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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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No. 1656/34 - THURSDAY, JUNE 03, 2010

(Published by Authority)

PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

UVA PROVINCE PROVINCIAL COUNCIL

Health Services Statute of Uva Provincial Council Bearing No. of 2010

IT is notified that after a lapse of 10 days of publishing in the *Gazette* this Notice will be submitted to the Uva Provincial Council. If it is expected to submit any matter regarding the matters included in this Statute such matters should be informed to me within 10 days of this notification.

A. M. BUDDHADASA,

Minister of Uva Provincial Health Indigenous Medicine,
Probation and Childcare Affairs and Women Affairs.

Ministry of Health, Indigenous Medicine, Probation and
Children Affairs and Women Affairs,
Uva Province Provincial Council,
8th May, 2010.

HEALTH SERVICES STATUTE OF UVA PROVINCIAL COUNCIL BEARING No. OF 2010

A Statute to provide regulations to establish a Health Services Department of the Uva Provincial Council making possible to maintain properly the service facilities required to uplift and conserve the health conditions of the people in Uva Province (Badulla and Moneragala Districts) and also to provide regulations to connected consequent matters

The Uva Provincial Council of the Democratic Socialist Republic of Sri Lanka enacts as follows :—

1. This Statute is designated as “the Health Services Statute of Uva Province bearing No. . . . of 2009” and will be effective from the date approved or on a later date ordered by the Governor of Uva Province.

Abbreviated
Designation and
data of
implementation.

2.1 To activate the purposes of this Statute an Uva Provincial Health Services Department, hereinafter mentioned as the “Department”, will be established according to the undermentioned rules and regulations ;

Establishment of
the Provincial
Health Services
Department.

2.2 Appointment of staff required to the Department, transfers, conduct of discipline should be done either by the Provincial Governor or by some other officer authorized by him.

Workload of the Provincial Health Services Department.

3. Under the general or special orders of the Provincial Minister in charge of Health and in accordance with the National Health Policy the workload of the Provincial Health Services Department will be —

- (i) maintained continuously all the treatment centres including Provincial General Hospitals, Basic Hospital, District Hospitals, Peripheral Hospitals, Rural Hospitals, Maternity Homes, Central Dispensaries maintained along with Maternity Homes, Central Dispensaries, Branch Dispensaries, Health Centres, Medical Clinics and Specialised Units (Excluding Teaching Hospitals and Hospitals established for Special purposes) already established and that will be established in the Uva Province.
- (ii) establishment and maintenance of all institutes for disease eradicating purposes including Health Medical Officers required for Public Health Services School Health Services, Elders' Health Services, Health Education, Family Health Services, Maternity Safety Nutrition and Safety of Foods and Food Health and Environmental Health.
- (iii) pereparation and implementation of Health Development Plans and Annual Health Plans and preparation and implementation of Plans for Health problems arising at emergencies for Uva Province.
- (iv) supply of all requirements including infar-structure facilities for institutes mentioned in Paragraph (i) and (ii) above in Uva Province.
- (v) Decide the number of employees on the necessity of supplying the services mentioned in Paragraphs (i), (ii) and (iii) above from time to time, take action to obtain the approval of the relevant authorities for that purpose and to prepare the required programme to enroll employees.
- (vi) Provide facilities for local and foreign Post Graduate Education and Further Education for persons assigned to Uva Provincial Health Institutes mentioned in Paragraphs (i) and (ii) above.

Provincial Health Services Director.

4. The Governor of Uva Province should appoint an officer of the Senior Medical Administrative Service as the Director of Uva Provincial Health Services (hereinafter mentioned as the "Director") with the agreement of the Secretary of the Health Ministry under the Government Health Minister and the Director will have to act under the supervision and direction of the Secretary of the Provincial Health Ministry.

Appointment of Deputy Provincial Health Services Director
Divisional Health Services Directors
Medical Superintendents
Divisional Dental Surgeons,
Divisional Malaria Medical officers, Medical Officers and other Officers.

5. Thereafter, Deputy Provincial Health Services Director, Divisional Health Services Directors, Assistant Divisional Health Services Directors, Medical Superintendents, Divisional Dental Surgeons, Divisional Malaria Medical Officers, Medical Officers and other officers can be appointed to assist the Provincial Health Services Director to perform the duties in this Statute.

6. The Director can hand over the authority vested with him to activate the regulations and or orders enacted under this Statute by a written document to other officers employed in the Department.	Powers of the Provincial Health Services Director can be handed over to officers under him.
7. Two Divisional Health Services Directors can be appointed for Badulla and Moneragala Districts and they must be responsible for activating and maintaining Health Services in those Districts.	Appointment of Divisional Health Services Directors to Administrative Districts.
8. All the officers and the minor staff working in the Uva Provincial Health Services Department holding posts prior to the date of implementing this Statute should be considered as appointed under this Statute after declaring their willingness to work in the Provincial Health Services Department.	Consideration of present Health Services Staff as appointed under this Statute.
9.1 Regarding the matters required to activate the authorities that will be vested with the Provincial Health Services Department by this Statute the Provincial Health Minister will be able to enact orders/regulations.	Regulations can be enacted.
9.2 Every regulation/order enacted under this section should be published in the <i>Gazette</i> and should be activated from the date it is published or on a later date mentioned therein.	
9.3 After the publication of regulations and rules in the <i>Gazette</i> they should be submitted to the Provincial Council for approval within a period of three months. An announcement regarding whether it is approved or not approved by the Provincial Council should be published in the <i>Gazette</i> . In so publishing it should be considered that the order is rescinded without damaging the duties and performances done earlier under that order.	
10.1 A Provincial Health Services Advisory Board should be appointed by the Provincial Health Minister to give advises generally to him regarding the Uva Provincial Health Services Plan Preparation and activating them.	Provincial Health Services Advisory Board.
10.2 The number of members in the Provincial Health Services Advisory Board (hereinafter mentioned as "Advisory Board" should not exceed 15 members and must consist of the following :—	
(i) Uva Provincial Health Secretary ;	
(ii) Uva Provincial Health Services Director ;	
(iii) Uva Provincial Ayurveda Commissioner ;	
(iv) Uva Provincial Education Director ;	
(v) Uva Provincial Local Government Commissioner ;	
(vi) Uva Provincial Social Services Director ;	
(vii) Divisional Health Services Director in charge of Badulla and Moneragala Districts ;	
(viii) Two doctors registered in the Government Medical Council and not in the Government Service (so as to represent the two Districts).	
(ix) Two persons from Non Government Voluntary Organization involved in Health and Social Service affairs to represent Badulla and Moneragala Districts,	
(x) Three Trade Union Representatives involved in Health Service (this representation should be Para Medical, Nursing and Minor Trade Services).	

10.3 The Provincial Health Secretary should be the President of the Advisory Board and the Provincial Health Services Director should act as the Secretary.

10.4 Members from (i) to (vii) above are appointed ex-officio and members from (viii) to (x) above should be appointed by the Provincial Health Minister. The Minister has the authority to dismiss the members appointed by him any time.

10.5 The service period of the Advisory Board will be 3 years.

10.6 The quorum should be 08 for Advisory Board meetings and should meet at least once in three months.

10.7 The service period of every member appointed ex-officio to be a member of the Advisory Board will be the period as long as he/she holds that post.

Qualifications
for membership.

10.8 Every member can hold the membership for a period of three years from the date he/she is appointed unless the post held falls vacant early due to resignation, death or dismissal from the post by the Minister or some other manner and is not and will not be disqualified for re-appointment.

10.9 When the post falls vacant due to the appointed member dying, resigning, being dismissed from the post or some other manner another person should be appointed by the Minister as a successor for that member. Such appointed member should hold the post for the balance period of his predecessor.

Payment of an
allowance.

10.10 A member-attending a session of an Advisory Board meeting can be paid an allowance and that allowance will be decided by the Provincial Health Minister on the Agreement of the Provincial Governor.

Duties of
Advisory Board.

10.11 The duties of the Advisory Board are to submit proposals, regarding general policy matters the Provincial Health Minister thinks should be referred to the Advisory Board for a decision, and for the Development of Provincial Health by identifying the requirements of the Province in accordance with the Provincial Health Development Plan.

Setting up of
Health Institutes
and re-organizing
Health Divisions.

11. Considering the population growth, extent of land, spread of diseases, nutrition situation, environmental influences transport facilities etc., as a base, recommendations regarding the setting up of permanent or temporary new health institutes, re-organization of Health Administrative Divisions etc., should be forwarded to the Secretary of the Ministry by the Provincial Director and should be implemented after obtaining the approval of the Minister.

Authority to
inspect Health
Institutes.

12. An officer either from the Uva Provincial Health Ministry or the Provincial Health Department properly authorized either by the Secretary of the Health Ministry or by the Director of Provincial Health Services is entitled to enter or inspect any Health Institute or any institute considered to be necessary for public health needs or a land such institutes are located and to obtain statements information, photographs or documents or their copies from the persons employed in that institute or from the people who have come to obtain services.

Trusteeship of
movable and
fixed properties.

13. It should be considered that all the Health institutes in the Uva Province at present and all the movable and fixed properties relevant to them as vested with the Provincial Health Services Department.

Annual Health
Development
Plan.

14. The Director of Provincial Health services should prepare Provincial Health Development Plan for every coming year based on the population growth relative to the land extent spread of diseases, nutrition situation, environmental influences, transport facilities and other health-wise *criteria* in the

Uva Province and with his recommendations should forward to the Secretary of the Health Ministry before the 30th of September every year. Agreement of the Advisory Board should be obtained for this Annual Health Development Plan.

14.2 Development affairs and new building construction affairs relevant to all the Health Institutes in the Uva Province should be included in this Plan.

15. A detailed report including statistics regarding the progress of the Annual Development Plan after implementing it and his conclusion and recommendations regarding them should be forwarded to the Ministry by the Director of Provincial Health Services in the first quarter of every year.

Annual Report regarding the Provincial Health situation.

16. While the Provincial Director has the authority to look into the health situation in the Local Government territories in the Uva Province and activate the required health service affairs he can inform the Local Government authorities to forward the statistics regarding the health situation in those areas when required and the local Government authorities should act accordingly.

Health affairs in Local Government Institute territories

17. When maintaining patient treating services it is the responsibility of the Provincial Director to supply cooked meals to the resident patients and the minor staff of the Hospitals. In this supply of meals the Director should take action to get cooked meals supplied by calling for public tenders and selecting a suitable supplier, or through an organization mentioned in the Procurement Guidance Code qualified to get the tender outside the open tender procedure or through a lawfully formed Hospital Committee or to get this service supplied by purchasing raw food materials from a Co-operative Society and cooked by the hospitals staff or by the hospital committee.

Supply of cooked meals

17.1 The Provincial Health Services Director or Deputy Provincial Health Services Director or an officer authorized by them can check and control the Pharmacies in the Province under this Statute.

17.2 As such, legal action can also be taken under this statute it is understood that any kind of injustice is happening.

18.1 Money allocations required for the Department of Uva Provincial Health Services will be provided by Annual Budget Declaration of the Provincial Council and other foreign aid Projects and also from Supplementary Estimates submitted when required.

Money allocations and auditing.

18.2 Accounts affairs of this Department will come under the auditing of the Auditor General, Internal Audit Unit of the Chief Secretary's Office and also the Provincial Ministry.

19.1 The Provincial Health Secretary can appoint a committee (hereinafter mentioned as the "Hospital Committee") with the approval of Provincial Health Minister consisting of the following members to obtain the participation of the public for the development and rehabilitation affairs of General Hospitals, Basic Hospitals, District Hospitals, Peripheral Units and Rural Hospitals (falling under the Provincial Council Health Ministry) situated in the Uva Province. The number of members in this is limited to a maximum of 25.

Establishment of Hospital Development Committees and their composition.

- (i) Medical Officer in charge of the institute,
- (ii) Divisional Secretary of the area the hospital is situated or a representative,
- (iii) Chairman of the Pradeshiya Sabha or a representative of the territory of Pradeshiya Sabha where the hospital is situated,
- (iv) Divisional Engineer (Buildings) or a representative of the relevant area where the hospital is situated,

- (v) Police Officer in charge of the Police Station of the area where the hospital is situated,
- (vi) Principals of the schools in the area where the hospital is situated,
- (vii) Three members of the hospital staff,
- (viii) Representation from the clergy,
- (ix) Two Divisional Distinguished persons,
- (x) Two representatives from the Divisional Community Organizations,
- (xi) Two Representatives from non-government organizations functioning Divisionally in the area the hospital is situated.

19.2 Medical Officer in charge of the institute will be the ex-officio Chairman of the Committee.
A suitable secretary should be selected at the inaugural Council meeting.

Responsibility of
the Hospital
Committee

- 19.3 (i) The main responsibility of the Hospital Committee will be the development of the health institute and to provide an efficient hospital service to the public with a proper management under the orders and instructions given by the Provincial Ministry in accordance with the National criteria of the Health Ministry of the Central Government.
- (ii) In the Hospital Development affair the Secretary has authority to handover constructions and repairs or supplying of services to this Committee outside the tender procedure. There the financial limits enacted or to be enacted in the future by the Central Government should be adopted.

19.4 The official period of the Committee is 02 years.

19.5 Hospital Committees functioning already should be considered as Hospital Committee appointed under this Statute.

Committee
Constitutions.

20. A suitable Constitution can be prepared through the orders enacted by the Minister for the management of the Committee.

Interpretation.

21. (i) Governor of Uva Province as the “Governor”,
- (ii) Minister in charge of Health subject in Uva Province as the “Minister”, in an instance where the Provincial Council is dissolved Honourable Governor of Uva Province as the Minister in charge of Uva Provincial Health subject.
- (iii) Secretary of the Uva Provincial Health Ministry as the “Secretary”,
- (iv) The Head in charge of Uva Provincial Health Services as the “Director”,
- (v) Uva Provincial Health Services Department as the “Department”,
- (vi) Uva Provincial Territory shown in the 13th Amendment of the Constitution of the Democratic Socialist Republic of Sri Lanka as the “Province”,
- (vii) Provincial Council Established for Uva Province including the two Districts Badulla and Moneragala as the “Provincial Council”,
- (viii) Districts Heads in charge of health affairs in Badulla and Moneragala Districts as “Divisional Health Services Directors”.

Discrepancy

If there is a discrepancy among the Sinhalese, Tamil and English versions of this, Statute the Sinhalese version should be effective.

UVA PROVINCE PROVINCIAL COUNCIL

AYURVEDIC AND INDIGENOUS MEDICINE SERVICES

Statute Draft of Uva Provincial Council Bearing No.of 2010

IT is notified that after a lapse of 10 days of publishing in the *Gazette* this Notice will be submitted to the Uva Provincial Council. If it is expected to submit any matter regarding the matters included in this Statute such matters should be informed to me within 10 days of this notification.

A. M. BUDDHADASA,
Minister of Uva Provincial Health, Indigenous Medicine,
Probation and Childcare Affairs and Women Affairs.

Ministry of Health, Indigenous Medicine, Probation and
Children Affairs and Women Affairs,
Uva Province Provincial Council,
8th May, 2010.

STATUTE OF AYURVEDIC AND INDIGENOUS MEDICINE SERVICES BEARING No.OF 2010 OF
UVA PROVINCE

A Statute enacted to provide regulations to establish an Uva Provincial Ayurvedic Department for the conservation, development and expansion of Indigenous Ayurveda, Siddha and Unani medicine methods in respect of Health of the people of Uva Province, to enroll the staff relevant to it, to establish affiliated Ayurveda institutes including Ayurveda hospitals, and for their efficient functioning, to set up Hospital Committees, skilled Management Board, Ayurveda Conservation Committees and Advisory Committees and maintain them properly and to fulfill other consequent matters

In accordance with the authority vested with the Provincial Council by Section 12 Sub-schedule 09 of Amendment 13 of the Constitution of the Democratic Socialist Republic of Sri Lanka, Uva Provincial Council enacts as follows:—

- | | |
|--|---|
| 1. This Statute will be defined as “the Uva Provincial Ayurveda and Indigenous Medicine Services Statute bearing No. of 2009” and will be implemented from a date approved or on a later date to be approved by the Governor of Uva Province. | Abbreviated Designation and Date of Implementation. |
| 2.1 An Uva Provincial Ayurveda Department (hereinafter mentioned as “the Department”) will be established to fulfill the objectives and purposes mentioned hereafter. | Establishing the Ayurveda Department. |
| 2.2 The Department should function to fulfill the following objectives and purposes subject to the allocations made by the Uva Provincial Council. Namely ; | Objectives and purposes. |

- (a) To provide health protection and improvement and treatment facilities in respect of healthiness of the people and to set up institutes required for primary health development and supply services ;
- (b) To provide facilities necessary to establish Ayurveda Community Health Improvement Units at Divisional Secretariat levels.
- (c) to examine sicknesses according to Ayurvedaya and act for the development of public health and give encouragement to ,
- (d) To present scholarships or other facilities to employees or proposed to be employed in the Department , offer financial aids or other helps to institutes supplying educational course or involved in research affairs regarding Ayurvedaya and encourage study of Ayurvedaya and related research affairs.
- (e) To conserve and develop hereditary and indigenous medicine methods and improve their condition.
- (f) Establish and provide facilities required to maintain a Provincial Ayurveda Museum to safeguard hereditary medicine knowledge, talipot books and medical equipment pertinent to Uva Proinvce.
- (g) To maintain here gardens and nurseries in the Province provide maintenance and required facilities and influence to implement a self employment programme under that.
- (h) To set up a Provincial Drugs manufactory to manufacture finished drugs required to the Province.
- (i) Popularise indigenous Medicine methods by joining with Tourist Industry and create income generating methods.
- (j) Give assistance for co-ordination required to purchase dangerous drugs.

Provincial
Ayurveda
Commissioner

3.1 A Provincial Ayurveda Commissioner should be appointed to act as the Head of the Ayurveda Department established in relevant to objectives and purposes mentioned in this Statute.

3.2 Provincial Ayurveda Commissioner should be a Medical officer of Sri Lanka Ayurveda Service and has to be appointed in relevance to Section 32 of Provincial Council Act, No. 42 of 1987 by the Governor of Uva Province.

3.3 Provincial Ayurveda Commissioner should perform under the orders and guidance of the Secretary of the Uva Provincial Indigenous Medicine Ministry.

Appointment of
staff and other
employees

4.1 Other Officers including Deputy and Assistant Ayurveda Commissioners required for the approved staff thought that may be necessary by the Provincial Ayurveda Commissioner to perform the workload of his Department should be appointed either by the Governor of Uva Province or the Uva Provincial Council Public Service Commission.

4.2 All the officers and employees working in the Uva Provincial Ayurveda Department holding approved posts prior to the date of implementing this Statute should be considered as appointed under this Statute after declaring their consent to serve in Provincial Council Service.

4.3 All the officers and employees appointed for the duties of this Statute should be considered as appropriate employees of the Provincial Government Service under Section 32 of Provincial Act, No. 42 of 1987.

5. The Ayurveda Commissioner has the following powers subjected to the final recommendations arrived by the Statutory institute established under this Statute.

Powers and duties of Ayurveda Commissioner

- (a) In performing the objectives mentioned in Section 2.2, the Commissioner should established Ayurveda Hospitals, Ayurveda Drug Manufacturies, Ayurveda Drugs Deposits, Ayurveda Treatment Centres, Ayurveda Drugs stores, Herb Gardens and Nurseries, Ayurveda Drug shops and Provincial District, Divisional Indigenous Medicine and Ayurveda Conservation Committees, maintain them or allow to establish and maintain them or give assistance.
- (b) To function under the final recommendations arrived by the statutory institutes established under this Statute.
- (c) Maintain the data and statistics of the institutes established under this Statute methodically and up to date.
- (d) Check whether all the statutory institutes established under this Statutes are maintained with high quality standards and according to present recommendations and submit reports from time to time to the Minister and the relevant statutory institutes regarding them.
- (e) Register the Ayurveda institutes controlled by the Provincial Ayurveda Drug Central Board and issue certificates according to the recommendations of that Board.

6. An Advisory Board should be established to advise the Minister in charge in achieving the expected objectives in this Statute. That Advisory Board should be appointed by the Minister and its composition will be as follows :—

Establishment of an Advisory Board.

- (a) Secretary in charge of the Indigenous medicine subject,
- (b) Provincial Ayurveda Commissioner,
- (c) A representative appointed by the Minister in charge of Provincial Indigenous Medicine,
- (d) A retired Executive Officer in the Administrative Service or Education field,
- (e) Provincial Health Services Director or his representative,
- (f) A representative from the Board of Lecturers named by the Vice Chancellor of Uva Wellasasa University,
- (g) Two members of Ayurveda Conservation Boards to represent Badulla and Moneragala Districts.

7. A certain amount from the financial allocations approved by the Parliament and the Provincial Council in respect of fulfilling the objectives in Section 2.2 the Commissioner with the prior approval of the Minister can award to :

Financial aid given by the Commissioner.

- (a) Provincial Ayurveda Education and Training Management Board,
- (b) Provincial Ayurveda Research Board,
- (c) Provincial Ayurveda Drug Control Board,
- (d) Some other institute set up and maintained for the development and conservation of Ayurvedaya,
- (e) Some other person or persons eligible to maintain Ayurveda Education affairs,
- (f) and also to Provincial, District and Divisional Ayurveda Conservation Committees.

Ayurveda
Hospitals
Ayurveda Drug,
Manufactories
Ayurveda Drug
Deposits, Herb
Parks, Ayurveda
Treatment
Centres,
Ayurveda
Dispensaries
Ayurveda Drug
Shops and
Ayurveda Care
Centres should be
registered.

8.1 After an Ayurveda Hospital, an Ayurveda Treatment Centre an Ayurveda Drug Manufactory, an Ayurveda Drug Deposit herb park, an Ayurveda Drug Store, or an Ayurveda Drug Shop in a certain place at present is registered by the Commissioner and unless the person maintaining that Hospital, Drug Manufactory, Drug Deposit, Treatment Centre, Drug Store or Drug Shop, Ayurveda Care Centre in that place is registered by the Commissioner as the owner, from and after a date that can be fixed by an order by the Minister published in the Gazette in that regard, any place should not be utilized as an Ayurveda Hospital, an Ayurveda Treatment centre, an Ayurveda Drug Manufactory, an Ayurveda Drug Deposit, an Ayurveda Drug Store or a shop and an Ayurveda Care Centre.

8.2 The date fixed by an order published under Sub-section 1 should not be a date this side of three months from the date of such publication.

8.3 In an instance where a certain place is utilized for duties of an Ayurveda Hospital, an Ayurveda Treatment Centre, an Ayurveda Drug Manufactory, an Ayurveda Drug Deposit, Herb Park, an Ayurveda Drug Store or an Ayurveda Drug Shop, an Ayurveda Care Centre by breaching the Regulations in subsection 1 in this, the owner or the person in charge of that Hospital, that Drug Manufactory, that Drug Deposit, that Treatment Centre that Herb Park, that Drug Store or that Drug Shop that Care Centre is doing an offence under this Statute. Legal action should be taken against such a person.

The Minister can
enact regula-
tions.

9. The Minister can formulate orders under this Statute in respect of either one or all of the matters mentioned below :—

- (a) Submitting applications to register a certain place as an Ayurveda Hospital, an Ayurveda Treatment Centre, an Ayurveda Drug Manufactory, an Ayurveda Drug Deposit, a Herb Park, an Ayurveda Drug Store or an Ayurveda Drug Shop, an Ayurveda Care Centre.
- (b) The Specimen of that Application and details that should be entered.
- (c) The duration that Registration should be valid and issue of certificate regarding the renewal of registration after the payment of the specified fee,
- (d) Instances where the renewal of that registration can be rejected,
- (e) The finality regarding the decisions given by the Minister in respect of appeals submitted to the Minister against the refusals of applications made either for that registration or renewal of the registration and the cancellation of the registration.
- (f) specifications and conditions that should be followed regarding the registered Ayurveda Hospitals, Ayurveda Drug Manufactories, Ayurveda Drug Deposits, Herb Parks, Ayurveda Treatment Centre, Ayurveda Drug Stores or Ayurveda shops, Ayurveda Care Centres.
- (g) Reports, Bank Statements and ledgers that should be maintained by them,
- (h) Reports that should be supplied from time to time regarding relevant institutes and the details that should be given in those Reports including statistics of patients admitted to those institutes and treated by those institutes and particulars of the employees involved in them,
- (i) Specifications regarding the fees that can be charged or charges by the relevant institutes,
- (j) Powers regarding entrances to those institutes and inspections,

(k) Registers that should be kept and maintained by the Commissioner regarding the registration of relevant centres,

(l) Health safety of patients taking treatments in those institutes, proper treatments and service facilities,

10. A certain portion of the drugs required for treatments of patients at Free Ayurveda Dispensaries maintained by the Local Government Department in Uva Province can be supplied from the drugs manufactured at the Uva Provincial Drug Manufactory. Free Ayurveda Dispensaries

11.1 A Provincial Ayurveda Account (hereinafter mentioned as “Ayurveda Account”) should be opened to achieve the purposes mentioned in Section 2.2 and to accomplish the purposes that will be declared through regulations enacted under this Statute. Provincial Ayurveda Account

11.2 The Account should be opened by allocating a sum of Rs. 500,000/- from Provincial Council Budget as an initial contribution.

11.3 Financial allocations mentioned in Section 7 should be credited to this Ayurveda Account from the Provincial Council Fund and the money in this Account can be used to fulfill the above purposes.

11.4 In addition to the allocation mentioned in Section 11.2 and 11.3 above a portion of the annual income of Local Government institutes can be credited annually to this Account with the willingness of those institutes to settle the expenses incurred in respect of drugs supplied to Local Government institutes. Money received to the Account from other sources.

11.5 Local and foreign gifts, aids and grants received in the name of Ayurveda Department should be credited to the Account.

12.1 Management of the Account should be done by a Management Board of five persons. Composition of the Management. Board of the Account.

12.2 The Management Board of this Account should consist of the following members :

- (1) Secretary of the Uva Provincial Indigenous Medicine Ministry.
- (2) Uva Provincial Ayurveda Commissioner,
- (3) A representative of Uva Provincial Chief Secretary,
- (4) Uva Provincial Local Government Commissioner or his representative,
- (5) A doctor in the Indigenous or hereditary or Ayurveda Medicine field appointed by the Ministere-in-charge of the subject,

13.1 All the money received to the Account should be accounted as specified and auditing should be done annually by the auditor General and Director of Internal Auditing. Auditing.

13.2 Financial Year of the Account is the Calendar year.

14.1 Provincial Ayurveda Commissioner is bound to submit the Financial Statement of the Account to the Auditor General, Director of Internal Auditing, Secretary of the Ministry and the Chief Secretary before 30th of April of every year. Responsibility of Provincial Ayurveda Commissioner regarding the Account.

14.2 The Chairman of the Management Board is the Secretary of the Uva Provincial Indigenous Medicine Ministry and its Secretary is the Provincial Ayurveda Commissioner.

14.3 The account of this Account should be in accordance with the regulations of Section 19 of Part III of Provincial Council Act, No. 42 of 1987.

14.4 A suitable constitution must be prepared by the Secretary of Uva Provincial Indigenous Medicine Ministry and should be published in the Gazette with the approval of the Minister in charge of the subject.

Establishment of
Herb Parks

15.1 Steps must be taken to establish herb parks and drugs nurseries in premises of Ayurveda hospitals, Central Dispensaries, selected schools and Government institutes in the Province with the purpose of conservation of Ayurveda indigenous drugs and plants going extinct, place nameboards to identify them and educate people.

15.2 When obtaining Crown land for setting up of herb parks it should be done according to the regulations enacted under Government Land Ordinance Act No. 08 of 1947 which is the Authority No. 454.

15.3 It is the responsibility of the Divisional Ayurveda Conservation Sabhas mentioned hereafter to maintain herb parks and to maintain nurseries under the supervision of Provincial Ayurveda Commissioner.

15.4 It is legal to sell plants from the drug plants nurseries under this Statute.

Establishment of
Provincial
Ayurveda
Education and
Training
Management
Board

16.1 A board by the designation Provincial Ayurveda Education and Training Management Board, hereinafter mentioned as the “Board” should be established.

16.2 The Board should consist the following members :—

- (a) Ayurveda Commissioner,
- (b) Deputy Ayurveda Commissioner,
- (c) Directors of the Diyatalawa Ayurveda Hospital and Medagama Ayurveda Hospital,
- (d) Two doctors from other Ayurveda institutes and Local Government institutes appointed on the recommendation of the Minister,
- (e) Three doctors indigenously, hereditary or institutionally trained and not in Government Service selected on the recommendation of the Minister,
- (f) A suitable constitution should be prepared for the duties of this Provincial Ayurveda Education and training Board and should be published in the Gazette on the approval of the Minister of Indigenous Medicine,
- (g) Its official period is 03 years and the quorum should not be less than 1/3.

Powers of the
Board

17. The Training Management Board should have the following powers :—

- (a) Identify and implement training requirements in the Government sector relevant to Provincial Ayurveda,
- (b) Identify and implement training requirements of hereditary and indigenous doctors in the Province,
- (c) Decide and maintain appropriate courses for other services relevant to Ayurveda sector,
- (d) Present scholarships, aids to students and other gifts and aids to person involved in Ayurveda education,
- (e) Implement and manage education systems and training programmes,
- (f) Appoint a trained staff,
- (g) Submit recommendations to the Ayurveda Medical Council to present awards, commendation or certificates.

18.1 An institute defined as Uva Provincial Ayurveda Research Board, hereinafter mentioned as Research Board, should be established,

Establishment of
Provincial
Ayurveda
Research Board.

18.2 The Minister should appoint Deputy Ayurveda Commissioner mentioned in Section 4.1 of this Statute as the Director of the Research Board,

18.3 The Research Board should consist of the following number of members :

- (a) Provincial Ayurveda Commissioner,
- (b) Director of Nawinna Ayurveda Research Institute or his representative,
- (c) An officer assigned to the Ayurveda Community Health Service named by the Provincial Ayurveda Commissioner,
- (d) One person from the Specialist Doctors appointed on the recommendations of the Minister,
- (e) Director of the Ayurveda Hospital at Diyatalawa,
- (f) Medical Superintendent of the Medagama Ayurveda Hospital,
- (g) Two doctors employed in the Provincial or Local Government Service,
- (h) A doctor from hereditary or indigenous Ayurveda doctors appointed on the recommendation of the Minister.

18.4 The Service period of the Research Board is 03 years and the quorum should not be less than 1/3.

18.5 A constitution relevant to the duties of the above Provincial Research Board should be prepared by the Provincial Ayurveda Commissioner and with the agreements of the Secretary of the Provincial Indigenous Medicine Ministry and the Minister of Provincial Indigenous Medicine should be published in the *Gazette*.

19. The responsibility regarding the conduct of research affairs in all the sectors in the Ayurvedaya with the idea of Ayurveda development and the improvement of such affairs and specially regarding the under mentioned duties is entrusted to the Research Board established under section 18.1 above :

Workload of the
Board.

- (a) Preparation and operation of a Research Policy,
- (b) Establishment and maintenance of an Ayurveda Museum that can conserve hereditary knowledge,
- (c) conduct research affairs regarding herbs, raw drugs, finished drugs and various produces,
- (d) Conduct research affairs according to current requirements regarding sickness histories, sicknesses and remedial methods required for them,
- (e) Management of Ayurveda researches and such Research Centres,
- (f) Actions regarding the following :—
 - (i) Ayurveda Literature,
 - (ii) Principles of Ayurveda Science,
 - (iii) Ayurveda Chemetheraphy,
 - (iv) Astrology, rituals, secret treatment methods and other affiliated remedy methods,
 - (v) Research regarding other indigenous, natural medicine methods confirming to Ayurvedaya.
- (g) Research affairs regarding material Medica,
- (h) Research regarding Ayurvedaya relevant to plants and animals,

- (i) it is the responsibility of the Research Board to adhere to the specifications issued by the Ayurveda Medical Council from time to time relevant to research affairs and the declare the research policies,
- (j) Pay attention and take action to control invasive and migratory plants harmful to herbs required to the Ayurvedaya.

Powers of the Board

20. The following powers should be with the Research Board :

- (a) To recommend to enact regulations for Research Institutes research affairs and researchers,
- (b) To prepare a Proposed Research Programme for each year all maintain the research indicators done early to date,
- (c) Appointment of Management Sub-committees for Ayurveda Research institute Established under this Statute and enact by-laws relevant to it,
- (d) to obtain indigenous, hereditary or other current inter-connected co-operation thought to be suitable by the Research Board at times the Research Board decides necessary for Ayurveda affairs,
- (e) To obtain the co-operation of the unions in the Institute,
- (f) If the research results performed under the directions of the Ayurveda Department is enjoyed by a certain local or foreign person, a company or an institute outside the Ayurveda Department, there is a rite to obtain financial or other similar benefits and to enter into necessary methods of action,
- (g) A staff decided from time to time should be appointed to accomplished the above mentioned duties.

Provincial Ayurveda Appraisal Board.

21.1. A Provincial Ayurveda Appraisal Board, hereinafter mentioned as “Appraisal Board” should be established,

21.2 One of the Deputy of Assistant Ayurveda Commissioners mentioned in section 4.1 of this Statute should be appointed as the Director of the Drug Appraisal Board by the Minister.

21.3 Drug Appraisal Board should consist of the following number of members :—

- (a) Chief Medical Officer of the Provincial Drug Manufactory,
- (b) Chief Apothecary of the Provincial Drug Manufactory,
- (c) One of the doctors form the Board of lecturers in the Provincial Educational Institutes appointed on the recommendation of the Minister,
- (d) One person from the heads of registered Ayurveda Drug Manufactories in the Province appointed on the recommendation of the Minister.

22. The Provincial Drug Appraisal Board should have the following powers :—

- (a) Create and activates a Drug Policy in the Province,
- (b) Regularise the distribution and usage of drugs in the Province,
- (c) Regularise the supervision of State and private Ayurveda Drug Manufactories in the Province and introduce standards,
- (d) Safeguard the qualitiness of drugs and certify that they are not dangerous,

- (e) Ensure that all the Ayurveda drugs are prepared under the legal regulations in Ayurveda Act, No. 31 of 1961 and relevant Amendments Acts and Sri Lanka Ayurveda Drugs Code,
- (f) Submit recommendations to the Ayurveda Commissioner to take legal action regarding products made violating dangerous as well as other consequent Ordinances,
- (g) Establishment of places marketing Ayurveda drug products in the Province, charge registration fees, train and appoint dispersers and cancel registration,
- (h) Identify, introduce and implement other legal allocations prevailing as at present regarding Ayurveda drugs and maintaining drug deposits,
- (i) Exporting Ayurveda finished drugs, dry and raw herbs and obtaining patent permits for herbs pertinent to Uva Province should be done on the recommendation of the Provincial Ayurveda Commissioner on the approval of the Secretary of the Provincial Ministry,
- (j) Recommend to issue permits required to transport natural herbs in Uva Province to outside places and to fix charges.

23.1 Service period for all the Boards is 03 years.

General matters
for all the
Boards.

23.2 Service period can be terminated after a notification published in the Gazette according to the discretion of the Minister,

23.3 Quorum of a Board should not be less than 1/3.

23.4 Meeting of all the boards should be held at least once a month,

23.5 A remuneration approved by the Minister can be paid to the members for a session of meetings of the Boards.

23.6 Non-attendance for 03 meeting sessions will cause the abolishment of the membership.

24.1 Hospital Development Committee should be established in all the Ayurveda Hospitals and Central Dispensaries with the purpose of providing a good quality service by the Ayurveda Hospitals and Ayurveda Central Dispensaries and required facilities and instructions regarding their development and to have a close relationship with the general public.

Establishment of
Ayurveda
Hospital
Committee.

24.2 Such Ayurveda Hospital Committees should consist of the following persons :—

- (a) Doctor in charge of the Institute should be the Chairman of the Committee and the Uva Provincial Ayurveda Commissioner, Head of Local Government Institutes and Divisional Secretary will be ex-officio patrons of the committee, Agreement of the Minister of Provincial Indigenous Medicine should be obtained for this Committee.
- (b) Convener of the Committee should be the Secretary of the Committee, The secretary should be appointed from the Committee members.

24.3 The following members should be appointed as Committee members :—

- (a) Chairman of the Divisional Sasanarakashaka Bala Mandalaya of the Reverend Registrar
- (b) Chairman of the Mediation Board,
- (c) A representative from the educational field of the area,

- (d) A Lawyer or a Justice of peace residing in the area,
- (e) Chairman or the Secretary of the Ayurveda Conservation Committee,
- (f) Cultural Officer, Social Services Officer, Samurdhi Development Officer, Agro Research Production Assistant Agro Instructor, Agrarian Services Development Officer,
- (g) A religious leader in the area,
- (h) Grama Seva Niladhari,
- (i) A distinguished person in the area,
- (j) Ayurveda Community Health Medical Officer in the area,

Responsibilities
and workload of
the committee.

25.1 A Hospital Development Fund can be maintained by the Hospital Committee and it should be properly accounted.

25.2 This Fund should be audited annually by the Auditor General and the internal Audit Director.

25.3 Financial year of the Fund is the calendar year.

25.4 A Constitution relevant to perform the duties and performances of the above Hospital committee should be prepared and with the agreement of the Minister published in the Gazette.

25.5 Prior approval of the provincial Ayurveda Commissioner should be obtained for expenditure of Rs. 10,000 to Rs. 50,000 from the fund and approval from the Secretary of the Ministry for expenditure more than that.

25.6 Service period of all the members is 03 years.

25.7 The Minister has the authority to dismiss or appoint a member in the Hospital Committee and to dissolve Committees.

25.8 Any member of the Committee can resign anytime by informing the Minister in writing. Accepting or rejecting the resignation will be on the discretion of the Minister.

25.9 Quorum for a Committee meeting should not be less than 1/3.

25.10 The chair of Committee meetings should be held by the Chairman and in his absence the Chairman appointed by the majority consent of the members has the authority to continue the meeting.

Decision taken by that Committee should be in order.

25.11 The Committee should meet at least once in two months and the Committee report should be produced to the Provincial Ayurveda Commissioner by the Secretary.

25.12 None of the Committee members or their spouses or a member of their families should be involved in any supply or purchase contract agreement.

25.13 If any thing mentioned in Section 25.12 is revealed the Secretary of the Committee should forward recommendations to the Minister for the dismissal of that member after a proper inquiry.

25.14 Other than during the time allowed in writing by the Head of an institute to attend to his duty, no member should enter or inspect the institute alone any time.

26. Area including Badulla and Moneragala Administrative Districts as “Uva Province”.

Interpretation.

Governor of Uva Province as “Governor”.

Cabinet of the Uva Provincial Council as the “Cabinet”.

Minister in charge of Uva Provincial Indigenous Medicine as “Minister”. In an instance the Provincial Council is dissolve the Honourable Governor as the Minister.

Chief Secretary of Uva Provincial Council as “Chief Secretary”

Secretary of the Uva Provincial Indigenous Medicine Minister as “Secretary”.

Ayurveda Commissioner of Uva Provincial Council as “Commissioner”.

Municipal Councils, Urban Councils and Pradeshiya Sabhas in Uva Province as “Local Government Institutes”.

To Ayurvedaya, medical methods and surgeries in Ayurvedaya Siddha, Unani and indigenous remedial methods, Peancha Karma treatment methods, Spa treatment methods, some other medical methods indigenous of different countries and accepted as such by the governments of different countries are included. And also certain treatment method or methods herbal, natural, indigenous, alternative, parallel, eastern hereditary, over-all and or with a similar meaning activated in Sri Lanka or method or methods of sickness eradicating or health development are included.

“Indigenous doctor and Hereditary Doctor” mean all the Local doctors registered or unregistered so far residing in the Province.

“Other consequent services” mean astrologers and persons involved in spiritualism.

“Herb parks” mean parks with flora and kind of plants used in indigenous, hereditary and Ayurveda medicine science.

27. If there is a discrepancy among the Sinhalese, Tamil and English versions of this Statute the Sinhalese version should be in force.

Discrepancy.

06-337/2

UVA PROVINCE PROVINCIAL COUNCIL

Orphaned, Abandoned and Destitute Children Homes Statute of Uva provincial Council

Bearing No. ... of 2010

IT is notified that after a lapse of 10 days of publishing in the *Gazette* this Notice will be submitted to the Uva Provincial Council. If it is expected to submit any proposal regarding the matters included in this Notice such matters should be informed to me within 10 days of this notification.

A. M. Buddhadasa,

Minister of Uva Provincial Health, Indigenous Medicine,
Probation and Childcare Affairs and Women Affairs.

Ministry of Health, Indigenous Medicine, Probation and
Children Affairs and Women Affairs,
Uva Province Provincial Council,
8th May, 2010.

**UVA PROVINCIAL COUNCIL STATUTE OF ORPHANED, ABANDONED AND DESTITUTE CHILDREN HOMES
BEARING No. ... OF 2010**

A Statute to provide regulations for the Registration of Institutes for the maintenance and protection of Orphaned, Abandoned and destitute children living in the Uva Province, for their supervision, regularisation of Management and also to provide regulations for other connected and consequent matters

THIS Statute is in accordance with the Orphanage Act which is Authority No. 142, Uva Provincial Council of the Democratic Socialist Republic of Sri Lanka enact as follows :-

Abbreviated Designation and date of implementation.	01. This Statute will be defined as “orphaned, Abandoned and destitute Children Home Statute bearing No. of 2009 of Uva Provincial Council” and will be activated from the date approved or on a later date ordered by the Governor of Uva Province.
Establishment of a Children Home.	02. The Manager of a Children Home for Orphaned, abandoned and destitute Children (Hereinafter mentioned as “Children Home”) providing resident protection for orphaned, abandoned and destitute children within the age group of 05 to 18 years, should forward an application to the Uva Provincial Probation Officer for the registration of that home ;
Requirements for registration.	03. All the Children homes functioning in the Uva Province should be registered under this Statute. Every children home applying for registration should abide by the following rules and conditions :- <ul style="list-style-type: none"> (a) A home should be maintained by a Voluntary Organization of which the purpose is to maintain a children home, (b) It should consist of a Management Board (Hereinafter mentioned as the “Board”) with a Chairman, Vice Chairman, a Secretary, a Treasurer and a Manager, (c) Three members of the Board should be permanent resident of the area where the children home is situated, (d) The home should function according to the standards and procedures stated in the announcements published in the Gazette by the Provincial probation and Childcare Commissioner from time to time.
Obtaining reports.	04. When either an application or a complaint regarding maintenance of a children home without an approval, is received by the Uva Provincial Probation Officer he should order an officer working in the Uva Provincial Probation Department to submit a report regarding the following matters within a period of 04 weeks :- <ul style="list-style-type: none"> (a) Whether maximum welfare facilities are received by the children in the children home from that children home. (b) Whether it has functioned according to the standards ordered in Section 3 by the Uva Provincial Probation Commissioner.
Personal inspection.	05. After the Report under Section 04 is received Uva Provincial Probation Commissioner or and officer authorized by him is able to enter this children home any time to investigate whether the resident children’s welfare is provided by that home and whether it has functioned according to the expected standards.

06. If the Uva Provincial Probation Commissioner is reasonably satisfied after the inspection in Section 05, Registration.

- (a) within 5 months, if the children home has been opened prior to the date of implementing this Statute.
- (b) within 6 months, if the application for registration is submitted after the date of implementing this Statute.
- (c) and within 6 months after the approval of this Statute if the children home is an already registered children home.

The Uva Provincial Probation Commissioner should take action to register that children home.

7.1 The Board should perform at least 10% of the standards expected by the Uva Provincial Probation Commissioner. Agreement to function according to the Standards.

7.2 The Manager of every children home should enter into an agreement with the Uva Provincial Probation Commissioner accepting to fulfill the remaining standards requirements within a period of three years after registration of the children home.

8.1 Regarding the registration of the children home the Uva Provincial Probation Commissioner should issue a Certificate of Registration on the specified form to the Manager in charge of that Children Home. Issue of Certificates.

8.2 In respect of every children home registered by him the Uva Provincial Probation Commissioner should maintain a Registration including the name of that Children Home, Address, Number and date of Registration, and if there is a voluntary organization, its name and any other particulars the Commissioner thinks necessary.

9. If by an investigation it is proved that the children home has failed to function according to the required standards and that children do not have the requirements mentioned in Section 03 the Uva Provincial Probation Commissioner should inform the Manager that the children home can not be registered (Ordering the general standards to uplift the service conditions of voluntary children homes are shown in Annexure 01). Announcement cancelling the Registration.

10. The Manager of a certain children home not satisfied with the notice issued by the Uva Provincial Probation Commissioner rejecting the registration, should forward an appeal within 30 days of that notice to the secretary of the Uva Provincial Probation and Childcare Services Ministry in charge of the subject. An appeal can be submitted to the Secretary.

11.1 An inquiry should be held by that Secretary or a board consisting of two persons appointed by him. Decisions regarding appeals.

11.2 The two persons in the board mentioned in subsection 1 should be persons holding posts equal to the post of Uva Provincial Probation Commissioner or higher than the post of Provincial Probation Commissioner.

11.3 The decision of the inquiry should be as follows :—

- (a) inform the Manager of the children home the reasons for the rejection of the registration of the children home.
- (b) inform the Provincial Probation Commissioner to take necessary steps to register that children home.

(c) Grant a grace period of not more than a year to fulfill the requirements mentioned in Section 03 and if fulfilled accordingly to approve the registration thereafter.

A request can be forwarded to the Minister in charge of Uva Provincial Probation and Childcare subject.

12. A party not satisfied regarding a decision give under Section 11 can forward a request to the Minister in charge of Uva Provincial Probation and Childcare subject (hereinafter mentioned as the “Minister”) within a period of 30 days of that decision.

The decision of the Minister of Uva Province.

13. When a request mentioned in Section 12 is received, the Minister should hold an inquiry by a board of two Government Officers holding equal posts to that of the Provincial Probation Secretary or retired Government Officers who held similar posts regarding that appeal and necessary action under Sections 11(a), (b) or (c) should be taken by the Minister, The decision of the Minister in charge of the Uva Provincial Probation and Childcare subject is the final decision.

Manager should act on behalf of the Board.

14. The only person who has the capability to deal with the Provincial Probation and Childcare Department regarding all the affairs of the Children home is the Manager of that Children Home.

Instructions must be followed and orders should be implemented.

15. Instructions and orders given by the Provincial Probation Commissioner or another officer authorized by him regarding the welfare of the resident children of a children home or its management should be followed or implemented by the Manager, the Board and the staff of that children home as and when the occasions arises.

Information and Reports should be supplied.

16.1 The Manager of a certain children home can be ordered to supply some particulars or reports by a written notice by the Uva Provincial Probation Commissioner or another officer authorized by him within a period mentioned in that notice.

16.2 The Manager should refrain himself from supplying incorrect or false particulars when supplying the particulars ordered under sub-section 1 above.

Final Notice.

17. for not functioning according to Sections 15 and 16 above the Uva Provincial Probation Commissioner should take action to send notice under Registered Post to the Manager or the Board of a certain Children home as and when the occasions arise and the Manager or the Board should be ordered to take the necessary steps in the final days mentioned in that notice.

Explanations of the Manager for not functioning accordingly.

18. If the Manager or the Board of a certain children home fails to take action before the final date in that notice, mentioned in Section 17 a written notice explaining the reasons for not following the instructions should be sent to the Secretary of the Uva Provincial Probation and Childcare Ministry with a copy to the Provincial Probation Commissioner.

When complaints are received regarding the activities of Manager of children homes registered under this Statute the Probation Commissioner has the power to hold inquiries regarding them and the Managers of the children homes are bound to implement the decision taken.

An inquiry should be held by the Secretary.

19.1 After that explanation is received an inquiry should be held either by the Secretary of the Uva Provincial probation and Childcare Ministry or a board consisting of two persons held equal or higher posts to that of the Uva Provincial Probation Commissioner, and that Secretary should take one of the following actions :—

(a) Order the Manager or the Board to take steps under Section 15 or 16 within a definite period mentioned in the order,

(b) amend the instructions or orders given under section 15 and order the Manager or the Board to function accordingly.

(c) to inform that following the instructions or activities the orders given by the Uva Provincial Probation Commissioner or a certain authorized officer is not required or supplying the particulars or reports under section 16 is not required.

19.2 Before a lapse of 30 days from the date of request under section 16 is received, the Secretary of the Uva Provincial Ministry should send his decision to the Uva Provincial Probation Commissioner with a photostat copy to the Manager under Registered Post.

20. The decision of the Secretary of the Uva Provincial Ministry of Probation and Childcare Services is final and not implementing it is as offence.

That the decisions of the Secretary is final.

21. In an instance where the Manager or the Board of a certain children home breaches the regulations under sections 15, 16 and 19, the Uva Provincial Probation Commissioner should Appoint a Government Officer in the Executive Grade or a retired Governor officer who was in the Executive Grade or a well known Social Worker accepted by the Uva Provincial Probation Commissioner as the Competent Authority to maintain that Children Home.

Nullifying the Board of a children home and appointing a Competent Authority.

22. In an instance where a Competent Authority is appointed under section 21 the Uva Provincial Probation Commissioner should inform about that to the Manager in writing and the Manager should take action to hand over all the movable and fixed properties belonging to the children home to the Competent Authority. After the Competent Authority is appointed the Manager or a member of the controlling Board should not enter a land or a building if the children home and should not interfere with any of the functions of the Institute.

Handling over assests and not to inerefe.

23.1 Within a period of twelve months from the date of appointing a Competent Authority the Uva Provincial Probation Commissioner should summon all the members of the voluntary organization maintaining that children home in writing to meet to appoint a new Manager and a Board. The Uva Provincial Probation Commissioner should take section to appoint a new Manager and a Board by their secret Ballot.

Appointment of a new Manager and a Board.

23.2 All the movable and fixed properties of that children home should be handed over to the New Manager appointed under section 23.1 by the Competent Authority within 7 days of his appointment.

23.3 From the date the movable and fixed properties are handed over by the Competent Authority under subsection 2 the new Manager and the Board have the legal power to function in their posts and should perform their duties properly from that date.

24. A Manager or any member of a Board who has completed his service should not be re-appointed as a Manager or a Board member in any of another children home until a period of seven years lapses from the date of completion of his service.

Disqualifications.

25. (a) When the Provincial Probation Commissioner is informed by a notice that a meeting of a voluntary organization maintaining a children home, a resolution has been passed by a majority vote to the effect that the children home can not be maintained any further,

Cancellation of a registration of a children home.

(b) if it is not possible to appoint a Competent Authority under section 21,

(c) if the Management Board has not performed the duties as mentioned in section 7,

(d) if the Manager or the Board has not performed the duties according to the instructions and orders given by the Provincial Probation Commissioner or by any other officer authorized by him under section 19 and 23

the Provincial Probation Commissioner should take action to cancel the registration of the relevant children home after holding an inquiry.

Notice of
cancelling the
registration.

26. When the Uva Provincial Probation Commissioner decides to cancel the registration of a children home under Section 25 he should inform the Manager of the relevant children home about the decision by Registered Post within 30 days from the date he arrived at that decision.

Submitting an
appeal.

27.1 If the Manager of a children home is not agreeing with the decision given under Section 26 he should submit an appeal under Registered Post to the Secretary of the Provincial and Childcare Services Ministry with a copy to Uva Provincial Probation Commissioner within seven days from the date of that decision.

27.2 After an appeal is submitted under sub-section 1 the Manager and the Board have the authority to maintain the children home until a decision is taken according to Section 28 by the Secretary of the Uva Provincial Ministry.

Decision of the
Secretary.

28.1 When an appeal under section 27 is received by the Secretary of the Uva Provincial Probation and Childcare Services Ministry, he should follow one of the following procedures after an inquiry held by him or by a committee consisting of two persons holding equal or higher posts to that of the Provincial probation and Childcare Services Commissioner :-

- (a) confirm the cancellations of the registration;
- (b) postpone the cancellation of the registration for a maximum of 04 months until the decision of the Uva provincial Probation and Childcare Services Commissioner is carried out;
- (c) abolish the decision of the Provincial Probation and Childcare Services Commissioner regarding the cancellation of the registration.

28.2 The decision that will be taken by the Secretary of the Uva Provincial probation and Childcare Services Ministry should be informed to the Manager with a copy to the Uva Provincial Probation and Childcare Services Commissioner within three months from the date of receiving the appeal.

Procedure that
should be taken
when a
registration is
cancelled.

29.1 When the registration is cancelled under sections 25 and 28 the Uva Provincial Probation and Childcare Services Commissioner or a person authorized by him should take action to remove the children in that children home to another children home or hand over to parents or guardians or to transfer them to another Children home ordered.

29.2 In transferring a child to another children home the Uva Provincial Probation and Childcare Services Commissioner or the authorized officer by being vigilant of the child's religion should take every possible effort to transfer that child to a home of his religion having facilities for that child to involve in his religious affairs.

Handing over of
properties of a
registration
cancelled
children home.

30. The Uva Provincial Probation Commissioner or an officer authorized by him should take action to hand over the fixed and movable properties provided by the Government and the Uva Provincial Council to a Children home of which the registration is cancelled to another children home decided by the Uva Provincial Probation Commissioner.

Establishment of
a Provincial
Probation and
Childcare
Services
Department

31. to accomplish the purposes of this Statute a Department of Uva Provincial Probation and Childcare Services should be established.

32.1 An Uva Provincial Probation and Childcare Services Commission should be appointed for the administration and supervision of the Uva Provincial Department of probation and Childcare Services, Commission. He should be an officer in Grade I Sri Lanka Administrative Service and must be appointed the Governor of Uva Province.

Provincial Probation Commissioner and the staff.

32.2 An Uva Provincial Commissioner's office should be established to assist the Uva Probation and Childcare Services Commissioner with a field staff including senior Probation officers and Childcare Officers and an adequate staff to perform the duties assigned. Divisional Officers managed by Probation Officers should be established at Judicial Division levels considering the necessity and such Probation Offices should perform their duties under the direct supervision of the Uva Provincial Probation and Childcare Services Commissioner.

32.3 For the welfare of the orphaned, abandoned and destitute children, institutes such as —

- (1) Voluntary children homes ;
- (2) Certified Schools ;
- (3) Detention Houses

should be established and officers needed to administer them should be appointed, Officers of these institutes should work under the supervisions of Uva Probation and Childcare Services Commissioner.

Provincial Children Homes admitting children.

33. A Provincial home admitting children (hereinafter mentioned as “admitting Home”) with an adequate staff to provide protection for orphaned, abandoned and destitute children under the age of 05 years should be established. That home will come under the administration of the Provincial Probation and Childcare Services Department.

33.1 There should be an agreement regarding the number of children that can be admitted and if the number staying is less than that children directed by the Department or the Judiciary to be admitted.

34.1 A person having information about an orphaned, abandoned and destitute child less than 05 years of age, he should inform about that to the officer in charge of the Police Station or to any Police Officer, or an officer in the Department of Uva Provincial Probation and Childcare Services or the Grama Niladhari of the area in which that person is residing.

Supply of particulars regarding orphaned abandoned destitute children.

34.2 The officer receiving information regarding an orphaned or abandoned or destitute child of less than 05 years of age should take steps to admit that child to a Government Hospital.

35.1 If a child admitted in to a hospital under section 34.2 does not need medical treatments the Medical Officer in charge of that hospital or any other Medical Officer authorized by him should admit that child into a home admitting children in that area on the approval of the Uva Provincial Probation and Childcare Services Commissioner.

Should be admitted to a home.

35.2 When a Judicial order is required in respect of such a child the Medical officer in charge of the hospital or another officer authorized by him should take action to inform the relevant Police Station.

36. Before removing a child who has become orphaned, abandoned and destitute soon after the birth from the hospital the Medical Officer in charge of the hospital or another officer authorized by him should take the first step required to register his/her birth.

Birth to be registered.

Investigation Report to be forwarded.	37.1 A detailed report of every child admitted to an admitting home should be forwarded to the Uva Provincial Probation Commissioner by the Probation Officer in charge of the Division or any other officer authorized by the Provincial Probation Commissioner within 30 days from the date that child is admitted to the home.
Admitting other than the children directed by the judiciary and the Department.	<p>Approval of the Uva Provincial Probation Commissioner should be obtained when admitting children other than the children directed by the Judiciary or the Department.</p> <p>37.2 Settlement affairs of the child admitted to the admitting home should be done by the Uva Provincial Probation Commissioner in this respect he can obtain the assistance of the Settlement Committee appointed under section 38,</p>
Settlement Committee.	<p>38.1 The Settlement Committee should consist of the following members appointed exofficio :-</p> <ul style="list-style-type: none"> (a) The Uva Provincial Probation Commissioner should be the President of the Settlement Committee. (b) Provincial Headquarters probation Officer. (c) Probation Officer in charge of the station. (d) Matron in charge of the station. (e) Assistant Matron. <p>38.2 When transferring a child in a voluntary children home an admitting home the Manager of the home should act according to the orders of the Uva Provincial Probation Commissioner.</p> <p>38.3 In respect of children in a voluntary children home a Settlement Committee should be functioned once in three months with the participation of the Uva Provincial Probation Commissioner or an officer authorized by him.</p>
A child should not be raped or abducted.	39. Any child in a children home or a Provincial home admitting children should not be subjected to any improper influence such as raping or abduction, cruel treatments, humiliation excessive employment in labour etc., by the Manager or any member of the staff of the home.
Offencees	<p>40.1 Any person —</p> <ul style="list-style-type: none"> (a) neglecting to supply a particular information or to submit a report on an order given under this Statute. (b) intentionally including false statements in an information or a report submitted ; (c) breaching an order or a regulation given under the regulations of this Statute <p>will be an offender for an offence under this Statute.</p> <p>40.2 If regulations to enact especial punishment for a person doing an offence under this Statute are not provided, he is an offender for an offence, and when convicted by a brief court inquiry before a Magistrate will be subjected to all fine not less than Rs. 5,000 or an imprisonment not exceeding six months or both the fine and the imprisonment. Such penalized institutes will be included in the black list.</p>

40.3 When an offence under this Statute is done by a group of persons –

- (a) if that group of persons is a Corporation all the Directors and Officers in that Corporation,
- (b) if that group of persons is a business institutes all the shareholders of that business institute,
- (c) if that group of persons is the Management Board of a children home, all the members of that staff,

41.1 The Provincial Council of Uva should allocate adequate funds annually to the Uva Provincial Department of Probation and Childcare Services to activate the regulations in this Statute.

Allocations of funds to Department of Probation and Childcar Services.

41.2 Funds provided by the Government and other sectors to the Uva Provincial Probation and Childcare Services Department can be utilized to perform the activities of this Statute.

41.3 Records must be maintained regarding all the funds received from local Organizations or individuals and all the funds received from foreign organizations and abroad to an admitting home and such records should be submitted to the Uva Provincial Probation Commissioner monthly. Uva Provincial Probation Commissioner or an Officer authorized by him should be entitled to investigate such funds.

41.4 Income received by marketing the products created by the children in Institutes managed by the Uva Provincial Probation and Childcare Department can be credited to this fund. This fund is controlled under the Uva Provincial Probation Commissioner. Approval of the Secretary of the Ministry in charge of the subject should be obtained to utilize the money in this fund. This money can be used only for the welfare activities of the children in those institute. This fund is subjected to the auditing of the Government and the Annual Statement of Accounts should be forwarded to the Auditor General.

Maintining a fund.

42.1 The Provincial Probation Commissioner should pay an amount calculated annually to the Manager of the relevant home for the maintenance of every child receiving protection in a children home registered under this Statute.

Payment of Maintenance.

42.2 Annual Statement of accounts of a children home submitted by voluntary organizations of a children home at a General Meeting should be prepared by an auditor or an Accountant recognized by the Government. This Statement of Accounts should be forwarded to the Uva Provincial Probation Commissioner on or before the 1st of March every year by the Manager.

43.1 Orders can be formulated by the Minister in charge of the Uva Provincial Probation and Childcare Services subject implement and authorize the regulations in this Statute and they should be forwarded to the Provincial Cabinet for approval.

43.2 If any one of the orders submitted for approval is not approved it can be considered as rescinded from the date of that decision, but, no damage should happen to any thing done earlier under that,

44. The Financial Year is the Calendar Year and the auditing affairs of this Department will be subjected to the auditing of Auditor General Department and the internal Auditing Director of the Uva Provincial Council and should be according to section 23 of Provincial Council Act, No. 42 of 1987.

Financial Year and auditing.

45. If unless another meaning is required regarding the verse in this Statue —

Interpretation.

By the “Provincial Council” Uva Provincial Council is meant.

By the “Uva Province” the two Administrative Districts of Badulla and Moneragala is meant.

By the “Governor” the Uva Provincial Governor is meant.

By the “Minister” the Minister in charge of the Probations and Childcare subject of the Uva Provincial Council is meant.

By the “Commissioner” the Commissioner of the Probation and Childcare Services Department of the Uva Provincial Council is meant.

“Abduction” has the same meaning given to it in the Penal code.

“Rape” has the same meaning given to it in the Panel Code.

“Abandoned” has the same meaning given to it in the Orphanage Act, (in chapter 142).

By “Settlement Committee” it is understood, handing over a child residing in a children home or a Provincial Admitting home to his parents, guardians, a relative or any other suitable person or socialising in some other way for the benefit of the child.

Discrepancy.

If there is a discrepancy among the Sinhalese, Tamil and English definition or verses of this Statute, the Sinhala Definition and version should be in force.

Annexure I

STIPULATION OF GENERAL STANDARDS TO UPLIFT THE SERVICE CONDITIONS OF VOLUNTARY CHILDREN HOMES

Volunteer Organizations are performing a noble service by providing safety, protection and welfare of the orphaned, abandoned and destitute children admitted to Volunteer Children Homes and by maintaining these homes under various difficulties. By deciding the minimum service standards that should be available in children homes maintained by these volunteer organizations along with the aids from the Government General standards recommended and approved by a committee appointed by the Uva Probation and Childcare Department for the necessity to uplift these service conditions further are mentioned below.

As the Uva Provincial Probation and Childcare Department is concerned with the maintenance of these general standards required to provide a maximum service to every child when approving maintenance aids and appropriate aids, it is kindly informed to take necessary steps to provide the relevant service standards.

01. Standards Regarding Buildings and Surroundings

- 1.1 There should be 36 sq.ft. sleeping space per child in the building.
- 1.2 Additional space to have meals, to study, to rest and to meet visitors should be there in the building.
- 1.3 Doors and windows should be 1/7th of the square area to receive sunlight and ventilation.
- 1.4 There should be separate space for the employees.
- 1.5 Buildings should be maintained cleanly and nicely and the compound to be kept useful to the home and attractive.
- 1.6 Supply of water should be adequate enough to meet the needs of the home.

- 1.7 If water is supplied from a well it should be protected.
- 1.8 Bating facilities should be there for the children and staff with sufficient safety and protection.
- 1.9 There should be a lavatory for every 10 residents.
- 1.10 Lavatories and drains should be cleaned frequently applying germicides.
- 1.11 Illuminations during the night should be provided to meet the needs of the entire home.
- 1.12 Safety lamps must be adopted if kerosine lamps are used.

02. Standards Regarding Meals

- 2.1 Meals supplied to the residents should be balanced and nutritious and with specified quantities.
- 2.2 Meals lists should be prepared and kept according to different age groups.
- 2.3 A Register showing varieties and quantities of meals given day to day must be kept.
- 2.4 Rice, coconuts, sugar, flour and species required at least for a week and vegetables sufficient for 03 days should be kept stored.

03. Standards regarding Cloths of Children

- 3.1 Every Child should be provided with a blanket and a towel.
- 3.2 A child should have at least 02 sets of cloths to be worn in the home, 02 sets of uniforms for a child attending school, 01 set clothes of a good quality to be worn for ceremonies etc.,
- 3.3 Shoes and socks should be supplied according to the accepted requirements of the school attended by the children.

04. Standards Regarding Equipment

(a) Furniture :

- 4.1 A separate cupboard for every child above 06 years of age to keep personal items such as clothes, books etc., should be there.
- 4.2 Almirahs generally to keep clothes and other equipment of children under 06 years should be there.
- 4.3 If there are beds for every child to sleep at least a mat or a piece of canvas and a pillow must be available. Efforts must be taken as early as possible to provide beds for children on aids of donators.
- 4.4 There should be tables and chairs sufficient enough for the number of residents in the dining and or reading halls.

(b) Chinaware :

- 4.5 Every child above the age 01 year should have a plate and a cup that can be cleaned easily.
- 4.6 Infants should have feeding bottles and necessary teats.
- 4.7 There should be common items and culinary utensils sufficient enough for all the residents and the staff.

(c) Educational facilities :

- 4.8 Children should be provided with books and utensils as ordered by the schools attended by them.
- 4.9 Library facilities should be made available for the children to read during their leisure times.
- 4.10 Regulations should be there to provide daily newspapers and children newspapers issued weekly.
- 4.11 Item for entertainment affairs should be provided sufficiently.

(d) Supplying the following items is very important to improve children's born fondnesses and to make use of their leisure times properly :—

4.12 A radio.

4.13 Musical items.

4.14 At least one toy for every child under the age 03 years.

4.15 Items required according to the children's desires to spend their leisure times.

(f) *Sports facilities and equipment :*

4.16 There should be a playground for outdoor games large enough for the number of residents in every home,

4.17 If there is no playground owned by the home action should be taken to make use of a common or school playground situated externally to the home,

4.18 Action should be taken to obtain outdoor sports equipment sufficient enough to the home,

4.19 Action should be taken to obtain indoor sports equipment sufficient enough to the home.

05. Service Standards

Providing safety and protection of the children residing in homes the following services of the children home should be performed for their welfare :

(a) *Management Committee :*

5.1 The Management Committee should meet at least once a month and should meet once in three months in the home itself,

5.2 Systematic plans should be prepared regarding obtaining funds required to maintain the children home, management and settling affairs of children.

5.3 Required arrangements should be made to maintain the home according to the rules and instructions of the Department and to supply the reports continuously that should be supplied from time to time.

5.4 Manager and the staff should be of good character.

5.5 Arrangements should be made to forward a statement of Accounts certified by a recognized Auditor to the Department by the Manager before the expenditure of appropriate and maintenance aids given by the Department as specified and the payment of annual Government aids. If there is a difficulty in finding a registered auditor for this purpose, it can be done by an officer named in the Civil Life .

5.6 The following registers should be kept in the home:—

- * Admission Register
- * Daily attendance Register
- * Accounts Books
- * Log Book (for Department's Officers)
- * Visitors' Book
- * Files for residents (separate files for each resident)
- * Items list Book
- * Meals note Book.

5.7 entering every utensil and equipment given by the Department in the Items list book and subjecting them for Annual Verification should be done.

(b) *Staff standards :*

Everybody in the staff of the children home should participate in the Training Course organized by the Department. Before the end of 1987 Guardian mother/father, Assistant Guardian mother/father in every home should be persons who have received this training.

5.8 There should be a trained Guardian mother/father in every children home in addition to the Department training the Guardian mother/father should have the following qualifications :

- (i) Passed the G.C.E. (Ordinary Level) (not applicable to persons at present).
- (ii) Above the age of 25 years (having a training regarding children affairs).
- (iii) Having a good behaviour.

5.9 Every Guardian mother/father should reside in the children home itself.

5.10 For every 05 children under 02 years there should be one house mother.

5.11 For 10 children in the age 2-6 years there should be one house mother.

5.12 For every 25 children above the age of 06 years there should be a guardian mother/father and an Assistant house mother/house master.

Qualifications for a House mother/House master :

- (i) Passed Grade 8(not applicable to present persons) ;
- (ii) Above 21 years of age (if the adult children in the home is employed for this purpose should have completed 18 years of age) ;
- (iii) Be of good behaviour ;

In addition employees required for cooking meals and cleaning the surroundings should be enrolled. If employing a permanent person for watcher duties and garden work he should be of good character and above the age of 45 years.

(c) *Standards of additional Service facilities :*

5.13 The children home should be established in a place not far from health and Medical centres.

5.14 Necessary arrangement should be made with a Health Services Department or a private doctor to visit the children home from time to time to examine the children regarding their health and medical requirements and also to take the children to those centres for treatments.

5.15 Programmes must be implemented for immunisation necessary for children.

5.16 Children without birth certificates should be shown to the closest Government doctor through Probation Officers in charge of the Division and probable age certificates obtained.

5.17 When admitting to a children home a medical report should be obtained for each and every child and every child should be subjected to an annual medical examination and that must be noted in that child's personal file. Arrangements should also be made to note the child's height weight, identification marks etc., in that file.

5.18 Actions should be taken to send children suffering from mal-nutrition according to medical reports to nutrition centers after receiving instruction of the Assistant Commissioner.

(d) *Standards of educational services :*

- 5.19 Action should be taken to send every child above 06 years of age to a recognized school.
- 5.20 Arrangements should be made to send all the children less than 06 years and more than 03 years of age to close pre-school classes or to conduct such classes for them.
- 5.21 Sufficient time should be allocated daily in the children home time table for studying and playing.
- 5.22 Arrangements should be made to provide a certain kind of vocational training for children.
- 5.23 A programme should be arranged to provide a vocational training specially for children above the age of 14 years who could not achieve successfully results from school education or having a fondness or skill for special. trends Instructions can be obtained from the Assistant Commissioner in charge of the Division to send the suitable children to children homes with special vocational training centres inaugurated with the aids of the Department. A Register of names of those centers is with annexure 2 together with this.

(e) *Special Services relevant to the Progress of Children :*

- 5.24 As from the time of admitting a personal file should, be maintained so that notes are kept for each child. In this, once a month regarding weak children once in 06 months regarding other children remarks should be entered. The following should be included in the files of each child.
- 5.25 Birth Certificate and School Certificate. If the Birth Certificate is not available action should be taken to obtain probable age certificates with the Probation Officer in charge of the home.
- 5.26 Child's height, weight and other medical information (once in 06 months regarding children under 02 years of age).
- 5.27 Remarks regarding child's physical, mental and spiritual behaviour should be noted.
- 5.28 Remarks regarding meetings with parents guardians should be noted.
- 5.29 Remarks regarding Establishment Committee special decision should be kept.
- 5.30 When a problem arises regarding the behaviour on immunisation days, it should be discussed with the Probation Officers and if required, a method to provide special treatments should be arranged and details regarding it should be noted.

06. Establishment

The management Committee of the children home should take every effort possible to provide safety and protection necessary for every child admitted to the home and to establish the child as early as possible enabling him to inter-mix with the society again. While shortening the period of made in residing in the home is beneficial for the child himself in one hand, it will make it easy to take action to provide opportunities for the number of children increasing daily that should be admitted afresh on the other hand. Establishment is planning to provide benefits for the future of children in at least one of the ways mentioned below after apprising regarding the resident children from time to time.

- 6.1 To hand over every child back to existing or traceable parents guardians if there are no special difficulties.
- 6.2 Even if the parents guardians are existing and in instances where they can not deal with the child to keep with some other suitable persons.
- 6.3 Orphaned, abandoned or destitute children or suitable children who have received written consent of the parents to be given for legal adoption.
- 6.4 Handling over to feeder parents so as to provide short-term or long-term welfare of a child.

- 6.5 Select foster parents who can provide aids for the welfare of the child.
- 6.6 Provide employment.
- 6.7 Provide some kind of vocational training enabling to do a job.
- 6.8 Give in marriage.
- 6.9 Before transferring children residing in a home with the approval of the Department to another children home or sending away from the home by whatever method prior approval of the Probation and Childcare Commissioner should be obtained. The meeting of the Establishment Committee consisting of the following persons appointed to perform all the duties should be held once in six months and action regarding each child should be taken according to the decisions take therein.
 - (i) Probation and Childcare Services Assistant Commissioner of the area/Probation officer in charge of the home.
 - (ii) Manager of the Management Board/a representative.
 - (iii) Caretaker of the home/house master.

Approval should be obtained after informing the Probation and Childcare Services Commissioner regarding the children that should be kept in the home for more than 03 years of the children residing in the home decided at the Establishment meeting 03 months before the lapse of that 03 years, if not, maintenance aids will not be paid for them.

07. General matters

- 7.1 A suitable atmosphere and a programme should be set to worship the religion of each child in all the home.
- 7.2 It is proper to arrange programme to take all the children in big or small groups for educational /pleasure trips once in several months. (It is very much proper to arrange this programme according to the instructions given in the course followed at the Social Services Colleg) Under this method the children can be taken to view places with educational or cultural values around the children home or far distant.)
- 7.3 It is better to maintain by scouts/girl guides teams in every home.
- 7.4 Programme should be arranged to improve connections with parents guardians of children.
- 7.5 The Minister in charge of Probation and Childcare affairs has the constitutional power to appoint an advisory Committee to inspect children home occasionally and give proper instructions. for this, names of two or more outside persons having a knowledge regarding children welfare and showing an interest in children home affairs should be forwarded to me through the Assistant Commissioner of the Divisional and approval obtained. They should be provided with facilities to check the affairs in the home and submit instructions.
- 7.6 All the money and the item received as local or foreign aids to the children home be properly noted in the Accounts books.
- 7.7 My prior approval should be obtained regarding all the transactions and connections expected to be done by the Voluntary children homes with foreign institutes and such dealings maintained at present should be reported to me.
- 7.8 Children in all the Children homes should be separated in to groups to improve the feelings regarding their responsibilities and obligations and to practice in collective affairs.
- 7.9 The Department is compelled to take strong actions when children homes are maintained unfavourably to children without a satisfactory management. When such an unsatisfactory situation remains, and if action is not taken to improve the situation in accordance with the notifications done by the Department to uplift the

situation back to normal, the Department will be compelled to adopt a legal procedure under the Orphanage Ordinance to close down those children homes and transfer the children to other children homes.

Uva Probation and Childcare Commissioner.

Annexure - 02

Name of Vocational Training Centre

Address

S. O. S. Children Village

P.O. Box.01,
Kumarawatta, Moneragala.

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