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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 02nd November, 2018 should reach Government Press on or before 12.00 noon on 19th October, 2018.

Electronic Transactions Act, No. 19 of 2006 - Section 9

“Where any Act or enactment provides that any Proclamation, rule, regulation, order, by-law, notification or other matter shall be published in the Gazette, then such requirement shall be deemed to have been satisfied if such rule, regulation, order, by-law, notification or other matter is published in an electronic form of the Gazette.”

Department of Government Printing,
Colombo 08,
01st January, 2018.

This Gazette can be downloaded from www.documents.gov.lk

GANGANI LIYANAGE,
Government Printer.



By Laws

RUWANWELLA PRADESHIYA SABHA

I, Governor of the Sabaragamuwa Provincial Council hereby declare that by virtue of powers vested in me under section 123 of the Pradeshiya Sabha Act, No. 15 of 1987, I approved the following by - law adopted in terms of Section 122 and 126 of the Pradeshiya Sabha Act, No. 15 of 1987 by the Ruwanwella Pradeshiya Sabha in the administrative limit of Sabaragamuwa Provincial Council.

NILUKA EKANAYAKE,
Governor,
Sabaragamuwa Province.

On 11th September 2018,
At the Sabaragamuwa Provincial Council.

By - laws relating to Crematorium

Name of the by law	1	The by-laws relating to regularize, control and charge fees on the crematorium.
Preamble	2	These by laws consist of provisions relating to regularize, control and charge fees on the crematorium for protection of convenience and welfare and all facilities of the people of the administrative limit.
Objective	3	The objective of the enactment of these by laws is to regularize, control and administration of all relevant conditions including convenience and welfare of the people in the area.
Legal provisions for drafting the by law	4	By virtue of powers vested in with the Pradeshiya Sabha under section 122(1) of the Pradeshiya Sabha Act, No. 15 of 1987, these by-law have been drafted.
Functions to be discharged	5 a	The charges for the cremation of a dead body shall be levied under the classification set out in the first schedule of this part.
	b	While it is possible to determine by resolution approved by the Ruwanwella Pradeshiya Sabha the charges for the cremation of a dead body, it shall be amended from time to time on such approved of a resolution.
	c	While charges levied or amended from time to time under paragraph (a) above shall be published in the Gazette, it shall be prominently displayed at the place where applications are received for booking the crematorium and at the crematorium.
	6	Anybody expecting to obtain a licence mentioned in bylaw (hereinafter referred to as "the applicant") shall forward an application substantially prepared in accordance with the second schedule to this part together with the documents mentioned below to the Chairman or the Authorized Officer.
	a	I. the identity card of the applicant, II. the birth certificate of the deceased (if available) or identity card, III. the certificate issued by the Grama Niladhari of the Division where the deceased was living. in order to facilitate the establishment of the relationship between the deceased and the applicant.

	b	<p>Crematorium shall be reserved only for the deaths submitted with following forms certified by the Inquirers - into - Sudden Deaths or Registrars of birth and Deaths under the regulations of the Registration of Births and Deaths Ordinance in respect of the death of the deceased.</p> <p>I. B18 - Certificate of the Inquirer - into-Sudden Deaths (Section 39 (1),, 41(1)g) II. B16 - Death Notice Certificate (Section 41 (1)a) III. B20 - Death Registration Certificate (section 42(1)b) IV. B22 - Still Birth Certificate (Section 43 (1)e) V. B2 - The death certificate of the deceased.</p>
	7	In the event of accepting any dead body for cremation in accordance with the application forwarded, the applicant shall be issued with the licence by the Chairman or the Authorized Officer after charging the fees levied according to schedule No. 1. The time and the date on which the dead body due to be cremated according to the licence should be handed over to the Crematorium Keeper shall be clearly specified in the relevant licence.
	8	In the event of a dead being not accepted for cremation due to some reason, the Chairman or the Authorized Officer shall take steps to immediately inform the applicant in writing about it, specifying the reasons for such non-acceptance.
	9	Dead bodies shall be accepted for cremation and cremations shall be done between the period 7.00 a.m. to 7.00 p.m. on all days of the week.
	10	In the event of many applications being forwarded for cremation on a same day, if a dead body is delivered to the crematorium after the time specified, action shall be taken to cremate first a dead body which hand over to the crematorium on time.
	11	The dead body shall be handed over to the Crematorium Keeper on or before the time specified in the licence issued. The Ruwanwella Pradeshiya Sabha, the Chairman or the Authorized Officer shall not be subjected to responsibility in respect of any inconvenience or loss caused to the applicant or anybody else having rights over the deceased due to the failure to handover the dead body on time.
	12	The Crematorium Keeper shall maintain a Register substantially prepared in accordance with the Third Schedule to this part, in regard to each dead body cremated in any crematorium.
	13 a	The applicant or any authorized representative of him shall take possession of the ashes of the body before the elapse of seventy two hours after the cremation of any dead body.
	b	However, on a written request made by the applicant the Chairman or the Authorized Officer shall extend the period during which the ashes are kept with the Crematorium Keeper.
	c	The Period of extension for the ashes to be kept in the custody of the Crematorium Keeper under paragraph (b) shall not be more than two weeks from the date of the cremation.
	d	The Chairman or the Authorized Officer or the Crematorium Keeper shall have the power to dispose of the ashes that had not been removed even after the expiry of such period allowed for the removal of ashes.
Functions not to be discharged	14 a	No dead body shall be cremated in any crematorium owned by the Council without a license issued by the Chairman or an Authorized Officer.

	b	Unless a Magistrate or an Inquirer in to Sudden Deaths has granted permission to cremate a dead body on completion of an inquiry made in respect of it by the said Magistrate or the Inquirer in to Sudden Deaths, under the Criminal Procedure Code Act, No. 15 of 1979, the Chairman or the Authorized Officer shall not accept it for cremation or issue a license to cremate it.
	c	Unless the relevant crematorium of the Ruwanwella Pradeshiya Sabha, has been named in the 7th column of the Death Certificate of a deceased under "cause of death and the place of the burial or cremation the Chairman or the Authorized Officer shall not accept the dead body for cremation or issue a license to cremate it.
	15 a	Nobody other than the Crematorium Keeper or his Assistant shall enter in to covered section of the chamber of the Crematorium after the closure of the security door of the chamber on introducing the dead body in the chamber of any crematorium.
	b	Nobody shall enter in to the premises of any crematorium without permission of the Chairman, Authorized Officer or the Crematorium Keeper.
	c	Notwithstanding anything stated in paragraph (b) :- I. any other person or persons who participate in the handing over of a dead body for cremation with the person who had obtained a license to cremate it or with his authorized representative; and, II. any other person or persons who arrive at the crematorium on the specified date or earlier to received ashes, with the person who had obtained the licence or with his authorized representative, shall be considered as persons who have been allowed to enter the premises of the crematorium.
	16	Within the premises of any crematorium nobody shall, :- (a) act in a manner disrupting peace ; (b) damage or try to damage property within the premises of the crematorium belonging to the Ruwanwella Pradeshiya Sabha ; (c) obstruct the official functions of the Crematorium Keeper or any of his Assistants; (d) decorate or paste notices within the premises of the crematorium. (e) If any damage is caused to any property, building of equipment by a person who reserve the crematorium, such person shall be agreed to pay the assessment value of the said damage ordered by the Chairman.
	17	No fee shall be charged for the cremation of a dead body of any Chairman, Vice Chairman, Member or Employee who serves presently at the Sabha or any Chairman, Vice Chairman or Member who had served previously at the Sabha.
Functions of the Local Government Institute	18	In the event of a decision being arrived at to issue a license on an application made for permission to cremate a dead body, it shall be the duty of the Chairman or the Authorized Officer to register the death in the sequence such applications are received in a Register Substantially prepared according to the Fourth Schedule to this part. This Register shall be maintained at the Officer of the Ruwanwella Pradeshiya Sabha accepting applications.
	19	In the event of a dead body being not accepted for cremation due to some reason the Chairman or the Authorized Officer of the Ruwanwella Pradeshiya Sabha shall take steps to immediately inform the applicant in writing about it, specifying the reason for such non-acceptance.
	20	It Shall be the duty of the Chairman or the Authorized Officer to make arrangement to bury the ashes not removed by any applicant or any authorized representative at the premises of the crematorium or in any cemetery.

	21	It shall be the duty of the Chairman to maintain and operate the crematoriums in conditions suitable for cremation of dead bodies.
	22	In the event of the closer of any crematorium for the purpose of repairs or maintenance activities, it shall be the duty of the Chairman to display prominently a notice on it in all the three languages at the Office issuing licenses for cremation of dead bodies and at the entrance to the crematorium premises.
	23	Even though a dead body has been delivered to the crematorium for cremation, the Chairman has the power to refer the dead body to another crematorium for burial or cremation, if the dead body shall be unable to cremate before or during of cremation on electric failure or technical faults of the machineries of the crematorium.
Delegation of Power	24	It shall be lawful to delegate in writing the powers vested with the Pradeshiya Sabha in respect of regularize, supervise and control of the matters relating to these by laws to any officer of the Sabha by the chairman of it.
Investigation procedure and supervision	25	The authorized officer of the investigation shall be the Chairman or any Authorized Officer of the Sabha.
Complaints and Remedial mechanism	26	In any instance of violation or breach of these by laws, any citizen can report or complaint about it to the Chairman or the relevant Officers in writing or verbally at any such instance. An investigation in respect of every such complaint shall be made by the Chairman or the authorized officer of the Sabha.
Supervision	27	The Chairman or any officer authorized by him shall have the powers of implementation, examination and supervision of the provisions of these by-laws.
Violation of the by law	28	Violation of any provision or several provisions or all provisions of these by-laws shall be an offence.
Fines and penalty	29	Violation or noncompliance of any section of these by-laws shall be an offence and any person who violates any section in these by laws shall be guilty of an offence and on being convicted by a court of proper jurisdiction shall be liable to a fine set out in the Section 122(2) of the Pradeshiya Sabha Act., No. 15 of 1987 and in case of continuing the violation by any person even after being convicted by a court and being notified in writing by the Chairman or Secretary of the Pradeshiya Sabha or any other Officer authorized by the Chairman considering the violation, such person shall be liable to an extra fine set out in the Section 122(2) of the Pradeshiya Sabha Act, No. 15 of 1987 for each day of violation.
Interpretations and definitions	30	In by - laws of this part, unless any other meaning is sought, -
		"cremation chamber" means the chamber where the dead body is kept and the outer chamber constructed outside the main chamber ;
		"crematorium premise" means the whole crematorium and the land on which it is located ;
		"crematorium Keeper" means any employee appointed by the Ruwanwella Pradeshiya Sabha to be in-charge of the crematorium and its functions ;
		"ashes" means any matter left behind after cremating a dead body ;
		"dead body" means the entire dead body of a deceased person or the dead body of a still born person or any part of a dead body.
	31	In the event of any inconsistency between the Tamil and English texts of this By Law, the Sinhala text shall prevail.

FIRST SCHEDULE

FEES FOR USE OF THE CREMATORIUM

01	To cremate the dead body of a person living in the area of authority of the Ruwanwella Pradeshiya Sabha	-	Rs. 6000.00
02	To cremate the dead body of a person living outside the area of authority of the Ruwanwella Pradeshiya Sabha	-	Rs. 7000.00

SECOND SCHEDULE

APPLICATION FOR CREMATION OF A DEAD BODY AT THE CREMATORIUM OF RUWANWELLA PRADESHIYA SABHA

01. Full name of the applicant who applies to cremate a dead body :.....
 - Address :.....
 - National Identity Card No. :.....
 - Telephone No. :.....
 - Applicant's relationship to the deceased :.....
02. Name of the deceased :.....
 - National Identity Card No. :.....
 - Address of the residence :.....
 - Name of the Grama Niladhari Division :.....
03. Cause of Death :.....
04. Registration No. and Date of the Death Certificate :.....
(Annex a copy of the Death Certificate)
05. Name and Address of the Registrar of Death :.....
06. In the event of an inquiry being held into the Death :
 - Date and Time :.....
 - Name and Designation of the Inquiring Officer :.....
 - Determination of the Inquiring Officer :.....
 - Has the Inquiring officer given permission to cremate the dead body :
Yes/No :
07. Date and time applied for the cremation :.....
Date:..... Time:.....
08. Whether a container indicating the name and address for deposit of ashes after cremation has been supplied/
has not been supplied.

I hereby certify that the information stated above is true and correct. Relevant certificates are annexed.

.....
Signature of the Applicant.

Date:.....

01. I grant approval to issue a licence/ I refuse to grant approval to issue a licence due to following reasons.

Authorized Officer,

- Signature.

Date:.....

REGISTER ON DEAD BODIES CREMATED AT THE CREMATORIUM OF THE RUWANWELLA PRADESHIYA SABHA

[illegible]

FOURTH SCHEDULE

REGISTER OF LICENCES ISSUED TO CREMATE DEAD BODIES AT THE CREMATORIUM OF THE RUWANWELLA PRADESHIYA SABHA

Serial No.	Name of the Deceased	NIC No.	Sex	Date of Death	Death Certificate's Registration		Applicant's				Order of the Magistrate / Inquirer into Sudden Deaths		Permit No.	Receipt's	Amount	Allotted	
					No.	Date	Name	Relationship to Deceased	Address	NIC No.	Reference No.	Date				Date	Time
01.																	
02.																	

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