and disaster management law of Sri Lanka. In the post tsunami reconstruction work, the government has given high priority to rebuild human settlement and shelters. These relevant legislation are related to rehabilitation and reconstruction strategies in tsunami affected areas through environmental protection. However there are various discrepancies, loopholes in these legislation.

Objectives of the research are comparative study of existing environmental and Planning law relating to the construction industry in Sri Lanka, Analyse disaster management legislation and recommend improvements to the Construction Law practices in order to make planning procedure more effective.

Every professional in the construction industry including the quantity surveyors, architects, town planners, engineers should be well aware of the environmental and planning law and abide by them in order to better protect the environment by the impact of construction project as well as create a country with better living conditions in future.

*Keywords: Legislation, law, Environmental, Planning, rules and regulations, Disaster Management, protection*

## Objectives of the research

- ❖ Comparative study of existing environmental and Planning law relating to the building and construction industry in Sri Lanka
- ❖ Analyse of environmental , planning and disaster management legislation and suggest improvements to the Development Law & Construction Law and the practices in order to make planning procedure more effective.

## Methodology

For the successful completion of the research the following methodology is adopted -

- Literature review of relevant books, recent journals and seminar papers on environmental law in order to get an idea of the background to the research.
- Review court cases ( Supreme Court , Court of Appeal t)relating to civil / commercial and construction matters and refer various Law Reports (eg. Sri Lanka Law Reports, All England Law Reports etc)
- Field information would be from those obtained from construction consultants, quantity surveyors, engineers, architects, Project managers and construction contractors who are directly involved in the construction activities

## Scope of the research

The research is mainly concerning Environment and Planning Law , Disaster Management Law and its regulations ,

however within the scope of the construction industry in Sri Lanka .

## Introduction

This research will enable to gain understanding of Environmental & Planning Law relating to the construction industry /built environment and analyse of new planning and disaster management laws concerning post – tsunami reconstruction strategy in Sri Lanka .

Environmental Law may be defined as the law that regulates natural resources in relation to human behavior and this law deals with improvement and protection of natural environment. Environmental destruction and pollution have seriously threatened the human life, health and livelihood. The methods of economic development, which the mankind has followed are also creating environmental problems. With the industrial and technological development, the mankind has not only improved the economic conditions but also altered the natural ecological balance. Industrialization, urbanization and construction industry has affected the natural environment adversely.

## Basic Environmental Law

Sri Lanka's Constitution adopted in 1978 specially refers ( Article 27) to the preservation of the environment .The laws governing the protection of environment , conservation and the use of natural resources

in Sri Lanka are largely based on legislative enactments . Sri Lanka Parliament enacted National Environmental Act No. 47 of 1980 to the establishment of the Central

Environmental Authority (CEA) in 1981 as the state agency responsible for the formulation and implementation of policies and strategies for the protection and management of environment in Sri Lanka. Also our Parliament enacted various legislation for protection of environment such as Fauna & Flora Protection Ordinance - No. 02 of 1931, Forest Ordinance -- No 16 of 1901 , Soil conservation Act --No 02 of 1951, National Heritage Act No 03 of 1988 , Coast Conservation Act – No 51 of 1981 etc.

On the other hand Nuisance action is a common law tort action which is based on the premise that one should use one's property in such a manner so as not injure the interests of others. This action was one to the earlier tools used for the purposes of environmental protection. Thus nuisance which is unreasonable covers interference with use and enjoyment of land by water, fire, smoke, smell, fumes, gas, noise, heat, disease or any other like thing which may cause such an inconvenience. As far as environmental related actions in nuisance are concerned, the most common actions would related to noise, pollution of the air and water ways, disposal of garbage, etc. As regards statutory nuisance, the Nuisance Ordinance No. 15 of 1862 provides that whosoever shall commit any of

the offences specified in that Ordinance, shall be guilty of an offence. Apart from this Ordinance, Municipal Councils, Urban Council Ordinance and Pradeshiya Sabhas Act also provide for the prevention of nuisance. Towards the protection of environment, aspects of control of physical planning and built environment in the country have a considerable role to play. In this regard an account of some important statues seeking to regulate physical planning matters in the country is useful.

#### **Physical Planning Law**

There are many physical planning legislation in Sri Lanka such as Housing and Town Improvement Ordinance No. 19 of 1915 ,Urban Development Authority (UDA) Law No 41 of 1978 ,Town and Country Planning Ordinance No. 16 of 1946 ,Municipal Council Ordinance and Urban Council Ordinance, Pradeshiya Sabahas Act etc.

One such early legislation is Housing and Town Improvement Ordinance No. 19 of 1915 for control of physical planning matters to protection of environment. The objective of this Ordinance is to deal with the problem of in sanitary conditions of urban overcrowding as well as to prevent such situation. Towards this end, this Ordinance has introduced sanitary and environmental standards in urban areas and to improve the quality of the housing stock. Accordingly a set of building regulations are set out inn the Schedule to the Ordinance. These regulations relate to

controlling height, light, ventilation and accessibility. In addition, the Ordinance provides for the introduction of town improvement schemes, slum clearance schemes and street line schemes.

Urban Development Authority Law No. 41 of 1978 (UDA Law) marks a new era in the physical planning exercise in Sri Lanka. This law was enacted in 1978 due to inadequacies found in both Housing and Town Improvement Ordinance No. 19 of 1915 and Town and Country Planning Ordinance No. 16 of 1946 to deal with physical planning problems of the urban areas of Sri Lanka. According to the preamble to the UDA law, the objective of the law is to promote planning of economic, social and physical development and its implementation in the urban areas declared under this law and control of environment. In order to realize these objectives, clearance of slums and shanties, coordination and control of development projects carried out by other governmental agencies, exercising of development controls to ensure conformity to development plans and planning regulations. UDA has introduced a new set of development regulations in areas under replacing the provisions of housing and Town Improvement Ordinance.

Regulations may be made by the Minister of Construction and Urban Development for the purpose of carrying out or giving effect to the principles and provisions of the UDA Law No.

41 of 1978 as amended by Act No. 4 of 1982 to regulate any physical planning projects or schemes prepared by any Government Agency or other persons in such areas or regulating the use of land and buildings in different zones, and imposition of conditions and restrictions in regard to several factors of building development or regulations regarding clear distances of buildings from electrical, telephone, telegraph, microwave and other lines, or regulations in respect of unsafe buildings and prescribing standards of fitness of buildings or regulations for attaining urban design objectives etc.

#### **New disaster Management Law**

On the other hand Sri Lanka is one of the countries that were hardest hit by the tsunami tidal waves that ravaged several countries in the Indian Ocean rim on December 26, 2004. The tsunami caused extensive damage and disruption to human life, livelihood, public and private property, economic infrastructure, buildings in Sri Lanka. The main objectives of the new planning laws in the tsunami affected areas are to provide immediate to communities and local government authorities to speedy restart functions through protection of environment. The Sri Lanka Parliament has enacted special two Acts namely Tsunami (Special Provisions) Act No. 16 of 2005 and Disaster Management Act No. 13 of 2005 for path of rehabilitation. These two Acts specially mentioned planning and recovery techniques of disaster management law of Sri

Lanka . The Government has been taken steps to shift from registering documents to registering titles in tsunami damaged areas .The Registration of Titles Act comply with this task . This Act main objective is grant rights with absolute rights and maintain a better land management system and scientific utilization of lands for any industry . Government of Sri Lanka implemented the disaster management plan for development and support of rehabilitation construction projects through these Acts .

In the post tsunami reconstruction work , the government has given high priority to rebuild human settlement and shelters. Therefore, relevant these legislation are related to the rehabilitation and reconstruction strategies in tsunami affected areas.

However there are various loopholes in these legislation and some times courts were observed.

#### **Environmental protection legal procedure**

The functions of the CEA as provided for in part II of the Act as to administer the provisions the Act and its regulations, to conduct, promote and coordinate research relating to aspects of environmental degradation or prevention, to specify standards norms and criteria for the protection of the environment, to regulate, maintain and control activities relating to aspects of environment and to undertake investigations to ensure compliance with the Act.

Recognizing that the CEA lacked regulatory powers to act on environmental pollution, the National Environmental Act was amended in 1988. The amendment requires all project approving agencies to obtain an Environmental Impact Assessment (EIA) from the developer proposing a development activity. The EIA process is a useful tool in assessing the impact of development projects and activities.

Environmental Impact Assessment (EIA) us a term used define a document which assesses the environmental effects for proposed development projects or policies and evaluates alternatives to that project /policy that might be environmentally better. The EIA serves as an information base on which important decisions about the development activity is taken. EIA has become a decision making tool throughout the world and multilateral banks and aid agencies now require it as part of project appraisal. The important of the EIA lies also in the fact that an EIA can become the basis on which community participation is encouraged and information about the development project is made transparent. The procedure established provides for the submission of EIA's in respect of projects that are generally determined by the Minister of Environment. Ones an EIA is submitted, the Act provides for a public inspection period with mandatory 30 days period for the receipt of public comments. A public hearing may be held where the public interest so demands and a decision to

proceed with a project with or without conditions have to be arrived at thereafter. Therefore EIA process is a useful tool in assessing the impact of development projects and activities.

Further Antiquities Ordinance has been amended by Act No .24 of 1998 to obtained an approval from the Department of Archeology before any major project is launched by any developer. This process is known is *Archeological Impact Assessment (AIA) Survey*.

Cost Conservation Act No. 57 of 1981 and the Board of Investment (BOI) No. 04 of 1978 are another two statutes with provisions for physical planning matters.

#### **Nuisance Law and Environmental Protection**

Nuisance action is a common law tort action which is based on the premise that one should use one's property in such a manner so as not to injure the interests of others. This action was one of the earlier tools used for the purposes of environmental protection. There are three types of nuisance actions, namely private nuisance, public nuisance and statutory nuisance.

A person is said to commit the tort private nuisance when he is held to be responsible for an act causing physical damage to land or substantially interfering with the use or enjoyment of land or of an interest in land. Thus nuisance which is unreasonable covers interference with use and enjoyment of land

by water, fire, smoke, smell, fumes, gas, noise, heat, decrease or any other like thing which may cause such an inconvenience.

Public nuisance is a crime rather than a tort and an action for public nuisance will be instituted by the state. It is therefore, an act or omission which affects the reasonable comfort or convenience of members of the public. It is not necessary to prove that every member of the public has been so affected. A representative group is sufficient.

As far as environmental related actions in nuisance are concerned, the most common actions would be related to noise, pollution of the air and water ways, disposal of garbage, etc. As regards statutory nuisance, the Nuisance Ordinance No. 15 of 1862 provides that whosoever shall commit any of the offences specified in that Ordinance, shall be guilty of an offence. Apart from this Ordinance, Municipal Councils, Urban Council Ordinance and Pradeshiya Sabhas Act also provide for the prevention of nuisance.

The provisions relating to **Courts System of Sri Lanka** are found in the Constitution of Sri Lanka as well as legislative enactments. Our Environmental and Planning Laws have give wide powers to the judiciary in relation to matters affecting the environment and physical planning matters.

#### **Case Law and new trends by courts interpretation**

*In Keangnam Enterprises Ltd vs Abeysinghe and Others case* Sri Lanka supreme courts

developed the Environmental Law. In this case the Petitioner-Company had established a metal quarry, a metal crusher and a premix plant at a site taken on lease for developing and rehabilitating the Ambepussa - Dambulla - Anuradhapura road: The Informant-Respondents complained of a public nuisance created by the Petitioner-Company. The Magistrate granted an injunction restraining the operation of the quarry under section 104(1) of the Code and also entered a conditional order under section 98(1) of the Code for the removal of the public nuisance caused by the quarry.

The Supreme Court of Sri Lanka clearly emphasized in the Eppawala phosphate case (Bulankulama Vs Secretary, Ministry of Industries – 2001) that environmental protection and environmental sustainability should constitute an integral part of the economic development process in order to achieve sustainable development and further explained that as a member of the United Nations could hardly ignore the environmental requirements, norms and standards laid down in the Stockholm and Rio Declarations.

In *De Silva vs. Minister of Forestry and Environment* (The case is on Pollution Control - Air Quality Regulation) case petitioner complained that the Ambient Air Quality standards were not being maintained in some parts of Colombo Metropolitan area. And the petitioner sought a direction of Court to the

Minister to make and gazette regulations specifying: Mobile Air Emission Standards, Fuel Standards and Vehicle Specification Standards. Court decided that the respondent, the minister will make and gazette regulations specifying those three standards. As a result of this case the National Environmental (Air Emission, Fuel and Vehicle Importation Standards) Regulation No.1 of 2000 was gazette intended to come into effect on 1<sup>st</sup> Jan 2003.

In *M.M. Khalid and Three Others vs. Chairman, Sri Jayawardenepura-Kotte Urban Council* (The case is on Public Nuisance) plaintiffs who were residents of Senanayake Avenue, which is a residential area and causing a public nuisance to the residents in that it was attracting crows and other animals, was causing diseases. Court decided that the respondent, the Urban Council, garbage must be disposed of in a manner which does not cause a nuisance.

The Eppawala case – Bulankulame and Others vs. Secretary, Ministry of Industrial Development (The case is on Protection of Natural and Cultural Heritage) there is a issue of damage to cultural heritage sites was raised in Eppawala Case. The petitioners state that Eppawala phosphate mining project sites in agriculturally developed area, which closer to Yoda Ela scheme. Therefore possible damage would be caused to Yoda Ela scheme. Court decided that, even the Antiquities Act and archaeological reserves definitions not

cover a "cultural heritage landscape" such as Yoda Ela, it must be under the Heritage Convention.

In the Environmental Foundation Ltd vs. Geological Survey and Mines Bureau & Seven Others (The case is on conservation of Biological Diversity) the petitioners claimed to prevent unsustainable sand mining in river beds. Operations under licenses are not monitored and causing severe environmental damage. As a result of unchecked mining, more sand is being removed from river beds. The petitioner pointed out that adverse environmental impacts of these activities include costal erosion, erosion of river banks, salt water intrusion, lowering of the water table, ecological imbalance and habitat loss. The petitioner requested court to carryout EIAs, to monitor the mining activities and to prevent the over exploitation of the resources.

The case is still pending

In the S.C. Amarasinghe and Three Others vs. the Attorney General and Three Others

(The case is on Land Acquisition) Lands belonging to the petitioners were to be acquired under the Urban Development Project Act No. 2 of 1980 for the Colombo Katunayake Expressway. The petitioners filed action challenging the order. The petitioners claimed that in forming an opinion that the expressway would meet the just requirements of the general welfare of the people. The petitioners also claimed that

approval for the project must be obtained under the National Environmental Act and can not be in respect of the expressway before an EIA has been prepared. The court states, it is not for this court to determine whether, upon a consideration of all these factors, the disadvantages out weigh the advantages of the expressway or whether in its view the expressway meets the just requirements it the general welfare of the people. The court was therefore unwilling to consider environmental issues at this stage and in relation to the issue of land acquisition.

In Jayasinghe vs. Seethawakapura Urban Council and Others (The case is on unauthorized constructions)

Petitioner was asked to remove the unauthorized structure within seven days by the 1st respondent. The area has been declared as a Development Area in terms of the Urban Development Authority Law. The petitioner seeks an injunction of the UDA notice as that notice was illegal and void. The court states, once an area has been declared as a "development area" no person could carry out or engage in any development activity in any such part without a permit issued by the UDA. And if any development activity is commenced, continued, resumed or completed without a permit issued by the UDA, in a development area, action has to be taken only by the UDA. Towards the protection of environment, aspects of physical planning and built environment in the country have a considerable role to play. In this regard an account of some important



statutes seeking to regulate physical planning matters in the country is useful.

#### **Panning legislation and its practice**

Housing and Town Improvement Ordinance No. 19 of 1915 is to deal with the problem of in sanitary conditions of urban overcrowding as well as to prevent such situation. Towards this end, this Ordinance has introduced sanitary and environmental standards in urban areas and to improve the quality of the housing stock. Accordingly a set of building regulations are set out in the Schedule to the Ordinance. These regulations relate to controlling height, light, ventilation and accessibility. In addition, the Ordinance provides for the introduction of town improvement schemes, slum clearance schemes and street line schemes. The development control powers are vested with the Mayor or chairman of the local authority under the Ordinance. Until the introduction of the Urban Development Authority Law (UDA) Law in 1978, this Ordinance together with Town and Country Planning Ordinance of 1946 were the main legal instruments with regulated the physical planning and development of urban areas in Sri Lanka. Today these two Ordinances are operation in areas which have not been declared under the UDA Law.

Urban Development Authority Law No. 41 of 1978 marks a new era in the physical planning exercise in Sri Lanka. This law was in acted in 1978 due to inadequacies found in both Housing and Town Improvement Ordinance

No. 19 of 1915 and Town and Country Planning Ordinance No. 16 of 1946 to deal with physical planning problems of the urban areas of Sri Lanka. According to the preamble to the UDA law, the objective of the law is to promote planning of social and physical development and its implementation in the urban areas declared under this law. In order to realize these objectives, the Urban Development Authority is vested with wide powers with regard to preparation and implementation of integrated plans for development, acquisition and disposal of property, clearance of slums and shanties, coordination and control of development projects carried out by other governmental agencies, exercising of development controls to ensure conformity to development plans and planning regulations. UDA has introduced a new set of development regulations in areas under replacing the provisions of housing and Town Improvement Ordinance.

#### **Urban Development Authority (UDA) Regulations**

Regulations may be made by the Minister of Construction and Urban Development for the purpose of carrying out or giving effect to the principles and provisions of the UDA Law No. 41 of 1978 as amended by Act No. 4 of 1982. The above would normally comprise the making of Regulations on all matters stated or required to be prescribed or authorized under the UDA Law. The latter comprise the following in respect of authorized provisions;

- To regulate any physical planning projects or schemes prepared by any Government Agency or other persons in such areas (Section 8 ( r ) of UDA Law)
- The provision of regulating the use of land and buildings in different zones, and imposition of conditions and restrictions in regard to several factors of building development (Item 3 in Schedule of Amendment Act No. 4 of 1982)
- Regulations regarding clear distances of buildings from electrical, telephone, telegraph, microwave and other lines (Item 4 (k) of the schedule of Amendment Act No. 4 of 1982)
- Regulations in respect of unsafe buildings and prescribing standards of fitness of buildings ( Item 4 (l) of Schedule of Amendment Act No. 4 of 1982)

of 1982) The Minister at that time, acting under the generality of the powers conferred by Section 21, has published the, " UDA Planning & Building Regulations 1986" in Gazette NO.392/9 of 1986.03.10.

- Regulations for attaining urban design objectives (Item 5 of the Schedule of Amendment Act No. 4 of 1982)

In addition, regulations may also be made on several matters on which they are required to be prescribed. One of the latter is on "the levy of fees and service charges in respect of different categories of developments" .However, all of the above matters should relate to a Development Plan prepared and sanctioned for the development of the corresponding UDA declared area.

On the other hand, since there were no Development plans prepared for the UDA declared areas in the immediate period after the establishment of the principal enactment (No. 41 of 1978), and of its amendment (No. 4

It specifically stated that the provisions of these regulations shall be applicable to every area for the time being declared by the Minister as a UDA Area. These regulations were approved by Parliament as required by Section 21 (3) of the law.

Different branches and divisions of Environmental & planning law in Sri Lanka are categorized as follows

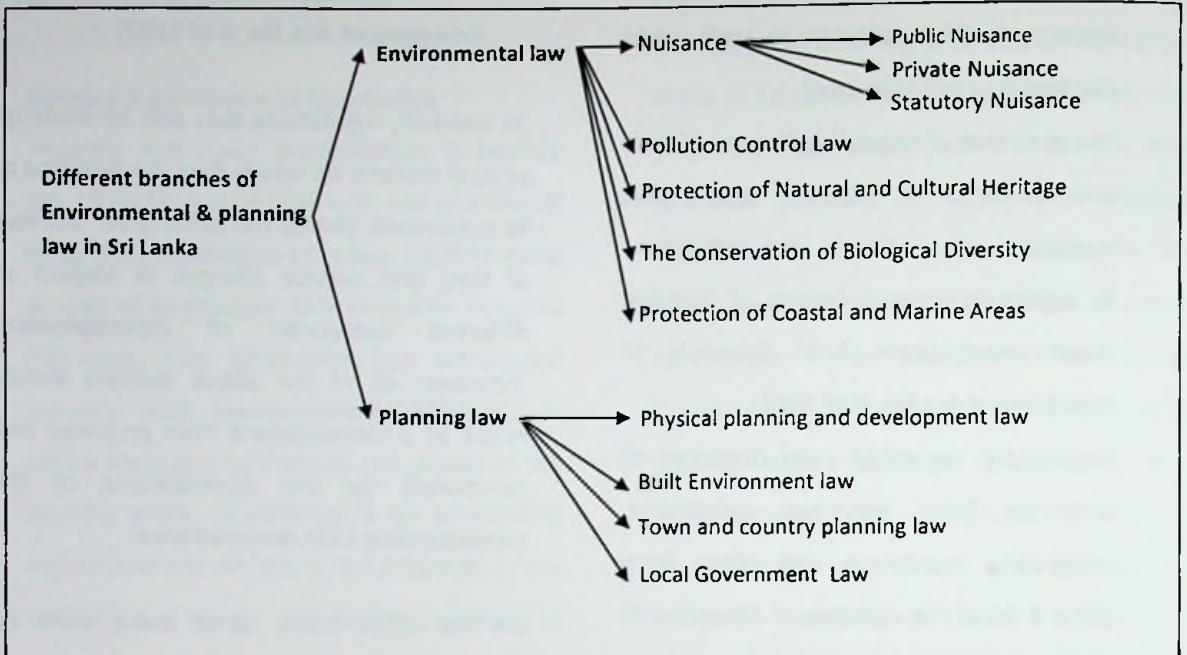


Figure 1 -Different branches of Environmental & Planning Law in Sri Lanka

#### Disaster management planning laws for tsunami recovery facilities in Sri Lanka

Sri Lanka is one of the countries that were hardest hit by the tsunami tidal waves that ravaged several countries in the Indian Ocean rim on December 26, 2004. The tsunami caused extensive damage and disruption to human life, livelihood, public and private property, infrastructure, buildings in Sri Lanka. The total death was over 40,000. Hence Sri Lanka Government enacted new laws to better protection of property rights and disaster management planning matters for affected cities.

The main objectives of the new planning laws in the tsunami affected areas are to provide immediate to communities and local government authorities to speedy restart

functions. Laws and regulations relating to the Tsunami Reconstruction are,

- ❖ Re-construction of infrastructure facilities in cities in Sri Lanka under the new planning law
- ❖ Re-settlement of displaced families outside buffer zone with property law rights
- ❖ Provide future disaster management development laws through new legislation
- ❖ Upgrading regional planning institutions and its laws.
- ❖ New planning and regulatory laws and institution arrangements for reconstruction

The Sri Lanka Parliament has enacted special two Acts such as Tsunami (Special Provisions) Act No.16 of 2005 and Disaster Management Act No. 13 of 2005 for path of rehabilitation. These two Acts specially mentioned planning

and recovery techniques of disaster management of Sri Lanka .

The Government has been taken steps to shift from registering deeds to registering titles in tsunami damaged areas .The Registration of Lands Act ( Amendment ) have been passed in parliament of Sri Lanka . These two Acts main objective is grant rights with absolute rights and maintain a better land management system and scientific utilization of lands for any industry . Government of Sri Lanka implemented the disaster management plan for development and support of rehabilitation construction projects through this Acts

In the post tsunami reconstruction work , the government has given high priority to rebuild human settlement and shelters. Therefore, relevant these legislation are related to the rehabilitation and reconstruction strategies in tsunami affected areas.In the post tsunami reconstruction work , the government has given high priority to rebuild human settlement and shelters. Therefore, relevant these legislation are related to the rehabilitation and reconstruction strategies in tsunami affected areas.

However there are various loopholes in these legislation and some times courts were observed. Therefore ,

#### **CONCLUSION**

Sri Lanka has a rich legal system which has evolved over the years to present state. The Sri Lankan legal system has sufficient provisions to protect the environment as well

as good system procedure for physical planning. The enforcement of National Environmental Act No. 47 of 1980 and Urban Development Authority Law No. 41 of 1978, marks a new era of Environmental and Planning areas of the country. The Central Environmental Authority and Urban Development Authority is vested with wide powers to enforce the regulations as described by the paper .

The courts of first instance that has the powers to act in the environmental planning matters are magistrate court and district court. The Court of Appeal and the Supreme Court has the appellate authority of environmental and planning law matters.

It can be concluded that the legal system of Sri Lanka is well structured with laws for environmental protection and planning issues. And also the regulatory powers are well granted for authorities and a structured court system is available to go through these matters. However still the environmental and planning issues continue to exist despite the legal detailed legal system. As we observed the loophole lies in the resource capacity of the relevant authorities to effectively enforce law in environmental and planning law issues and the effectiveness of jurisdiction for certain acts of wrong doing.

It should be noted however as lawful citizens of a country and as professionals we should be aware of these laws and regulations to ensure that we do not breach them by our

professional conduct. Every professional in the construction industry including the quantity surveyors ,architects , town planners, engineers should be well aware of the environmental and planning law and abide by them in order to better protect the environment by the impact of construction project as well as create a country with better living conditions in future.

People in 21<sup>st</sup> century highly appreciate the value of the sustainable development concept. Protection and improvement of environment is a major branch of the sustainable development. The growth of the construction industry is considered as an indicator of the level of development. Being a developing country Sri Lanka also having a higher growth in construction industry. Environmental and planning law is a tool introduced to regulate natural resources in the ambition of the protection and improvement of the environment.

Ignorance of the law is not an excuse to break the law. Since every single person is bound by the prevailing environmental law it is a mandatory requirement to understand the prevailing law. Legislations, judicial precedents, customs, opinion of writers are few identified sources of environmental and planning law in Sri Lanka. Many constitutional

provisions, environmental legislations are introduced as environmental law. Especially the National Environment Act and its contribution toward the regulating the protection of the environment is identified through this assignment. The mandatory legal requirements in construction with relate to environment and planning law (i.e. Environmental Impact Assessment (EIA), Nuisance and planning law, housing and town improvement ordinance, urban development law is few planning legal provisions that any entity enthusiast with regard to the construction should come to know.

Case laws give a comprehension understanding of the jurisdiction for different legal backgrounds. Beside that a comprehensive understanding relate to the court system in Sri Lanka is acquired through the critical analysis conducted in relation to the powers and functions of the court system. The degree of powers delegated and functions each court could implement in an issue of environment and planning was clarified and familiarized. This understanding of environmental and planning law together with the functions and powers vested to court system in Sri Lanka would be beneficial in the future carrier as professional quantity surveyors ,architects, town planners and engineers.

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