

N.B.— Parts III and IV(A) of the *Gazette* No. 1,769 of 27.07.2012 were not published.

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The Gazette of the Democratic Socialist Republic of Sri Lanka

අංක 1,770 - 2012 අගෝස්තු මස 03 වැනි සිකුරාදා - 2012.08.03
No. 1,770 - FRIDAY, AUGUST 03, 2012

(Published by Authority)

PART IV (A) — PROVINCIAL COUNCILS

(Separate paging is given to each language of every Part in order that it may be filed separately)

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IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY “GAZETTE”

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All Notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, Corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-Vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after three months from the date of publication.

All notices to be published in the weekly *Gazettes* should reach Government Press two weeks before the date of publication *i.e.* notices for publication in the weekly *Gazette* of 24th August, 2012 should reach Government Press on or before 12.00 noon on 10th August, 2012.

B. K. S. RAVINDRA,
(Acting) Government Printer.

Department of Government Printing,
Colombo 08,
June 23, 2012.

Provincial Council Notifications

NORTH WESTERN PROVINCIAL COUNCIL

Specification Statute No. of 2012 on Community Based Organizations (Water Supply and Environmental Sanitary) of the North Western Provincial Council

IT is hereby notified that the Community Based Organizations (Water Supply and Environmental Sanitary) Specification Statute No. of 2012 of the North Western Provincial Council published below, will be submitted to the Provincial Council at the expiration of a period of thirty days from today. If any person wanted to submit any provisions related to this statute should be addressed to me on or before the expiration of the date.

ATHULA SARATH KUMARA WIJESINGHE,
Chief Minister of the North Western Provincial Council and
Provincial Minister of the subjects of Finance and Planning,
Law and Order, Local Government and Provincial
Administration, Manpower, Education and Cultural Affairs,
Lands, Transport, Environment, Tourism, Investment, Co-ordination,
Co-operative Development and Food Supply and Distribution.

No. THE DECLARATION OF FORMALIZING COMMUNITY BASED ORGANIZATIONS (WATER SUPPLY AND ENVIRONMENTAL SANITARY FACILITIES) OF 2012 OF NORTH WESTERN PROVINCIAL COUNCIL

A declaration on the establishment of Community Based Organizations for the initialization and maintenance of sustainable Water Supply and Environmental Sanitary facilities schemes, the establishment of a unit under the relevant Ministry to direct and formalize such organizations and imposing regulations on the same.

The draft is thus drawn by the North Western Provincial Council of the Democratic Socialist Republic of Sri Lanka.

A declaration on the establishment of Community Based Organizations for the initialization and maintenance of sustainable Water Supply and Environmental Sanitary facilities schemes, the establishment of a unit under the relevant Ministry to direct and formalize such organizations and imposing regulations on the same.

The draft is thus drawn by the North Western Provincial Council of the Democratic Socialist Republic of Sri Lanka.

Classified Name and
Date of
Implementation.

1. This declaration is named "No. the Declaration of formalizing Community Based Organizations (Water Supply and Environmental Sanitary Facilities) of 2012 of North Western Provincial Council" and will be valid from the date of approval by the Governor of North Western Province.

PART I

THE ESTABLISHMENT OF COMMUNITY BASED ORGANIZATIONS FOUNDING A PROVINCIAL UNIT TO DIRECT AND FORMALIZE SUCH ORGANIZATIONS AND THE ADMINISTRATIVE STRUCTURE OF THE UNIT

Establishment of the
Provincial Unit.

2. A Provincial unit for water supply and environmental sanitary facilities needed for the implementation of this declaration and for the fulfillment of the objectives and duties of the Provincial Committee henceforth called "Provincial Unit" can be established in the Office of the Secretary of the Provincial Ministry of Local Governance.

The structure of the
Provincial Unit.

3. (i) As the Director of the Provincial Unit, an Administrative Grade Officer should be appointed by the Secretary of the Ministry.
(ii) The staff assistance to perform the duties of the Provincial Unit can be obtained from any Staff Officer works in public sector within the North Western Province by assigning the duty. The Chief Secretary of the province can take the necessary regulations through standards.

- | | |
|---|---|
| 4. The administration regarding all the activities and the duties will be assigned to the Secretary of Local Governance under the command of Provincial Chief Secretary. | The administration of Provincial Unit. |
| 5. According to the above mentioned section 3 an officer who is assigned in the Provincial Unit in addition to his/her premanent post can be paid extra payments or allowances in addition to their salary. | The salaries and incentives of Provincial Unit. |

PART II

THE REGISTRATION AND SUPERVISION OF COMMUNITY BASED ORGANIZATIONS

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| 6. (1) By the time this declaration is to be empowered all the community based organizations operating, administrating or engaging in any other activities regarding water supply or environmental sanitary schemes within the Province should get themselves registered by submitting an application. | Registration of Communiy Based Organizations. |
| (2) All the community based organizations willing to engage in any of the schemes on water supply or environmental sanitary services after the date this declaration is empowered, should submit an application to the Chief of the Provincial Unit before 14 days of the starting date of the scheme. | |
| (3) The Chief of the Provincial Unit should take steps regarding the application mentioned in the above subsections (1) and (2) within 30 days by registration or by rejection with reasoning. | |
| 7. (1) After getting registered every community based organization should get an annual license from the Provincial Unit. | Annual license. |
| (2) A duly completed application should be submitted to the Chief of the Provincial Unit to get the license. The Chief of the Provincial Unit can ask for the Bacterial and Chemical Assessment Report of the particular water source, the Audit Report of the community based organization or any other relevant reports if necessary. | |
| (3) By taking into consideration the above reports and other related factors the decision whether to issue a license or not, should be made by the Chief of the Provincial Unit. | |
| (4) If the license is not to be issued it should be informed in writing to the particular community based organization along with the relevant report and proper reasoning by the Chief of the Provincial Unit within a month of time from the date application is submitted. | |
| (5) An appeal can be made regarding such a rejected application, to the Secretary within two weeks of time from the date of rejection. And the Secretary can take a suitable decision regarding the appeal. | |
| (6) If a community based organization is found engaging in drinking water supply without a license, it has to be dealt in accordance with section 5 of this declaration. | |
| (8) The authority for supervision, investigation and advisory of the activities assets and responsibilities of such community based organization which are registered under section 6 of this declaration, belongs to the Provincial Unit or to the local government bodies in accordance with the guidance and suggestions made by the Provincial Unit. | The supervision of Community Based Organizations. |
| 9. (1) The guidance and suggestions for the community based organization which are registered under section 6 can be made by the Provincial Minister in charge of the relevant subject. | The authority possessed by the Minister. |
| (2) Any guidance and suggestions made by the Minister should be informed to the community based organization by the Chief of the Provincial Unit. | |
| (3) If it is found that any community based organization not following or purposely neglecting such guidance and suggestions, the Minister can appoint an investigating officer and can direct the matter to the Secretary in charge to act accordance with the recommendations of the investigating officer. | |
| (4) The Minister can make orders according to fulfill the requirements of this declaration where necessary. | |

(5) The Minister can impose general as well as special regulations regarding the Provincial Committee and Regional Committees.

(6) While the Provincial Committee operationalizes its authorities and duties, the orders can be made by the Minister as the same as they used to be.

Un - registration of
Community Based
Organizations.

10. (1) The assets and liabilities of any water supply or sanitary projects within the Province run by the community based organizations which are not registered under section 6 or not obtained the annual license in under section 7 can be seized by the local government bodies with the permission of Secretary of the relevant Ministry.

(2) Such a seized project can be controlled by the same local government bodies under the patronage of the Secretary of the relevant Ministry or can be handed over to a community based organization reorganized in accordance with the regulations imposed by the Secretary.

PART III

THE ESTABLISHMENT OF THE PROVINCIAL COMMITTEE ON WATER SUPPLY AND ENVIRONMENTAL SANITARY FACILITIES ; ITS STRUCTURE AND ITS DUTIES

Provincial
Committee.

11. A provincial co-ordinating committee regarding water supply and environmental sanitary facilities which is henceforth to be called "Provincial Committee" should be established by the Minister in charge of the relevant subject.

The structure of the
Provincial
Committee.

12. The Provincial Committee should consist of the following members :

(a) The Chief Secretary of the Provincial Council is the Chairperson of the Committee,

(b) The Chief of the Provincial Unit is the Secretary of the Committee,

(c) The Secretary of the Provincial Ministry of Local Governance,

(d) The Commissioner of Provincial Local Governance,

(e) A representative of the District Registrar,

(f) The Secretary of Provincial Ministry of Education,

(g) The Deputy Chief Secretary of Provincial Engineering Services,

(h) The Provincial Deputy Superintendent of National Water Supply and Irrigation,

(i) The Provincial Director of Health Services,

(j) The Director of Provincial Environmental Authority,

(k) The Chairpersons of Local Government Bodies who operate drinking water supply and sanitary schemes,

(l) The Chairperson of the District Forum of Community Based Organizations,

(m) The Chief of the existing or any expected drinking water supply and sanitary scheme is to be functioned on funds,

(n) The Directors of the Provincial Department of Roads and Department of Highways.

The duties of The
Provincial
Committee.

13. The duties of the Provincial Committee is as follows :

(a) Policymaking and activity planning regarding water supply and environmental sanitary facilities,

- (b) Finding out water supply and environmental sanitary facilities needs within the province,
 - (c) Apporval of the development projects presented by the unit,
 - (d) Deciding the process of operation and maintenance of the existing water and environmental sanitary facilities,
 - (e) Making recommendations to the Minister in charge regarding funding the water supply and environmental sanitary facilities proposals and programmes,
 - (f) Acting as the co-ordinating institute in obtaining funds from Government, Non-government and Private aiding organizations funding water supply and environmental sanitary facilities.
14. (1) The meetings should be held once in two months with the presence of all the members of the Committee. If necessary extra meetings can be called by the Secretary under the suggestion of the Chairperson. The meetings of the Provincial Committee.
- (2) The minimum number for a session must be 10 members.

PART IV

THE ESTABLISHMENT OF REGIONAL CO-ORDINATING COMMITTEES REGARDING WATER SUPPLY AND ENVIRONMENTAL SANITARY FACILITIES ; ITS STRUCTURE AND ITS DUTIES

15. A Regional Co-ordinating Committee regarding water supply and environmental sanitary facilities which is henceforth to be called "Regional Committee" should be established by in every Local Government territory within the Province. Regional Committees.
16. The objectives of the Regional Committees is to assist the Provincial Committee while in policymaking and in making managerial decisions for its efforts to certify all the citizens live in the provincial territory a sustainable water supply and proper environmental sanitary facilities. The Objectives of Regional Committees.
17. The Regional Committee should consist of the following members : The structure of the Regional Committee.
- (a) The Chairman of the Local Government Institution is the Chairperson of the Regional Committee,
 - (b) The Water and Sanitary Affairs Officer of that Local Government Institution is Secretary of the Regional Committee,
 - (c) The Regional Officer or his representative,
 - (d) The Secretary of the Local Government Institution,
 - (e) The Divisional Director of Education of the particular region,
 - (f) Regional Health Officer or his representative,
 - (g) A staff representative nominated by the Provincial Deputy Superintendent of National Water Supply and Irrigation,
 - (h) The Chairperson and the Secretary of the Regional Forum of Community Based Organizations,
 - (i) The Regional Officer of the Agricultural Services.
18. The duties of the Regional Committee within a Local Government territory are as follows : The duties of Regional Committee.
- (a) Identifying the problems in drinking water supply and environmental sanitary needs,
 - (b) The supervision of the quality and the maintenance of the water supply and environmental sanitary services,

(c) The supervision and operationalization of the activities of community based organizations,

(d) Inter co-ordination among community based organizations,

(e) Accomplishing the duties assigned by the Provincial Committee,

The authorities of
Regional Committee.

19. (1) The Regional Committees have all authority to accomplish the duties mentioned above in section 18.
- (2) The Regional Committees have all authority to complete the duties assigned by the Provincial Committee through the Chief of the Provincial Unit.
- (3) While the Regional Committees operationalize their authorities and duties it is a must to act in accordance with the general and special regulations made by the Provincial Committee.

The meetings of the
Regional
committees.

20. (1) The meetings should be held once in two months with the presence of the members of the Regional Committee. If necessary extra meetings can be called by the Secretary under the suggestion of the Chairperson.
- (2) The minimum number for a session must 2/3 of the number of members.
- (3) The procedures of the meetings can be designed by a Regional Committee itself.

PART V

THE ESTABLISHMENT OF THE REGIONAL DRINKING WATER AND ENVIRONMENTAL SANITARY UNIT

Regional Drinking
Water and
Environmental
Sanitary Unit.

21. A Regional Unit of Drinking Water and Environmental Sanitary which is henceforth to be called "Regional Unit" is needed for the implementation of this declaration and for the fulfilment of the objectives and duties of the Regional Committee. It can be established in the Office of Local Government Institution.

The staff of the
Regional Unit.

22. The staff assistance to perform the duties of the Regional Unit established under section 21 can be obtained from any person works in Local Government Institutions within the North Western Province by assigning the duty irrespective of the rank. The regulations to assign the duties should be imposed by the Commissioner of Local Governance of the Province through standards.

The administration
of the Regional
Unit.

23. The administration regarding all the activities and the duties done by the Regional Unit will be imposed to the Chairman of the Local Government Institution under the guidance of the Commissioner of Local Governance and the Director of the Unit.

The salaries and
incentives of
Provincial Unit.

24. According to the above mentioned section 22 an officer who is assigned in the Regional Unit in addition to his/her permanent post can be paid extra payments or allowances in addition to their salary.

PART VI

FINANCIAL ENDOWMENTS

Financial
endowments.

25. The required financial assistance to operationalize can be obtained through,
- (a) The income -expenditure publications and budget estimates of the Provincial Council,
- (b) The budgets of Local Government Institutions,
- (c) Non - government organizations, private institutions or any other external source,
- (d) The funding given for the projects.
26. According to this declaration the following terms refer to :
- (a) **Minister** - The Provincial Minister of the relevant Ministry ;
- (b) **Chief Secretary** - The Chief Secretary of Provincial Secretary ;
- (c) **Secretary** - The Secretary of the Ministry Local Governance ;

- (d) **Commissioner** - The Commissioner of the Local Governance ;
- (e) **National Water Supply and Irrigation Board** - The National Water Supply and Irrigation Board established under the Ordinance, No. 2 of 1972 ;
- (f) **Community Based Organizations** - The organizations established representing the public who enjoy the water supply and sanitary facilities under law or according to this declaration ;
- (g) **The District Forum of Community Based Organizations** - The organization established representing ever regional community based organizations ;
- (h) **Water Supply** - The definition put forward in section 117 of No. 15, Pradeshiya Sabha Ordinance of 1987 ;
- (i) **Environmental Sanitary Facilities** - The definition put forward in No. 15, Pradeshiya Sabha Ordinance of 1987.

N. B.– If there is a contradiction between the Sinhala and Tamil versions of this declaration the Sinhala version should be taken as the valid one.

**NEW SCALES OF CHARGES FOR NOTICES AND ADVERTISEMENTS IN THE
"GAZETTE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA"
EFFECTIVE AS FROM JANUARY 01, 2009**

(Issued every Friday)

1. All Notices and Advertisements are published at the risk of the Advertisers.
2. All Notices and Advertisements by Private Advertisers may be handed in or sent direct by post together with full payments to **the Government Printer, Department of Government Printing, Colombo 8.**
3. The office hours are from 8.30 a.m. to 4.15 p.m.
4. Cash transactions will be from 9.00 a.m. to 3.00 p.m.
5. **All Notices and Advertisements must be pre-paid.** Notices and Advertisements sent direct by post should be accompanied by Money Order, Postal Order or Cheque made payable to the Government Printer. Postage stamps will not be accepted in payment of Advertisements.
6. To avoid errors and delay "copy" should be **on one side of the paper only and typewritten.**
7. **All signatures should be repeated in block letters below the written signature.**
8. Notices re-change of name from Non-Government Servants and Trade Advertisements are not accepted for publication.
9. Advertisements purporting to be issued under Orders of Courts will not be inserted unless signed or attested by a Proctor of the Supreme Court.
10. **The authorised scale of charges for Notices and Advertisements is as follows from January 01, 2009 :-**

	<i>Rs.</i>	<i>cts.</i>
One inch or less	137	00
Every addition inch or fraction thereof	137	00
One column or 1/2 page of <i>Gazette</i>	1,300	00
Two columns or one page of <i>Gazette</i>	2,600	00

(All fractions of an inch will be charged for at the full inch rate.)

11. The "Gazette of the Democratic Socialist Republic of Sri Lanka" is published every Friday. Day of publication is subject to alteration in any week where Public Holidays intervene.
12. All Notices and Advertisements should reach the **Government Printer, Department of Government Printing, Colombo 8**, as shown in Schedule of Separate Notice published at the end of each part of the *Gazette* of the first week of every month.
13. **REVISED SUBSCRIPTION RATES EFFECTIVE FROM JANUARY 1ST 2009 :**

***Annual Subscription Rates and Postage**

	Price	Postage
	<i>Rs. cts.</i>	<i>Rs. cts.</i>
Part I :		
Section I	2,080 00	3,120 00
Section II (Advertising, Vacancies, Tenders, Examinations, etc.)	1,300 00	3,120 00
Section III	780 00	3,120 00
Part I (Whole of 3 Sections together)	4,160 00	6,240 00
Part II	580 00	3,120 00
Part III	405 00	3,120 00
Part IV (Notices of Provincial Councils and Local Government)	890 00	2,400 00
Part V	860 00	420 00
Part VI	260 00	180 00
Extraordinary Gazette	5,145 00	5,520 00

Subscription to the "Gazette of the Democratic Socialist Republic of Sri Lanka" are booked per periods of not less than 12 months so as to terminate at the end of a calendar year only.

*** Rates for Single Copies (if available in stock)**

	Price	Postage
	<i>Rs. cts.</i>	<i>Rs. cts.</i>
Part I :		
Section I	40 00	60 00
Section II	25 00	60 00
Section III	15 00	60 00
Part I (Whole of 3 Sections together)	80 00	120 00
Part II	12 00	60 00
Part III	12 00	60 00
Part IV (Notices of Provincial Councils and Local Government)	23 00	60 00
Part V	123 00	60 00
Part VI	87 00	60 00

***All remittances should be made in favour of the Superintendent, Government Publications Bureau, No. 132, Maya Avenue, Kirulapone, Colombo 05, who is responsible for booking subscriptions and for sale of single copies.**

IMPORTANT NOTICE REGARDING PUBLICATION OF GAZETTE

THE Weekly issue of the *Gazette of the Democratic Socialist Republic of Sri Lanka* is normally published on Fridays. If a Friday happens to be a Public Holiday the *Gazette* is published on the working day immediately preceding the Friday. Thus the last date specified for the receipt of notices for publication in the *Gazette* also varies depending on the incidence of public holidays in the week concerned.

The Schedule below shows the date of publication and the latest time by which notices should be received for publication in the respective weekly *Gazette*. All notices received out of times specified below will not be published. Such notices will be returned to the sender by post for necessary amendment and return if publication is desired in a subsequent issue of the *Gazette*. It will be in the interest of all concerned if those desirous of ensuring the timely publication of notices in the *Gazette* make it a point to see that sufficient time is allowed for postal transmission of notices to the Government Press.

The Government Printer does not accept payments of subscription for the Government Gazette. Payments should be made direct to the Superintendent, Government Publications Bureau, No. 132, Maya Avenue, Kirulapone, Colombo 05.

Note.—Payments for inserting Notices in the *Gazette of the Democratic Socialist Republic of Sri Lanka* will be received by the Government Printer and not by the Superintendent, Government Publications Bureau.

THE SCHEDULE

<i>Month</i>	<i>Date of Publication</i>			<i>Last Date and Time of Acceptance of Notices for Publication in the Gazette</i>		
	2012					
AUGUST	03.08.2012	Friday	—	20.07.2012	Friday	12 noon
	10.08.2012	Friday	—	27.07.2012	Friday	12 noon
	17.08.2012	Friday	—	03.08.2012	Friday	12 noon
	24.08.2012	Friday	—	10.08.2012	Friday	12 noon
	30.08.2012	Thursday	—	17.08.2012	Friday	12 noon
SEPTEMBER	07.09.2012	Friday	—	24.08.2012	Friday	12 noon
	14.09.2012	Friday	—	30.08.2012	Thursday	12 noon
	21.09.2012	Friday	—	07.09.2012	Friday	12 noon
	28.09.2012	Friday	—	14.09.2012	Friday	12 noon
OCTOBER	05.10.2012	Friday	—	21.09.2012	Friday	12 noon
	12.10.2012	Friday	—	28.09.2012	Friday	12 noon
	19.10.2012	Friday	—	05.10.2012	Friday	12 noon
	25.10.2012	Thursday	—	12.10.2012	Friday	12 noon

B. K. S. RAVINDRA,
(Acting) Government Printer.

Department of Govt. Printing,
Colombo 08,
23rd June, 2012.