

N.B.— Part IV(A) of the Gazette No. 1,837 of 15.11.2013 was not published.

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## The Gazette of the Democratic Socialist Republic of Sri Lanka

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No. 1,838 – FRIDAY, NOVEMBER 22, 2013

(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 13th December, 2013 should reach Government Press on or before 12.00 noon on 29th November, 2013.

#### Electronic Transactions Act, 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.”

P. H. L. V. DE SILVA,  
Acting Government Printer.

Department of Government Printing,  
Colombo 08,  
01st January, 2013.

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## By-Laws

### BALANGODA PRADESHIYA SABHA

#### By-laws

IN terms of the powers vested by me under section 123 of Pradeshiya Sabha Act, as the Minister in charge of the subject of Local Government, I hereby declare that I have approved the following by-law imposed by the Balangoda Pradeshiya Sabha of the Administrative jurisdiction of Sabaragamuwa Provincial Council by virtue of the powers vested in it under section 122 and 126 of Pradeshiya Sabha Act, No. 15 of 1987.

MAHEEPALA HERATH,  
Minister in-charge of the subject of  
Local Government.  
Sabaragamuwa Province.

On this 11th of June, 2012.

### BALANGODA PRADESHIYA SABHA

Draft by-laws pertaining to the Damahana Crematorium operated by L/P gas.

01. These by-laws may be cited as by-laws pertaining to the Damahana Crematorium operated by L. P. gas and belonging to Balangoda Pradeshiya Sabha.
02. These By-laws are enacted to regulate the affairs related to cremation to levy charges and to assure effective management of the Damahana Crematorium belonging to Balangoda Pradeshiya Sabha.
03. No human body shall be cremated in the Damahana Crematorium without a legally valid permit issued by the Chairman of the Balangoda Pradeshiya Sabha or by an officer duly authorised by him on that behalf.
04. Any person who wishes to obtain a permit as stated in Paragraph 3 above "herein after called the applicant shall prepare and submit an application to the Chairman substantially in form a appended here to with following documents.
  - I. a certificate stating the relationship between the deceased person and the applicant issued by the Grama Niladhari of the Grama Niladhari Division in which the deceased person had lived.
  - II. a photocopy of the National Identity Card of the Applicant.
  - III. if an inquest has been held on the death of the deceased person by an inquired in to sudden deaths or by a magistrate under the provisions of the criminal Procedure Code, a certificate under Section 41(5) of

the registration of births and deaths ordinance to the effect that the dead body may be cremated. Such certificate shall state in the 7th column that the body may be cremated in the Damahana Crematorium.

- IV. If the dead body is that of a still birth, a certificate under Section 43(1) of the births and deaths registration ordinance shall be attached to the application.
05. Completed applications after having been forwarded to the Chairman shall be registered in the order of receipt.
06. If the dead body is accepted for cremation the permit shall be issued to the applicant after receiving the fixed charges and a deposit of Rupees One Thousand. The time of handing over the dead body shall be stipulated in the permit
07. If the dead body is not accepted for cremation the applicant should be informed in writing the reasons for such non acceptance.
08. Dead human bodies shall be accepted for cremation daily between 6.30 a. m. and 7.00 p.m.
09. The applicant shall hand over the dead body to the caretaker of the crematorium during the time or before such time as specified in the permit. The Pradeshiya Sabha shall not be liable for any inconvenience caused on handing over the dead body on late hours.
10. In respect of each cremation the caretaker of the crematorium shall record in writing the names of applicants, their addresses, the name of the deceased person and the relationship between the applicant and the deceased person as the case may be.
11. No dead body of any person shall be cremated unless a certificate is issued to that effect by a Registrar of Births and Deaths under the provisions of Act, No. 41 of 1975 or unless a certificate is issued by a Grama Niladhari to that effect.
12. At the time the crematorium is reserved the applicant or a person who is closely related to the deceased shall supply to the caretaker of the crematorium a pot or a suitable utensil to deposit the ashes of the cremated dead body indicating the name and address of the deceased person affixed to that pot or utensil.
13. The caretaker of the crematorium shall exercise due care in accordance of Section 12 to carefully deposit the ashes in the pot or utensil supplied to him and deposit the same in the space or land reserved for that purpose.
14. In case the applicant of the deceased person or the relatives fail to remove the ashes deposited in the pot or the 14 days of the remove of such ashes from the crematorium or fail to supply a pot or utensil as specified in Section 12, The Pradeshiya Sabha has the right to bury such ashes in the burial grounds reserved for that purpose.

15. The ashes removed from the crematorium shall not be handed over to any person other than the applicant or the close relatives of the deceased person.
16. In consultation with the Chairman the Sabaragamuwa Provincial Council shall appoint a Caretaker and an Assistant for the Crematorium.
17. The Caretaker shall maintain the crematorium and its surroundings cleanly and beautifully.
18. The Caretaker of the crematorium shall be bound by a list of duties which would be assigned to him either by the Chairman or the Secretary.
19. To enter the crematorium premises without a permit obtained either from the Chairman or the caretaker shall be regarded an offence. Never theless it would be presumed that permission has been granted to a person and other who accompany him for the cremation of the dead body.
20. No person shall enter the crematorium premises during the times specified in Section 8 without a valid permit and no person shall loiter about or spend time in the crematorium premises without any valid cause after the cremation activities are finalised.
21. The caretaker shall have authority to evict any person causing disturbance to the operations incidental to cremation.
22. No person coming to pay last respects to any dead person shall behave in such a manner as to cause damage to the monuments, the buildings of crematorium and shall not behave in such a manner as to bring disrespect to the deceased person.
23. Under the provisions of cemeteries and burial grounds ordinance action will be taken against any person who violates the provisions stipulated in Section 22 above.
24. It will be an offence to cause any loss or damage to the crematorium or the crematorium premises or to cause any disturbance or threat to the caretaker of the crematorium or to any of his assistants or servants on duty or display any decoration in the crematorium premises.
25. Persons reserving the crematorium or their assistants shall be liable for any damage caused to the crematorium or any property thereof or any instrument there of in circumstances stated in Section 27 hereof and they shall be determined by the chairman.
26. It shall be an offence to violate the provisions of Sections 20, 24, 25 of these by laws and any person who violates any of them shall on conviction by court be liable to a fine specified in Section 122(2) of the Pradeshiya Sabha Act, No. 15 of 1987.
27. The chairman shall have the authority to bury any dead body handed over to the crematorium for cremation in such event the cremation is not possible during cremation or before it due to any technical defect or electricity failure. The decision of the Chairman is final and conclusive on such problematic situation.
28. The fees chargeable for the cremation of bodies shall be formed annually by the Pradeshiya Sabha by resolution adopted to that effect. The Pradeshiya Sabha may amend and review such fees on any occasion as it deems fit to do so.
29. In these by-laws, unless the context otherwise requires  

“Sabha” shall mean and include the Balangoda Pradeshiya Sabha.

“Chairman” shall mean the Chairman of the Balangoda Pradeshiya Sabha.

“Secretary” shall mean the Secretary of the Balangoda Pradeshiya Sabha.

“Caretaker of the Crematorium” shall mean the person appointed to take care of Damahana Crematorium.

“Dead Body” shall mean the human dead body.
30. In the event of any inconsistency between Tamil and English texts of these by-laws, the sinhala text shall prevail.

#### **Schedule A**

##### **APPLICATION FOR CREMATION OF A DEAD BODY IN DAMAHANA CREMATORIUM**

01. Full name of the Applicant: - ... ..  
Address: - ... ..  
National Identity Card No.: - ... ..  
Grama Niladhari Division: - ... ..
02. Name of Deceased person: - ... ..  
His/Her Residential address: - ... ..  
Grama Niladhari Division: - ... ..  
National Identity Card No.: - ... ..
03. Applicant's relationship to the Deceased: - ... ..
04. Number and Date of the Death Certificate: - ... ..
05. Name and address of Registrar who registered the Death: - ... ..
06. Cause of Death: ... ..
07. Date and time if an inquest was held: ... ..

08. Name and Designation of the Inquirer : ... .. 2. I refuse to approve the issue of permit for reasons stated below.
09. The conclusion of the Inquirer : ... ..
10. Whether permission is granted for cremation of the dead body : ... ..
11. Date and time for the cremation : ... ..
12. Whether a pot or utensil with the name and address affixed to it is supplied : ... ..
- Signature  
Chairman/Authorized Officer.

I certify that the information furnished above are correct and true. A copy of my National Identity Card and a copy of the death certificate are annexed to the application.

... ..  
Signature of the Applicant.

Date: ... ..

For Office use only

1. Issue of the permit is approved.

I approve the cremation of the dead body of ... ..  
... ..on ... ..

20 ... .. at... .. a.m./p.m. at the Damahana crematorium.

Chairman/Authorized Officer

1. Recorded in the books

Rupees... .. as crematorium charges and Rupees  
... ..as deposit duly chaged on ... ..  
...vide receipt of ... ..20 ... ..

2. I submit the permit herewith for signature.

3. I submit the permit herewith the letter indicating reasons for refused of permit for signature.

... ..  
Management Assistant.

Date : ... ..

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