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EXTRAORDINARY

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PART IV (A) — PROVINCIAL COUNCILS
Provincial Councils Notifications

CENTRAL PROVINCE PROVINCIAL COUNCIL

Wattegama Urban Council

BY LAWS

I, Sarath Ekanayake, as the Minister in Charge of the subject of Local Government of the Central Provincial Council, do hereby notify according to the powers vested in me under sub-Section (1) of Section 154 of the Urban Council Ordinance, read along with sub Section (1) of Section 2 of the Provincial Council Act (Consequential Provisions) No. 12 of 1989, has approved the following By-Laws framed by the Wattegama Urban Council, by virtue of power vested on Provincial Councils, under Chapter 255 Urban Council Ordinance Paragraph 9 of sub Section (X) of Sub section 157, read along with sub Section (I) of Section 153 under the said Ordinance, shall be effective within the Urban Council Authority Area of Wattegama, from the date of publication of this Notification in the Government *Gazette*.

SARATH EKANAYAKE,
The Chief Minister of the Central Province,
and the Minister in Charge of the subject
of Local Government.

Office of the Chief Minister of Central Province,
Kandy,
16th of February 2015.

BY-LAW RELATING TO CREMATORIUM ACTIVITIES

01. This By-Law is cited as the By-Law for controlling and regulating Crematoriums in the Wattegama Urban Council Authority Area.
02. These By-Laws are enforced for the purpose of using an controlling and for determining and levying fees for using such crematoriums owned by the Wattegama Urban Council.
03. No any corpse or dead body or part of a dead body or embryo shall be cremated in a crematorium belonging to the Council without a permit issued by the Chairman or by an officer authorized by him.



04. Any person who is require to obtain a permit under by-law No. 03 hereinafter referred as the applicant shall forward an application, prepared according to Schedule No. 01 herein, to the Chairman or to an officer authorized by him, accompanied with following documents.
 - (i) a document to prove the relationship between the applicant and the deceased person (for this purpose a certificate issued by the Grama Niladhari of the Division where such deceased person was residing or a certificate issued by a member of the Council or the birth certificate or marriage certificate of the applicant or any such certificate shall be sufficient)
 - (ii) a photo copy of the applicant's National Identify Card, a photo copy of the valid passport, or any other document to prove the identity of the applicant.
 - (iii) Death Certificate issued by a registrar of births and deaths, according provisions under Section II of Chapter 110 of the Births and Deaths Registration Ordinance as amended by the Birth and Deaths Registration Act, No. 41 of 1975 ; where it is specifically mentioned that the cremation is to be carried out at Dungoya, Urban Council Crematorium.
 - (iv) If a post mortem examination has been held under the Criminal Procedure Code, in respect of the deceased person the certificate issued by the coroner or by the magistrate, under Section 41(c) of the Births and Deaths Registration Act for cremation of the dead body.
 - (v) If the dead body is due to still birth, a certificate under 41(1) of the Births and Deaths Registration Act, shall be produced.
05. Where a perfected application is received by the Chairman of by an officer authorized by him, it shall be registered according to order of receipt, and a permit shall be issued according to such order of receipt of application and determining the time of cremation.
06. For cremation of a dead body within the Urban Council limits, a cremation fee of Rs. 6000.00 and for cremation of a dead body outside of the limits Rs. 7000.00 shall be paid to the office of the Urban Council. Such fees shall be amended from time to time on a resolution passed by the Council, and such amended fees shall be published in the Government Gazette, and be exhibited at the office and at the crematorium.
07. If for any reason if a dead body is not to be accepted for cremation, the applicant shall be informed immediately, giving such reasons.
08. Corpses shall be handed over for cremations only during 6.00 a. m. to 6.00 p. m. on all days of the week. After that time no permission will be granted for cremation.
09. The applicant shall hand over the dead body to the crematorium keeper at the time mentioned in the permit or before that time. The Wattagama Urban Council shall not be held responsible for any inconvenience or loss caused due to delay in handing over a dead body.
10. The crematorium keeper shall maintain a register in every crematorium entering particulars of applicant such as his name and address, the name of the deceased person and his address where he was residing before his death and the relationship between the applicant and the deceased person and date of cremation and the time.
11. If it fails to perform a cremation of a dead body due to any mechanical defect that may occur at the time of cremation, the applicant shall agree to abide by any other alternative arrangement regarding the dead body on the advice of the Chairman.
12. The applicant or an authorized representative shall take over the ashes before the expiry of 07 days of the cremation of the dead body, and the ashes shall be buried in a general grave, if such ashes are not taken over during the specified period of time. No action can be taken against to the Council by any person, in this regard.

13. It is an offense to enter into the premises of a crematorium without the permission of crematorium keeper or the Chairman, even though, any person or persons accompanying the permit holder shall be considered as having been granted permission for that purpose.
14. No person shall behave in a manner that will disturb the peace within the premises of a crematorium and shall not cause any damage to property of the Council and shall not obstruct the duties of a crematorium keeper or his assistant. If there be any such damage or loss, the permit holder shall be liable to pay the value of such damages, when he is duly informed after assessing the value of such damages. If he defaults the payment, it is lawful to summon him before a Court of Law, having jurisdiction and recover the due sum of money as a fine.
15. No decoration shall be carried out within the premises of crematorium without the written approval of the Urban Council.
16. If the crematorium is to be kept closed for a certain period owing to any maintenance work or for repairs, notification in respect of such closure shall be displayed in a prominent place, visible of the crematorium.
17. If the ashes been not removed, it can be deposited in a pillar in the name of the deceased, within the premises of the crematorium, as arrangements provided. Such permission can be obtained after handing over the application from given in the Schedule, duly filled after paying under mentioned charges, which will be subject to amendments in time to time by resolutions of the Urban Council.

Renting the Ashes Depositing Counters

Erecting by the owners	Rs. 6,400.00
Erecting by the Council	Rs. 10,000.00
Maintenance charges (for 05 years)	Rs. 2,500.00

18. Contravening any of the provisions of these by-laws is an offence and when committed in a Court of Law having jurisdiction, the maximum fine and punishment imposable, and when such contravention is committed continuously and when convicted or the case of continuous contravention, after delivering a written notice by the Chairman or by and officer authorized by him drawing attention for such contravention, the maximum and additional fine imposable for each day of continuing such contravention shall respectively, be as defined under Sub Section (2) of Section 153 (Chapter 255) of the Urban Council Ordinance.
19. The fine imposed under By law No. 18, shall be deposited in the General Fund of the Urban Council.
20. Unless the context, otherwise requires in these by-laws.

“Council” means Wattegama Urban Council.

“Chairman” means the Chairman appointed to the Wattegama Urban Council.

“An Authorized Officer” means officer or officers who are authorized by the Chairman to enforce these by laws.

“Dead body” means a dead body of a human being or part of a dead body or body of a still birth.

“Crematorium Keeper” means a person appointed as a crematorium keeper to carry out such duties.

In the event of any inconsistency in the Sinhala, Tamil and English texts of these by-laws to Sinhala text shall prevail.

SCHEDULE I

Application for Cremation of a Dead Body in the Wattegama Urban Council Crematorium

01. Full name of the applicant :-
Address :-
National Identity Card Number :-
Grama Niladari Division :-
02. Full Name of the deceased person :-
Address of the deceased person :-
National Identity Card Number :-
Grama Niladari Division :-
Urban Council Authority area :-
03. Relationship between the applicant and the deceased person :-
04. Number and date of the Death Certificate :-
05. Name and address of the Register of Death :-
06. Cause of Death :-
07. Whether a post-mortem was held, the date and time :-
08. Coroner's Name and the Post :-
09. Verdict of the Coroner :-
10. Whether permission was granted or not granted for cremation of the dead body :-
11. Proposed date and time of cremation :-
12. Telephone number :-

I hererby declare that the information furnished above is true and correct. All necessary documents are annexed hereto.

.....
Signature of Applicant.

Date :.....

(for office use)

- 1) Issue of permit is approved/not approved

.....
Secretary,
Wattegama Urban Council.

.....
Chairman/Authorized Officer,
Wattegama Urban Council.

Date :.....

2) Paid Rs..... under Receipt Number..... date.....

3) As per request, permission is hereby recommended/not recommended

4) Reason, if the permission is not recommended

.....
Subject Clerk.

Date :.....

SCHEDULE - II

Application for Depositing Cremated Ashes in the General Cemetery of Wattegama Urban Council

01. Full name of the applicant :-

Address :-

National Identity Card Number :-

Grama Niladari Division :-

02. Full Name of the deceased person :-

Address of the deceased person :-

National Identity Card Number :-

Grama Niladari Division :-

Urban Council Authority area :-

Agreement on Depositing Cremated Ashes in Wattegama Urban Council Cemetery

I, of
.....the guardian of the ashes of Mr./Mrs..... was
lived indo agree to pay an initial
payment of Rs..... for an area of
18"x12"x10" inch sized pillar to deposit the said ashes cremated onat the Dungoya
Crematorium, in Yatawara, owned by Wattegama Urban Council, and I do agree to pay a sum of Rs. 2,500/- (this amount
shall be amended time to time by the Urban Council, through a Resolution) once in five year period and renew the agreement.
The maintenance charges should be payable to the Wattegama Urban Council and the payment being not made after reminding
by the Urban Council, I do hereby give authority to the Wattegama Urban Council to remove the ashes from that site and
furthermore, I do agree to abide the regulations laid down by the Urban Council in this regard.

Signature :-

Name :-

Owner of the Ashes :-

Date :

Witnesses :

1.

2.

.....
Chairman,
Wattegama Urban Council.

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