

LoGICA Intergovernmental Profile Sri Lanka, 2023

1. Country description and state of decentralization

Sri Lanka is a unitary republic located in South Asia with three main levels of governance: national, provincial, and local. The country's process of decentralization was initiated through an amendment of the constitution in 1987, intended to mitigate ethnic tensions and instate a shared service delivery system between the elected authorities at the provincial and local levels and the centrally controlled deconcentrated arms at the district and divisional levels. Despite the constitutional reforms and efforts to increase local participation through the delegation of power to provincial councils and local authorities, the central government retains a dominant role in planning, finances, staffing, and service delivery functions. Political and economic crises in recent years seem to have exacerbated the country's tendency towards centralization: provincial council elections haven't been held since 2014, while local government elections (due in 2022) have also been postponed.

Sri Lanka is an island country located in the Northern Indian Ocean. The country is a unitary semi-presidential constitutional republic. With an estimated population of 22.2 million, Sri Lanka is mostly rural with 19 percent of its population residing in urban areas.

In principle, the responsibility for public service delivery and the implementation of government programs in Sri Lanka is vertically shared between the central government, Provincial Councils (PCs), and elected Local Authorities (LAs). In practice, however, two parallel subnational governance structures exist: first, a deconcentrated system of central government structures at the District, Divisional, and Grama Niladhari levels, under the Ministry of Public Administration, Home Affairs, Provincial Councils and Local Government (MPAHAPCLG), and second, the elected authorities under the State Ministry of Provincial Councils and Local Government Affairs (SMPCLGA), which lies below the cabinet level MPAHAPCLG. Rather than a well-coordinated subnational governance system, the fragmentation of the system results in deconcentrated and devolved governance entities competing for power and resources.

It is important to place Sri Lanka's intergovernmental architecture and reforms over the past half-century in the context of the country's ethnic and linguistic divisions which has fueled political rancor and conflict between the majority Sinhalese and the minority Tamils, including a civil war that lasted a quarter century (1983-2009).

Efforts to pursue administrative decentralization in Sri Lanka go back to the 1950s, during which central government ministries were deconcentrated to the district level to promote better service delivery in the rural areas. Under the Constitution introduced in 1978 and the Development Councils Act of 1980, the government established District Development Councils (DDCs) as a new institutional mechanism to encourage public involvement in the development process at the district, divisional and village levels. At the same time, over 300 Village Councils and Town Councils were dissolved, shifting their duties to the DDCs.

Within a decade, however, as DDCs provided ineffective administrative units and as political-ethnic tensions escalated, the introduction of Provincial Councils was proposed as a renewed solution to the ethnic conflict by providing for greater local self-governance. Provincial Councils were introduced by the 13th amendment to the Constitution in 1987, while rural local governments were re-established with the Divisional Council (Pradeshiya Sabha) Act in the same year. Despite these constitutional and legal efforts to transfer power and authority

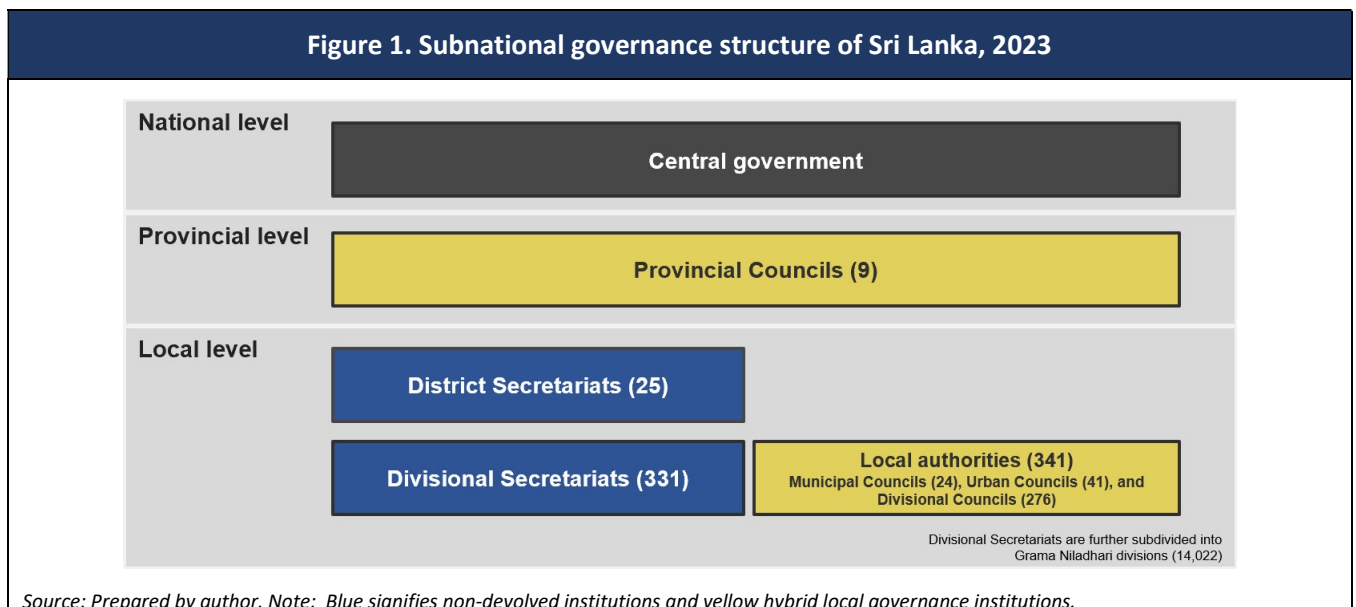
downwards, the central government continues to keep considerable control over the country and limits *de facto* subnational self-governance.

This Intergovernmental Profile covers the multilevel governance arrangements in Sri Lanka, both the central government’s deconcentrated administrative structures at the district, divisional, and village levels, as well as the elected subnational institutions at the provincial and local authority levels.

2. Subnational governance structure of Sri Lanka

Sri Lanka’s subnational governance structure involves a combination of elected governance institutions and deconcentrated field administration tiers. Constitutional reforms in 1987 established Provincial Councils as the highest level of territorial-administrative governance below the central government. Below the provincial level, the central government’s field administration is organized into District Secretariats (25), Divisional Secretariats (332), and Grama Niladhari divisions (14,022). At the same territorial level as Divisional Secretariats, the constitutional reforms of 1987 also introduced elected urban and rural Local Government Authorities (341), including Municipal Councils, Urban Councils, and Divisional Councils (Pradeshiya Sabhas). There are parallel—rather than hierarchical—governance relationship between succeeding government levels or tiers in Sri Lanka: rather than reporting to Provincial Councils, District Secretariats have their own budget votes in the central government budget (currently under the Ministry of Public Administration, Home Affairs, Provincial Councils and Local Government). Similarly, local authorities are administered under the auspices of their respective Provincial Councils, rather than under the District or Divisional Secretariat.

The subnational governance structure of Sri Lanka (Figure 1) reveals a mix of two sets of governance institutions: on one hand, the elected Provincial Councils (9) and Local Government Authorities (341), and on the other hand, the central government’s field administration offices at the District (25) and Divisional Secretariat (332) levels. At the bottom of the field administration are 14,022 Village Officer (Grama Niladhari) divisions.



As discussed in greater detail below, it should be noted that while districts form the territorial-administrative level below the province, the relationship between these two governance levels is not hierarchical in nature: District Secretariats (and the Divisional Secretariats below them) are part and parcel of the central government.

Table 1. Subnational governance institutions, 2023

	Number of units	Complete territorial coverage?	Uniform structure	Territorial Level
Provincial Councils	9	Yes	Yes	Regional
District Secretariats	25	Yes	Yes	Local
Divisional Secretariats	332	Yes	Yes	Local
Local Authorities	341	Yes	Yes	Local
Grama Niladhari Divisions	14,022	Yes	Yes	Lower-Local

Source: The State Ministry of Local Government and Provincial Councils of Sri Lanka (SMPCLGA) (2021).

Provincial councils. Provincial Councils in Sri Lanka were established as a result of the Indo-Lanka Accord of 1987 to address the tensions between the Sinhala majority and Tamil minority communities. The Accord led to the enactment of the Thirteenth Amendment to the Constitution and the Provincial Councils Act No. 42 of 1987. Whereas the establishment of provincial governments was expected to lead to a meaningful devolution of power to the provincial level, subsequent legislation undermined this devolution process.¹ The first PC elections in Sri Lanka were held on 28 April 1988 in seven provinces.²

Currently, Sri Lanka is divided into 9 provinces. The provinces in Sri Lanka differ in their population and land area. For instance, the Western Province has the highest population of 6.2 million residents, while the Northern Province has approximately 1.2 million residents. Table 2 presents a breakdown of districts, Municipal Councils, Urban Councils, Pradeshiya Sabhas, and the population share in each province.

Table 2. Distribution of Districts, Local Authorities and population by province

Province	District Secretariats	Municipal Councils	Urban Councils	Pradeshiya Sabhas	Population (% of total)
Western	3	7	14	27	29
Central	3	4	6	38	13
Southern	3	3	4	42	12
Northern	5	1	5	28	5
Eastern	3	3	5	37	8
North Western	2	1	3	29	12
North Central	2	2	0	25	6
Uva	2	2	1	25	6
Sabaragamuwa	2	1	3	25	9
Total	25	24	41	276	100

Source: The Commonwealth Local Government Forum (CLGF), Sri Lanka Country Profile, 2017

¹ The Transfer of Powers Act No. 1992 was consequential in undermining the constitutional devolution of power. The Act delinked the divisional secretaries (which were originally meant to be the administrative arm of the Provinces) from the Provincial Councils. It also transferred most of the functions of the district secretaries to the divisional secretaries. Therefore, the divisional secretariat became the main administration unit in each locality, becoming the de-concentrated branches of the central government. This completely undermined the idea of meaningful power devolution to Provincial Councils and Local Authorities.

² The Northern and Eastern Provinces were temporarily merged as a measure to satisfy Tamil demands, and a North-East PC was elected for two years until being dissolved due to political-military developments in 1990. The merger was declared unconstitutional and illegal in 2006, forming two separate PCs.

Local authorities (LAs). Sri Lanka has a rich history of local government dating back to the 10th century through the Gam-Sabha (Village Councils) and Rata Sabhas (District Courts). In its modern form, local government institutions were introduced during British rule in the second half of the 19th century. The current legal framework for the Local Authorities is formed by the Urban Councils Ordinance (1939), the Municipal Councils Ordinance (1947), and the Pradeshiya Sabhas Act (1987).

Districts, Divisional Secretariats, and Grama Niladhari. The deconcentrated administrative structure of Sri Lanka consists of the District level at which the Government Agent (GA) functions, the Division level at which the Divisional Secretary operates, and the village level at which Grama Niladhari (or village-level officials) have been appointed. These structures are answerable to the line Ministries and carry out the devolved powers listed under the functions and authorities vested under them.

Divisions were originally known as 'D.R.O. (Divisional Revenue Officer) Divisions', then as 'A.G.A. (Assistant Government Agents) Divisions', and the current 332 Divisions are administered by a 'Divisional Secretary' known as 'D.S. Divisions', reporting to the upper level 25 Districts. The 14,022 Grama Niladhari Divisions (GND) are each composed of a few villages, representing the smallest traditional social groupings in the country. While the District and Divisional secretariats are accountable to line ministries and the MPAHAPCLG, the Grama Niladhari is mainly accountable to its respective Divisional secretariat.

3. Nature of subnational governance institutions in Sri Lanka

In addition to the fragmented subnational governance structure in Sri Lanka—with elected local authorities operating side-by-side with deconcentrated central government units—the degree of authority and autonomy of elected provincial councils and local authorities is limited. For instance, provincial councils and local authorities lack the autonomy to appoint their own chief executive officers, and rely heavily on grants from the central government budget. Their lack of autonomy and authority and autonomy has been compounded by the postponement of subnational elections. Provincial Council elections were last held in 2014, meaning that provinces have operated without elected political leadership since 2018. Similarly, the term of elected local officials formally expired in 2022, as the last local government elections took place in 2018. Due to their limited autonomy and control over provincial and local administration, provincial councils and local authorities should be considered hybrid governance institutions with features of both devolved and deconcentrated subnational institutions. In turn, District and Divisional Secretariats are classified as non-devolved (vertically deconcentrated) institutions under the Ministry of Public Administration, Home Affairs, Provincial Councils and Local Government.

Table 3 provides a breakdown of the institutional features exhibited by PCs, LAs, and District and Divisional Secretariats.

Table 3. Do subnational governments meet the criteria of devolved governments?

	Provincial Councils	District Secretariats	Divisional Secretariats	Local Authorities
Corporate status (de jure)	Yes: Provided by the 13th Amendment (1987) to the Constitution	No	No	Yes: Provided by the 13th Amendment to the 1978 Constitution
Corporate status (de facto)	No	No	No	No
Engages in governance functions	Provides provincial and local public services	Yes (Coordination function)	Yes (Coordination function)	Provides local public services
Own (elected) political leadership	<i>De jure</i> elected Chairperson and Council (last election: 2014).	No	No	<i>De jure</i> elected Mayor/Chairperson (last election: 2018)
Own assets and raise funds in own name	Yes	No	No	Yes
Prepare, adopt, and manage their own budgets	Yes	No	No	Yes
Appoint own officers and staff	No, most staff and officers are hired by the center. Only a small percentage are hired by Provincial Public Service Commission (PPSC).	No	No	No, the PPSC does most of the hiring of staff. Only non-scheduled staff (5-10% of total staff) can be hired and fired by LAs.
Subnational Institutional Type	Hybrid local governance institution	Non-devolved (Sectoral deconcentration)	Non-devolved (Sectoral deconcentration)	Hybrid local governance institution

Provincial Councils. The Provincial Council’s organization structure has an executive as well as a legislative branch. By law, the Council is a legislative body directly elected by voters, with the chairperson elected from and by the council. Popularly elected councils are held every five years under the Provincial Council Election Act No. 32 of 1988, with the last election held in 2014. A Provincial Governor, appointed by the president, holds *pro forma* executive powers and appoints a board of provincial ministers, including a chief minister and up to 4 ministers, from among provincial council members. Through the Governor, however, the central government also retains considerable authority over the Provincial Council’s administration, including through the appointment of the chief secretary as the head of the provincial administration and chief accounting officer. The Governor is also given the formal power to appoint, transfer, dismiss and discipline officers of the provincial public service service. In practice, key officials such as secretaries of provincial Ministries and provincial Commissioners are generally seconded by the central government to the provincial public service. Provincial administrative units are headed by members of ‘All Island Services’. This deliberate move was made to maintain the unitary nature of the Sri Lanka State. As a result of the close intertwining of responsibilities at different levels, there is constant confusion over which level of government is responsible for certain areas within a sector, preventing the effective performance of their *de jure* functions.

An additional concern in recent years, despite the *de jure* elected nature of provincial leadership, is that elected leaders have *de facto* been absent from the provincial level since 2018.

While PCs have the legal power to recruit and appoint staff, anecdotal evidence suggests that political interference often occurs at lower levels of public service. Additional levers of vertical control are provided by the center’s control over public administration and government finances. The central government manages appointment and salary payments, with a block grant covering all recurrent expenditures.

As a result of these limits on their autonomy and authority, Provincial Councils (PCs) should not be considered devolved subnational governments. Instead, their nature is that of a hybrid local governance institution, which combines features of devolution and deconcentration.

Local Authorities. Even though there are minor variations among different types of local authorities (i.e., Municipal Councils, Urban Councils, and Pradeshiya Sabhas) with respect to their leadership structure, they are quite similar in terms of their levels of autonomy and decision-making authority. The 24 Municipal Councils have a Mayor, Deputy Mayor, and members. The 41 Urban Councils, and 276 Pradeshiya Sabhas both consist of a Chairman, Deputy Chairman, and members. After elections, chief executives (mayors or chairpersons) are supposed to be named by the parties with the highest number of elected councilors.

In practice, LAs' elections, which are supposed to be held every four years, were last held in 2018. The next round of local elections has been postponed to (at least) 2024.

Local Authorities are subordinate to Provincial Councils, rendering the subsidiarity principle irrelevant below the provincial level. PCs can delegate powers and responsibilities to them under various statutes. Local administrative heads (municipal commissioners or secretaries) are appointed by the provincial level from the centrally controlled Sri Lankan Administrative Service. Local departments are headed by a secretary, administrative officer, accountant, engineer, chief medical officer, and occasionally a veterinary surgeon. As such, the budgets of Municipal and Urban Corporations are managed by a Commissioner appointed by the Minister of Local Government.

Though local authorities are accountable to Provincial Councils, LAs may have somewhat more administrative and fiscal autonomy than Provincial Councils. Although staff appointments at the local level are largely determined at the provincial level (by the PPSC), LAs can create staff positions and hire unscheduled personnel. Municipal Councils are also slightly more empowered due to their discretion in appointing standing committees and legislative authority to introduce new user fees and taxes.

Similar to the situation at the provincial level, Local Authorities—while in theory democratically elected local governments—also lack the required autonomy and authority to meet the textbook criteria of devolved local governments.

District and Divisional Secretariats. District Secretariats Divisions (DSD) are budgetarily and hierarchically subunits of the MPAHAPCLG. Various ministries are represented at the district and divisional levels, depending on the specificities of the locality.

The main function of the District Secretariat is to coordinate communications and activities between the central government and Divisional Secretariats (MoHA 2023). The District Secretary's coordinating role has been strengthened by the reintroduction of the District Coordinating Committee, which is an advisory body responsible for approving activities and allocating funds in the district. This committee is chaired by a Member of Parliament (MP), with the Government Agent (GA) acting as secretary, and brings together key provincial and local officials. Additionally, the District Development Committee is responsible for allocating the decentralized budget available to every MP and is co-chaired by a senior Minister from the Central Government in the District and the Chief Minister of the Province. Similar coordination arrangements are in place at the divisional level, where the Divisional Secretary and the Chairman of the Pradeshiya Sabha co-chair the coordinating committees. The projects carried out by the Divisional Secretariat are reviewed, modified, and approved by the Divisional Coordinating Committee and then submitted to the District Coordinating Committee and relevant Central Government ministries for further action. These committees are often used by the center to re-strategize their spending

following a patronage system, especially at the divisional level. They are essentially central political authorities serving MPs to identify pork barrel investments in their localities.

Divisional Secretariats do not have their own separate head of account and function as an expenditure unit under the DSD. As the closest administrative units to local communities, Divisions coordinate village-level government officers called Grama Niladhari (Village Officers) and the functions of line ministries of the central government. The Transfer of Powers Act No. 52 of 1992 made a significant shift of power, effectively turning the divisional secretariats into the primary administrative unit in each locality.³

Grama Niladhari Divisions as hierarchical subdivisions of the Divisional Secretariats do not have their separate head of account or budget line and are considered other subnational institutions.

4. Assignment of functions and responsibilities in Sri Lanka

Sri Lanka's assignment of functions and expenditure responsibilities is marked by duplication and centralization. By law, Provincial Councils and Local Authorities are assigned considerable functional responsibilities. In practice, however, many public sector functions are primarily performed by the central ministries and their deconcentrated offices. For instance, health and education count among the key services that are formally devolved to the provincial level. While provincial governments operate and manage some provincial schools and health facilities, in practice, the majority of public schools and health facilities are operated by the central government. Even to the extent that Provincial Councils are involved in public service delivery, their virtual lack of autonomy over decision-making, staffing, and financial resources greatly limits Provincial Councils' ability to fulfill their constitutionally assigned functions.. In practice, the functional responsibility of local authorities is limited to exclusive local functions such as solid waste management, local markets, parks, recreation and other community amenities, community health services, and pre-school education.

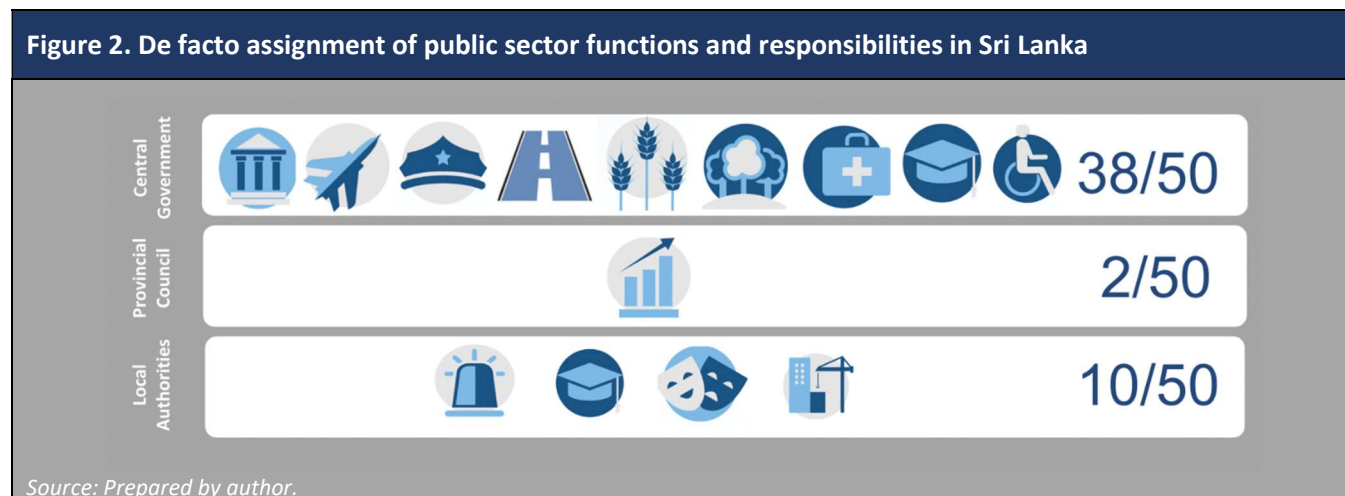
The ninth schedule to the Constitution lists the functions of the central government and PCs in three lists: the Provincial Council list; the concurrent list; and the reserved list. In practice, however, the constitutional assignment of functions is not a reflection of the actual roles of each government level.

Due to resource limitations and the encroachment of the central government on devolved functions, PCs and LAs are only able to offer a limited range of services, despite their broad yet defined mandates. The central government has used the concurrent list whereby PCs and the Center share the execution of functions, to gradually reduce and restrict PCs' functional authority.

The LoGICA's functional profile captures which government levels or administrative tiers are *de facto* responsible for the delivery of a range of 25 frontline public services, including public education, public health services, road infrastructure, and so on. In contrast to the legal or *de jure* assignment of functions, the *de facto* assignment of functional responsibilities reflects the government level that *actually* provides the frontline service. The assignment considers the recurrent (human resource) aspects of each of the 25 public services, as well as the responsibility for capital infrastructure, thus considering the assignment of 50 functional responsibilities. For instance, the governance level that employs primary school teachers (or the majority of teachers, if multiple levels are involved) can be said to be the governance level most responsible for the recurrent provision of primary education, while the governance level that constructs the majority of roads is the level responsible for road infrastructure.

³ This transfer of power also undermined the original power devolution objectives, as many of the functions once carried out by district secretaries were transferred to divisional secretaries, and the divisions that were intended to serve as the administrative arm of the Provinces were separated from the PCs.

An overview of the *de facto* assignment of functions and responsibilities in Sri Lanka and their weighted score for each tier is captured in Figure 2, with each icon reflecting significant responsibility in one of the main categories of government functions as defined by the IMF (2001).



Central government functions. Among the principal *de jure* (constitutional) functions assigned to the center in the reserved list and performed by the center include defense and national security, police and land administration, foreign affairs, posts, and telecommunications, elections, ports and harbors, aviation and airports and all other subjects and functions that are not specified as provincial or concurrent functions. In addition, the center is tasked with establishing national policies on all subjects and functions, including those that have been devolved to PCs.

The constitutional or legal assignment notwithstanding, in practice, the central government continues to be directly devolved in a wide range of frontline services that are specified as provincial or concurrent functions, including primary and secondary education, primary health services, and so on. The central government's role in providing direct frontline services is carried out through its deconcentrated units in the administrative system. As such, much of the central government's service delivery role is funded directly from the central government budget and administratively exercised at the district and divisional levels, circumventing the Provincial Council's administration and budget. District and divisional secretariats (which are part of the central government apparatus) are responsible for coordinating national programs and projects at their respective levels.

Provincial Councils functions. The Constitution's ninth schedule outlines the functions assigned to Provincial Councils (PCs), but there is a significant discrepancy between these functions and what they are responsible for. PCs are constantly challenged in fulfilling their functions due to staff and financial resources that are constrained and controlled by the center. While some major economic services have been devolved to PCs, such as agriculture and agrarian services, animal husbandry, fisheries (within territorial waters), land development, and irrigation (except inter-provincial irrigation), in practice, many other public services are still provided by central agencies and departments.

Health and education count among the key services that are formally devolved to the provincial level, including provincial hospitals and provincial schools. While provincial governments operate and manage some provincial schools and health facilities, in practice, the majority of schools and health facilities are operated by the central government. As such, the majority of teachers and health workers in Sri Lanka are directly employed by the central government.

Even to the extent that Provincial Councils are involved in public service delivery, they are merely a 'post office' for central government decision-making. The virtually lack of autonomy over decision-making, staffing, and financial resources limits PCs' ability to fulfill their constitutionally assigned functions. Only a small percentage of recurrent expenditure is utilized for economic services, including economic infrastructure, agriculture, and industries. Capital expenditure through funds made available by line Ministries also predominantly focuses on the social sector, such as education and health.

Thus, despite the appearance of a devolved public sector, the central government retains authoritative decision-making power both directly (by directly delivering a vast range of frontline public services) as well as indirectly (by exercising considerable control over public services delivered at the provincial level). This has resulted in a lack of true autonomy for the provinces and continued centralization of power.

Local authorities. Local Authorities (LAs) in Sri Lanka are required—by their respective legislative acts—to perform a range of functions. In many cases, however, these primary functions have been taken over by higher-level entities controlled by the central or provincial levels in practice. For example, the National Water Supply and Drainage Board is responsible for water supply and sanitation, the Ceylon Electricity Board for electricity provision, and the Urban Development Authority for housing services. Divisional Secretariats (guided by the District Development Committee) coordinate infrastructure construction and road maintenance under the purview of different central government agencies.

Beyond the *de facto* limitations on their functional responsibilities, the degree of local autonomy and authority over the remaining functions is limited. Most of the officers and staff of LAs are funded by a grant from the central government, primarily for regularly scheduled posts. Only a very small percentage (5-10%) of LA staff (non-scheduled staff) is paid by the LAs from their own source revenues.

In practice, LAs mainly provide services in the following four areas:

- **Solid waste management (SWM).** SWM is one of the few services in which the *de jure* and *de facto* functional assignment is the same. LAs engage in the collection, transport, and disposal of solid waste where they have the means. SWM staff report solely to LAs and can be fired by them.
- **Recreation and other community services.** The majority of LAs in the country provide for and maintain markets, crematoriums, libraries, parks, and community centers.
- **Public health.** LAs also have the responsibility of supporting community health services, such as preventing communicable diseases and improving public hygiene. However, there is little coordination with higher-level government agencies in this regard.
- **Pre-school education.** LAs cover to a lesser degree, the provision of preschools and early childhood development.

In addition, within the constraints on their autonomy and authority described above, LAs are responsible for operation and maintenance, collection of local taxes and fees, regulatory services, public utilities, and thoroughfares, as well as the promotion of their citizens' comfort and well-being.

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