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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

NORTH CENTRAL PROVINCE PROVINCIAL COUNCIL

North Central Provincial Environment Statute No. 06 of 2009

I certify hereby that the draft of the above mentioned Statute, North Central Provincial Environment Statute No. 06 of 2009 meant for the conservation of the environment within the province under the limitations mentioned in Item 3 in the list No. 1 (Provincial Council List) in Schedule No. 9 by which the power has been given to the established Provincial Councils under Section xvii(a) added to the Constitution by the 13th Amendment to the constitution of Sri Lanka, was adopted at the Provincial Council meeting held on March 08, 2011.

4th April, 2011.
Office of the Chairman,
North Central Province Provincial Council.
Anuradhapura.
Certificate was noted by me on June 03, 2011.

P.B .DISSANAYAKA ,
Chairman,
North Central Province.

Karunaratna Divulgane,
Governor,
North Central Province.

THE ENVIRONMENTAL STATUTE OF THE NORTH CENTRAL PROVINCE OF THE NORTH CENTRAL PROVINCIAL COUNCIL
BEGRIME No. 28

The Statute for the establishment of a Environmental Authority for the North Central Provincial for instituting arrangement pertaining to the duties and powers for improving protecting and main power of the Environment for systematize maintenance and administration of the Environment, in terms of the power vested in the North Central Provincial Council for the preservation of the environment within the Council jurisdiction subject the limitations, limit item No. 37 of the list No. 01 of the Schedule No. 9 which granted power to the Provincial Council established under Section 154(a) of chapter xvii supplemented to the constitution by 13th amendment of the constitution of Sri Lanka.

Such Authority, functions and duties and also for the management and conservation of environment for systemizing of the environmental conditions maintenance and administration of it.

The short title
and the date of
operation

Establishment of the authority 0.1 This Statute will be cited as the North Central Provincial Environmental Authority, No. of 2009 and shall come in to effect on such date being approved by the North Central Province Governor

Chapter 01

02. (1) For the purpose of the functions of this statute an Authority cited as the North Central Province Environmental authority should be established, which will be cited by the short title, such as provincial authority.
- (2). The Provincial Authority established under sub section one shall consist of the persons who are for the time being members of the authority under sub- section one of the section 3
- (3) The Provincial Authority shall be a body corporate and shall have perpetual succession and may sue or be sued in such name.

- The Board of Directors and the Secretary of the Provincial Authority.
03. (1) The Board of Directors of the Provincial Authority should consist of members appointed by the subject minister:-
- (a) There should be five members conversant in environment, law, management planning and administration,
 - (b) One of the other members should be the Chief Secretary or any senior officer he has nominated specially on his behalf,
 - (c) One member should be the Secretary of the Provincial Environmental affairs Ministry or any senior officer nominated by him specially on his behalf,
 - (d) One member should be the Secretary of the Provincial Finance Ministry or any senior officer nominated specially by him on his behalf,
 - (e) One member should be the Deputy Inspector General of Police North Central Province or any senior officer nominated by him specially on his behalf,
 - (f) One person out of these members of the Board of Director, will be the Appointed chairman of the Provincial Authority by the subject minister
 - (g) One person out of the rest of Directors will be appointed the Working Director of the Provincial Authority
 - (h) When the Chairman of the Provincial Authority failing to discharge his duties pertaining to his office due to falling sick, or any other disability owing to absence in the country or any other reason the Subject Minister may appoint, one member of the Board of Directors to act for the post of Chairman.
- The appointment of the Chairman of the Provincial Authority
- The appointment of the working Director of the Provincial Authority
- (2) The Chairman of the Provincial Authority when shall chair the meetings of the Provincial Authority whenever he is present at such meeting.
- (3) When the Provincial Authority decides that a meeting deemed necessary the authority shall meet accordingly.
- (4) A person chairing a meeting of the Provincial Authority shall in addition to his vote, have the privilege of a deciding vote.
- The appointment of the Secretary of the Provincial Authority
- (5) On the instructions of the subject minister the Chairman shall appoint the Managing Director appointed in accordance with the provisions of this statute or the officer holding his office to the Post of the Secretary of the Provincial Authority.

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| <p>(6) The quorum of meeting of the Provincial Authority shall be three members.</p> <p>(7) Although there could be a vacancy of a member of the Provincial Authority could proceed irrespectively and due to the reasons that a vacancy of a member existing, any discrepancy in the appointment of or in nominating a member is the Provincial Authority, any act or a performance of it wouldn't become invalid or shall not be considered invalid, alone on such reasons.</p> <p>(8) The Chairman, working Director any of the Directors or the Secretary of the Provincial Authority could be paid a certain remuneration and other allowances that could be decided with the agreement of the Subject Minister, by the Minister from the fund of the Provincial Authority.</p> <p>(9) The Provincial Authority shall institute rules subject to the Provisions of this statute regarding the meetings of the Provincial Authority and the system of conducting such meetings.</p> | <p>The quorum of meeting of the Provincial Authority.</p> <p>The allowances to the Board of Director and the Secretary.</p> |
| <p>04. (1) The seal of the Provincial Authority should be kept in the custody of its secretary.</p> <p>(2) The preparation or the making charges to the seal could be executed as decided by the Provincial Authority.</p> <p>(3) The Seal of the Provincial Authority shouldn't be placed on any document or an instrument except in the presence of the Chairman of the Provincial Authority or a member of the Authority and as for the evidence that they were present either the Chairman or the particular member shall put his signature on the said document or the register.</p> | <p>The seal of the Provincial Authority .</p> |
| <p>05. (1) The Provincial Authority shall have its own fund and there shall be credited to the fund of the Authority:—</p> <p>(a) All such allocations as may be voted by the Provincial Council of the North Central Province for environmental affairs;</p> <p>(b) All such allocations as may be received by the Provincial Authority in the exercise discharging and performance of its powers, functions and duties;</p> <p>(c) All such money as may be received by the Provincial Authority in the form of loans, donations, gifts or grants from any source whatever whether in Sri Lanka or with concurrence of the Sri Lanka Government outside the country; and</p> <p>(d) All such sums of money as may be received by the Provincial Authority as fines or charges in discharging its powers.</p> <p>(e) Receive funds from government or central environmental authority or other government institution and</p> <p>(f) All such funds as may be received by the local or foreign or other donations or revenue shall be credited to the fund of the authority.</p> <p>(2) There shall be paid out of the fund of the Provincial Authority all such sums of money required to defray any expenditure incurred by the Authority in the discharge exercise and performance of its powers, functions and duties.</p> <p>(3) The initial capital of the Provincial Authority shall be 5 Million Rupees credited to the fund of the Provincial Authority from the Provincial Council Fund.</p> | <p>The fund of the Provincial Authority.</p> |
| <p>06. (1) The financial year of the authority shall be the calendar year.</p> <p>(2) The Authority shall cause proper books of accounts to be kept of the income an expenditure assets and liabilities and all other transactions of the Authority.</p> | <p>The financial year and the auditing of the Provincial Authority.</p> |

- (3) The Auditor General shall audit the accounts of the Authority in every year.
- (4) Subsequently the Auditor General or the relevant public official relevant to the North Central Provincial Council on his behalf may submit a report containing his observations to the Provincial Council at the end of each calendar year.

Provincial
Environmental
Advisory
Council.

07. (1) There shall be established a Provincial Environmental Advisory Council hereinafter referred to as “the Advisory Council” which shall consist of the following members appointed by the Secretary of the particular Ministry on the instructions of the Subject Minister:—
 - (a) Secretary of each and every Provincial Ministry of the North Central Province Provincial Council or a senior officer of each Ministry being nominated by the Ministry's Secretary;
 - (b) The all Divisional Secretaries in the North Central Province;
 - (c) A senior officer of the Ministry of Environmental Affairs and Natural Resources;
 - (d) A senior officer in the Ministry in charge of the Environmental affairs;
 - (e) A senior officer in the Ministry in Charge of Physical Planning;
 - (f) A senior officer in the Ministry in Charge of Agriculture and Agrarian Services Department;
 - (g) The Officers in Charge of the Districts in the North Central Province of the Archaeological Department or two senior officers nominated by them;
 - (h) A senior official of the Indigenous Medicine Ministry;
 - (i) The North Central Local Government Commissioner or a senior officer especially nominated by him;
 - (j) The North Central Land Commissioner or a senior officer specially nominated by him;
 - (k) A senior official of the Ministry in Charge of the Mahaveli Development Project;
 - (l) The Provincial Managing Director of the National Aquatic Development Authority or a senior officer specially nominated by him;
 - (m) The Provincial Director of the Urban Development Authority or a senior officer nominated by him;
 - (n) The Deputy General Manager of the CEB in North Central Province or a senior officer specially nominated by him;
 - (o) The Deputy General Manager in the North Central Province of the Water Supply and Drainage Board or a senior officer nominated by him;
 - (p) The District Officers of the Geological Surveys and Mines Bureau or a specially nominated senior officer;
 - (q) The Heads of the Government Provincial Councils or any other institute (at a special occasion where the Subject Minister considering that the expertise of such an officer is required);
 - (r) In appointing the officers attached to the Governmental or statutory institutes they shall be appointed with the relevant Ministry agreeing for such act.

The functions of the Advisory Council shall be generally to advise the Provincial Authority on matters pertaining to its responsibilities, powers and functions and also to advise or investigate and report on or make recommendations in respect of any matter referred to the Advisory Council by the Provincial Authority and the Provincial Authority has the power to take decisions on such matters.

- (2) The members of the Advisory Council could be paid remuneration or allowances decided by the Provincial Authority with the consent of the Finance Subject Minister from the fund of the Provincial Authority.

08. (1) A person shall be disqualified from being appointed or from continuing as a member of the Provincial Authority or the Advisory Council—

- (a) If he/she becomes a member of the Parliament, the Provincial Council or any other Local Government Body;
- (b) If he/she is a ceased to be a Citizen of Sri Lanka;
- (c) If dismissed by the Subject Minister transferred or any other reason; or
- (d) If the official designation which has been instrumental for the person to become a member is changed due to a transfer or any other reason;
- (e) A person appointed to the Provincial Authority or to the Advisory Council respectively in terms of section 3(1) and section 7(1) if not disqualified and referred above his /her membership is valid for a term of three years;
- (f) If a member becomes disqualified in terms of Section 8(1) before the expiry of the 3 years office term the Subject Minister may appoint in his place another person out of those referred to in sections 3(1) or 7(1) for the balance period out of the three years term.

Disqualifications of the members of the Provincial Authority or the Advisory Council.

08. (2) No act or any proceeding of the Provincial Authority or the Advisory Council shall become invalid by the reason only of the expiry of the term of office of a member or members or a defect in the process of appointment of a member and such an expiry or a defective matter shall have no effect on the activities of the Provincial Authority or the Advisory Council and shall continue.

The expiry of the period of office is not effecting the functioning of the Authority.

- (3) When the secretary of the Provincial Authority and the advisory council, due to leaving the country, falling sick or any other reason becomes unable to discharge his duties relating to his office the Subject-Minister may appoint to that post the next Senior Officer or the officer acting for the post on temporary basis.

Covering of duties of the post of the secretary.

- (4) Any member of the Advisory Council or the Board of Directors, who is not belonging to any Ministry or a department relevant to his appointment may resign by informing the subject minister.

09. The Provincial Authority in discharging its powers under this statute shall implement them in conformity to the provisions issued from time to time by Subject Minister.

10. (1) Regional nature clubs should be carried out under the guidance of all the executive officers of Provincial Administrative Authorities.

- (2) Apart from the current powers of the nature clubs the additional powers that have been created by the Provincial Environmental Authority, should be carried out.

Divisional Environmental Committee.

Chapter II

The powers and
duties of the
Provincial
Authority

11. (i) The Provincial Environmental Authority in discharging its powers under the statute shall implement them in conformity to the provisions issued from time to time by the Secretary of the Ministry on the instructions of the Subject Minister:—

- (a) The implementation of provisions of this statute and the order issued under them.
- (b) The amendments to be made or rules to be drafted that may be necessary for the planning of the conservation of soil, conversation of forests, prevention of pollution of air, water and land and for the planning of in the use of air, water and land within the province and to draft the amendments of constitution and the rules on the instructions of the Subject Minister and submission of such constitutional amendments and rules.
- (c) To require any Local Authority within the North Central Province to comply with and give effect to any recommendation relating to environmental protection within the limits of the jurisdiction of such Local Authority and in particular any recommendations relating to all or any of the following aspects of environmental pollution. Conducting surveys and investigations as to the cause nature and the extension and the steps to be taken for the prevention of pollution and the appointment of investigating or serving boards and appointment of special committees which would be able to assist the Provincial Authority in discharging its functions, with the concurrence of the Provincial Subject Minister.
- (d) To specify standards, norms and criteria for the protection of beneficial uses and for maintaining the quail of the environment.
- (e) The publication of books, documents handouts, notifications advertisements, reports and information relating to the environmental protection and management.
- (f) To undertake investigations and inspections to ensure compliance with this statute and the rules instituted there under and also to investigate and inquiry in to the cases of noncompliance with such provisions.
- (g) Determination of methodologies for undertaking investigations referred to in above subsection (f) and to engage persons, officers or any person decided upon by the Provincial Authority to assign the task.
- (h) Providing information's and education to the public to make them aware of protection .
- (i) Improve ties with local and foreign agencies engaged in the protection of the environment and management and implementing the educational exchange programmers with such organizations.
- (j) Drafting of long or short-term plans for the protection and the management of the environment and planning and implementation of procedures meant for encouraging the public or the institutes to take to the conservation of the environment.
- (k) To plan and carry out all steps necessary to prevent the discharge of wastes and pollutants in to the environment and the protection and the improvement of the standard of the environment.
- (l) To require any Local Authority within the North Central Province to comply with and give effect to any recommendation relating to environmental protection within the limits of the jurisdiction of such Local Authority and in particular any recommendations relating to all or any of the following aspects of environmental pollution:—

- (i) The prohibition of unwarranted discharge, emission or deposit of litter, sewage or any other waste matter and the enforcement of managerial orders;
- (ii) Prevention of discharging of untreated sewage, litter or other waste or industrial affluent of toxic chemicals or carbonic smoke in to soil, canals and water resources or emission of air or smoke consisting of particles of waste detrimental to environment and public health and the enforcement of managerial orders;
- (iii) The prohibition of the exhibition of posters or bills on walls or buildings or other unauthorized places and the regulation of erecting of advertising pillars or hoardings;
- (iv) The prevention of defacement of scenic places, public property or historical ruins. The control of the atmospherically sound and land pollution and enforcement of managerial orders;
- (v) The prohibition of the storage, transport and disposal of any material hazardous to the health and the environment and the enforcement of the relevant orders;
- (vi) The prevention of damages to the plants and trees grown or in the process of growing along the wayside or in parks or in any other public places the making of arrangements for the protection and the maintenance them in the proper condition and beautification, the implementation of recommendations and proposals made for promoting such protection and effecting the relevant management orders therein.

- 11 (1) The Provincial Authority may issue an special or general order for the implementation or for getting implemented any act or function within the imits of a particular local government institute meant for the protection conservation or the improvement of the environment when the Provincial Authority has decided to do so.
- (2) In the event of such orders being issued the particular local government body shall act according to such orders.

The power to issue orders to the local government bodies.

Chapter III

Staff of the Provincial Authority

- 12 (1) (a) The Subject Minister shall appoint a person well conversant in environmental affairs and holding qualifications in the environment subject as the General Manager of the Provincial Environmental Authority. The said person would be appointed out of those possessing a degree in Environmental Management, Botany, Zoology, Biology, Geography or professional qualifications (the state employees with such qualifications could be appointed on seconded or attachment basis).
- (2) (a) The Chief Executive of the Provincial Authority is the Chairman and the direction of the activities of the authority organization and the activation also the administration and controlling of the staff of the Authority shall be in Charge of the Chairman.

General Manager.

The Chief Executive Officer of the Authority .

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| The Managing Director or The Secretary have no voting rights at the meeting | <p>(b) The Managing Director of the Provincial Authority will act as the Secretary of the Provincial Authority. Though he is entitled to attend to the sessions of the Board of Directors and the Advisory Council he is not entitled to vote at these meetings.</p> <p>(c) The period of the office of the Secretary of the Provincial Authority and the Advisory Board shall remain until such time he works holds his official designation.</p> |
| Other staff | <p>13 (1) For the purpose of discharging the powers and performing the functions of the Provincial Authority efficiently, the Provincial Authority may recruit the necessary staff in accordance to the recruitment produce of the authority.</p> <p>13 (2) The staff of the Authority shall be remunerated or paid allowances as may be determined by such regulation and as may be prescribed by the Provincial Authority in accordance with the ratio decided by the Authority.</p> <p>13 (3) At the request of the Provincial Authority any officer in the Public or the Local Government or the Provincial Council Service could be appointed to the staff of the Provincial Authority depending on the approval or the release by the Secretary of the Authorized body for a decided period on temporary seconded basis or to the permanent carder.</p> <p>13 (4) The qualifications and conditions of service prescribed by the Provincial Authority for the purpose of recruitment of staff shall apply to all officers and employees except for the Chairman and the Secretary of the Provincial Council.</p> |

Chapter IV

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| Land Management | <p>(14) The Provincial Authority in consultation with the Advisory Council shall formulate and recommend to the subject minister land usage scheme consistent with the following objectives:—</p> <p>(a) To provide a systematic and an efficient methodology of utilization of land and resources of them in order to derive maximum benefits;</p> <p>(b) To impose conditions or orders in respect of baron, bare Uncultivated abandoned or neglected lands and such lands not methodically and more usefully cultivated;</p> <p>(c) Look into the methodologies in using the lands more usefully and profitable and the conservation of lands to avoid any imbalance between the requirements in the province and such land resources;</p> |
| The methodology of land use | <p>(d) To determine the suitable crops to be particularly cultivated in lands, villages or an area.</p> <p>(15) The under mentioned facts should include in the land use management referred to in section :—</p> <p>(a) Scientific land grouping systems and a land classification list;</p> <p>(b) The present level of utilization of lands the quantity of land being used, the lands less utilized and the lands abandoned or neglected;</p> <p>(c) To decide or determine accurately and in detail the possibility of using lands for agricultural, industrial, commercial and for living purposes;</p> <p>(d) Identification of areas having important historical, cultural or aesthetic value and importance where uncontrolled development could result in damaging these area or areas development of which could result in damage to the conservation of environment;</p> |

- (e) A methodology for exercising control by the Provincial Council over the use of land where environment control is deemed necessary;
- (f) A policy for influencing the location of new area for the resettlement of people and village expansion and the methods assuring appropriate systems of control over the use of land and around such areas.

NATURAL RESOURCES

- (16) The Provincial authority in consultation with the Advisory Council shall recommend to the Minister in Charge of the subject the basic policy on the management and the conservation of the natural resources of the province in order to obtain the optimum benefits there and to preserve the same for the future generations and general measures through which such policy may be implemented effectively and shall formulate regulations thereon on the advice of the subject minister. Accordingly regulations shall be framed and submitted on the direction of the subject minister such regulations shall results in securing an income to the provincial environment (authority from the utilization of sand, gravel, metal, soil etc.,

Natural
Resources
Management
and
Conservation

FISHERIES AND AQUATIC RESOURCES

- (17) The Provincial Authority having consulted the Advisory Council recommend to the Subject Minister a system of rational exploitation of fisheries and aquatic resources in the interior waters within the boundaries of the Provincial Council of the North Central Province and shall formulate. Regulations therefore on the instructions of the Subject Minister.

Management
policy for
fisheries and
aquatic
resources

WILD LIFE RESOURCES

- (18) The Provincial Authority is consultation of the Advisory Council shall recommend a suitable methodology in the utilization of the wildlife resources in the North Central Province and a method of conservation of such resources to the subject minister and frame necessary regulations on the instruction of the subject minister.

Management
policy for
wildlife

FOREST RESOURCES

- (19) The Provincial Authority in consultation with the Advisory Council shall formulate a methodology and recommend to the Subject Minister and on the instructions given by him having analysis them regulations shall be instituted on following matters:—

1. A systematic methodology for the utilization of forest resources;
2. Conservations development and replanting of threatened species of flora and restriction and prevention of their destruction and selling;
3. Promoting and encouraging public participations in forest conservation and tree planting;
4. Land classification, Management of forest expansion, plantation of Industrial and fuel trees, parks and wildlife management forest research and study, minimization of damage consequent to the development ventures, tree planting by road sides, systemization of tree planting programs and its regulation, setting up development and conservation of arboreal, parks and forest resorts and fertilization of soil and its conservation.

Provincial
Authority

Policy on soil
Conservation
Management

SOIL CONSERVATION

- (20) The Provincial Authority in consultation with the Advisory Council shall, with the guidance to the Provincial Ministries of irrigation, Agriculture and land Highways and Local Government recommends to the Subject Minister suitable programs for the identification and protection of critical watershed areas, identification study and introduction of scientific farming technology leading to prevent soil erosion, identification of areas liable for soil erosion; restriction. Prohibition and imposition of conditions on such cultivation or other activities resulting in soil erosion, encouragement of soil conservation enlightenment on the possible consequences of having soil erosion and regulation drainage systems on highways and lands and shall formulate regulations on the advice of the Subject Minister

Chapter V

ENVIRONMENTAL PROTECTIONS

Prohibition of
discharging
emission or
depositing
waste into the
environment
Issue of licenses

- (21). With effect from such date as may have appointed by the subject minister by orders published in the *Gazette* no person shall discharge deposit or emit waste such as garbage animal or plant residue sewage industrial affluent or toxic chemicals carbonic matter air smoke or steam containing particles of waste or obnoxious odor, detrimental to environment and to public health into the environment which causing pollution except to the power of a permit or license issued by the Provincial Authority and other standards, comparisons conditioner and orders which could be determined under this statute.

- 22 (1) A temporary or annual license may be issued to an institute or a person authorizing such institute or the person to discharge emit or deposit any waste chemicals air smoke or steam as declared in the aforesaid Prohibition of discharging in emission or depositing waste into the environment. Section 21, on the application referred to the Provincial Authority on the payments of the prescribed fee to the Provincial Authority in accordance to the certain conditions comparisons; and orders being determined under this Statute in a prescribed form authorized by the Provincial Authority.

The valid period
of license

- (2) Such a license should be valid for such period as shall be specified in the said license provided, it shall not be for more than twelve months.
- (3) When a license is issued in terms of section 22:1 for a purpose it can continue beyond the period of validity only if a fresh license is obtained or on renewal of the existing license.

Calling reports
from a relevant
Ministry,
department or
an institute

- (23) (a) In issuing a license in terms of Section 22 the Provincial Authority may where it considers necessary refers such application to an appropriate Provincial Minister, Department or institute or an officer concerned requesting for a report or a recommendation with regard to such application.
- (b) When a matter has been referred to a Provincial Ministry Department institute or officer shall report on it or make recommendation etc. thereon without delay.
- (c) The Provincial Authority shall wait in taking a final decision on such application until the report or the recommendation is received.

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| <p>(24) (a) Where a license is issued to a person under section 22 and such person acts in violation of any of the terms, standards or conditions of the license or when the authority considers that further depositing or emission of waste is of not suitable or foliate the authority may suspend or cancel such license.</p> <p>(b) Whereas a license is suspended or cancelled the activities concerned should cease immediately after such suspension or cancellation</p> | <p>Suspension or the cancellation of license</p> |
| <p>(25) 1. (a) Where the Provincial Authority refuses in terms of section 22 to issue a license, the act should be communicated to the party or parties concerned.</p> <p>(b) A person not satisfied with such notification as referred to in 25:1(a) may submit an appeal against such refusal within 5 days since the date of the communication to the Secretary of the Ministry of the Subject Minister under registered cover.</p> <p>(c) The Secretary on receipt of such an appeal shall get a inquiry done by a team of members of the Advisory Council consisting two members minimum or more than that and reach a decision depending on the recommendations made at the inquiry.</p> | <p>Appeals against the refusal to issue a license.</p> |
| <p>2. The decision of the Secretary of the Subject Ministry shall be the final decision.</p> | |

Chapter VI

Environmental Quality

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| <p>26:1(a) Without limitation to the generality of subsection (1), a person shall be deemed to contravene the provisions of that subsection if he places any waste whether solid liquid or gaseous in a position where it falls into any reservoir or descends drains evaporate, washed is blown or percolated into any waters or on the bed of any river, stream or other waterway when dry or knowingly or through his negligence whether directly or indirectly causes or permits on such matter to place in such a position or;</p> <p>(b) He places waste on the bed when dry of any river, stream or other waterway or knowingly or through his negligence causes or permits any waste to be placed on such a bed.</p> | <p>The disposal of garbage to the natural environment on negligence</p> |
| <p>2. Any person who breaches the provisions of the Sub section 21:1 commits an offence and when found guilty—</p> | |
| <p>(a) Shall be liable to be fined not less than Rs. 10,000 and not exceeding Rs. 100,000 and for each day he committing the offence in continuation, a fine of Rs. 500 for each such day.</p> | <p>Imposing fines on an offender</p> |
| <p>(27) Subject to section 21 of this statute with effect from the relevant date no person shall discharge or emit waste into the atmosphere except in accordance to the criteria as may be prescribed under this statute.</p> | <p>Restrictions on the pollution of atmosphere</p> |
| <p>(28)(1) No person shall pollute the atmosphere or cause or permit the atmosphere to the polluted so that the physical, chemical or biological condition of the atmosphere is so changed as to make reasonably be expected to make it to become unclean allergic “poisonous, untidy, harmful to the welfare “health” security or the property of the human beings, poisonous and harmful to the creatures, birds, wild beasts, fauna and flora as well including all other living beings.</p> | |
| <p>(2) If any person—</p> | |

- (a) Causes the placement of any liquid or gaseous matter of which the placement has been prohibited by this statute or under it or by the Regulations formulated under the statute or not adhering to the laws and regulations made under this statute to that effect or;
- (b) Causes to emit or discharge the odors which is obnoxious and oppressive and unduly offensive to the limbs of the human beings or making room for such act owing to the largeness of the accumulated quantity or;
- (c) burns wastes otherwise than at times of in the manner or place prescribed or;
- (d) he uses an internal combustion engine or fuel burning equipment not equipped with any device required by the regulations to be fitted with to such engine for the prevention or the decreasing of pollution.
- Failure to fit and maintain prescribed control device an offence (29) Any person who owns, uses, operates, constructs sells, installs or offering to sell or install any machinery vehicle or boat, required by or under this statute or any regulation made thereunder to be built, fitted or equipped with any device for preventing or limiting pollution of the atmosphere without such machinery, vehicle or boat being so built, fitted or equipped shall become guilty of an offence. All such devices built, fitted or equipped under this section shall be maintained and operated at the expense of the owner.
- (30) Subject to section 21 of this statute no person with effect from the relevant date shall discharge or deposit waste into the soil except in accordance with such standards or criteria as may be prescribed under the statute.
- Restrictions, Regulations and control of pollution of soil (31) (1) No person shall pollute or cause or permit to be polluted any soil or surface of any land so that the physical chemical or biological condition of the soil or surface is so changed as to make or be reasonably expected to make the soil or the produce of the soil poisonous or impure harmful to potentially harmful to the health or welfare of human beings, poisonous or harmful to animals, birds, wildlife plants or all other forms of life or obnoxious or unduly offensive to the senses and limbs of the human beings or so as to be detrimental to any beneficial usage of the land resource.
- Pollution of the soil is an offence (2) Without limitation to the generality of subsection 31.1 a person shall be deemed to contravene that section if any soil or in any place where it may gain access to any soil any matter whether liquid solid or gaseous that is prohibited by or under this statute or any regulation made there under or does not comply with such regulations as may be prescribed and;
- (a) He uses the land in a unsuitable manner such as offensive or unnecessarily harmful to the senses of the human being, or causing the underground water resources polluted or causing undesirable influence on such resources or causing a damage for utilization of soil and the surface of land using such land as a dumping ground of garbage grange pit or soil or metal for depositing muddy mire or for the disposal of garbage.
- (3) Exceptions could be granted for valid reasons such as usage of some prescribed drugs mixture for controlling a particular insect. But such a chemical compound shall not be severely harmful to the soil.
- (a) Without limitation to the generality of sub section 31.1 the person shall be deemed to have contravened the provisions of the section if and fuel prohibited under the regulations instituted in this statute is used or ignited or burnt.
- (4) Without limitation to the generality of sub section 31.1 he shall be deemed to contravene the provisions of that sub section.

(a) He is liable for a fine not less than rupees ten thousand and not exceeding rupees one Hundred thousand and thereafter in the event of the same offence being continued, to a fine of rupees five hundred for each day on which the offence is so continued to be committed.	Imposing of fines when these provision have been breached.
(b) Required to take within such period as may be determined by court, such corrective measures may be deemed necessary to prevent further damage being caused by the pollution of atmosphere and furnish at the end of such period of the incorporation of such corrective measures. The court sell also require such person convicted to bear the expenses incurred by the authority in the correction of damage already caused as a result of the commission of such offence.	Correcting the malpractice and the course of action of the authority.
(5) The court acting on a request or submission by the senior environmental scientist /Director or the authorized officer, may order for the closure of such factory industry or the business to prevent further damage until such time the particular person apply adequate Preventive measures, after 6 weeks since convicted for an offence committed under sub section 31.3	
(6) Where any person fails to or neglects to act in accordance with an order for closure issued in terms of subsection 31:4 Such order shall be a sufficient authority for the said fiscal or any police officer authorized by him in that behalf to enter the premises with such assistants as the fiscal or such police officer shall deem necessary or close such factory or trade or business carried at such premises.	
(7) Any person who breaches any of the aforesaid provisions committing an offence and when convicted for such offences is liable to a fine not less than rupees ten thousand and not exceeding rupees one hundred thousand and in the case of a continuing the same offence to a fine of rupees five hundred for each and every day in which offence continues after the conviction.	
(32) Subject to section 34 of this statute effecting from the relevant date no person shall permit the emission of excessive noise unless he complies with such standards or limitations as may be prescribed under the statute with regard to the volume intensity or quality of such noise.	Restrictions on noise pollution.
(33) (1) No person shall make emit or cause or permit to be made or emitted noise greater in volume intensity or quality than the levels prescribed for tolerable noise except under the authority of a license issued by the provincial authority under this statute. (2) The provisions of sections 22 and 23 shall mutatis apply to and in relation to the issue of a licensee under the sub section 22.1 of the statute. (3) Any authority or institutions empowered by any other written law to issue licenses relating to any of the matters referred to in this statute shall in doing so conform to the standards specified under this statute.	Discharge of certain noises to be licensed.
(34) (1) Any persons who without a license or contrary to any conduction limitation or restriction to which a license under this statute or any other written law is subject makes or causes or permits to be made or emitted noise that is greater in its volume. Intensity or quality than the standards as may be prescribed for the emission of noise which is materials of the end of a production.	Excessive noise is an offence.
(2) When a person commits an offence mentioned in Section 34.1 and is convicted he shall be subjected to a fine not below Rupees Ten Thousand and not exceeding Rupees One Hundred Thousand and if the offence mentioned is committed repeatedly he, after being convicted, shall be subjected to a fine of Rupees Five Hundred for each day he commits the offence	Fine on Conviction

- Removal of litter (35). Where the Provincial Authority is of the opinion that the circumstances are such that any litter deposited in any place whether public or private is or likely to become deferential to the health safety or welfare of the members of the public unduly offensive to the senses of human beings or hazardous to the environment the Provincial Authority may by notice or a document directs the person who is responsible for such depositing of litter or the government authority dealing in disposal and removal of such litter to take certain action as indicated in the aforesaid notice or the document relating to the removal of such litter. For the purpose of this section the litter is interpreter as a byproduct emerged as a result of a certain production process or discarded .
- (36). The cost of removing or otherwise disposing of or reducing litter pursuant to a notice given under section 35 may be recovered in any court of competent jurisdiction against any person proved to have deposited the litter as a debt due to the provincial Authority.
- Cost of removing litter may be recovered against person responsible (37). Any person to whom a notice in writing under person proved to have deposited the litter as a debt due to the provincial Authority. Any person to whom a notice in writing under section 35 is directed and who fails without reasonable cause to comply with the requirement of the notice shall if proved, becomes guilty of an offence.
- Power to prohibit or require the use of any material or equipment. (38). (1) The minister may by order published in the *Gazette*
- (a) Prohibit the use of any materials for any process trade or industry,
- (b) Prohibit whether by description or by brand name the use of any equipment or industrial plant, which will endanger the quality of the environment within the areas specified in such order.
- (2) The Minister may by order published in the *Gazette* require the installation repair maintenance or operation of any equipment or industrial plant within the areas specified in the said *Gazette*.
- (3) Any person who contravenes any such prohibition failing to comply with any requirement in any order made under subsection 1 and 2 shall be guilty of an offence.
- The authority to prohibit the usage of any material or equipment or to order to utilize such things
- The certificated shall be a *prima facie* concerning the contents in it (39). In any prosecution for an offence under this part of this statute a certificate issued under the signature of the secretary to the effect that the pollution specified in the certificate has been committed to the environment shall be admissible in evidence and shall be *prime facie* proof of the facts included therein.

Chapter VII

APPROVAL OF A PROJECT

- The environmental project approving agencies. (40) (1) For the activities under this part of this Statute, the Minister by order published in the *Gazette* may nominate the project approving agency or the agencies which are herein after called as provincial environmental project approving agency or agencies
- (2) Environmental project approving agencies shall operate within the limits conditions or directives made by the subject minister relevant to the subject concerns.
- (3) The subject minister may abolish suspend or reconstitute such Environmental project approving agencies at his discretion.

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| (41) | The Subject Minister shall by order published in the <i>Gazette</i> determine the projects and undertaking hereinafter referred to as prescribed projects in respect of which the approval would be necessary under the provisions of this part of the statute. | Appropriate Projects. |
| (42) | <p>(1) Notwithstanding the provisions of any other written law from and after the coming in to operation of this statute, all prescribed projects which are being commissioned in the North Central Province by any Department Corporation, Statutory Board Local Authority, company firm or an individual person will be required to obtain the approval under this statute for the implementation of such prescribed projects.</p> <p>(2) The approval as referred to in the subsection one shall be obtained from the environmental project approving agency which is relevant to the particular project or connected with such prescribed project.</p> <p>(3) If it has been found that any such environmental project approving Agency has the certificated shall be a <i>prima facie</i> concerning the contents in it contravened the Provisions statute in the issue of permits or has done so against the regulation the provincial authority has right of cancelling or suspending the permit.</p> | <p>Appropriate projects approval.</p> <p>The authorized institutes to approve the projects.</p> |
| (43) | <p>(1) It shall be the duty of all project approving agencies to require from any department corporation, statutory board local government authority company institute government agency firm or an individual who submit any prescribed project for its approval to submit within a specified period an initial or an environmental impact assessment report as required by the project approving agency and containing such information and particulars as may be prescribed by the subject Minister for the purpose.</p> <p>(2) A project approving agency shall on receipt of an initial environmental examination report or an environmental impact assessment report as the case may be submitted to such project approving agency in compliance with the norms imposed under subsection one by notice published in the <i>Gazette</i> and in a news paper in triple languages such as Sinhalese, Tamil and English. Notify the place and the time where such report shall be made available for the examination by the public and invite the public to make their comments if any thereon.</p> <p>(3) The members of the public within 30 days since the paper notification in terms of the subsection two, may submit his comments if any, to the Environmental project approving agency. Also if the agency considers that it could be beneficial to the public the agency may extend an opportunity to such person for his submissions and the environmental project approving agency or agencies shall take notice of such Submission and disclosures in granting its approval for the implementation of the prescribed project.</p> | <p>The authorized institutes to approve the projects.</p> <p>The exhibition of environmental inspection reports</p> |
| (44). | The project approving agencies shall determine the procedure be adopted in giving approval to any prescribed project submitted to it for approval such procedure shall be based on the guidelines prescribed by the subject minister for such purpose | Procedure to be based on guidelines prescribed |
| (45) | <p>(1) Where a project approving agency has refused to sanction any prescribed project submitted for approval the person or the body of persons this dissatisfied and aggrieved shall have the right to appealing to the secretary to the subject ministers ministry against such refusal and for relief.</p> <p>(2) The decision of the secretary to the subject minister's Ministry on such appeal shall be the final. The Secretary before reaching a decision shall obtain the observations of the Advisory council.</p> | Appeal to the secretary of the Ministry of the subject Minister. |

Abandoning of
any project or
alteration.

(46). Where any alternation or change being executed to any prescribed project already approved for which approval has been granted or where any prescribed project already approved is being abandoned the government department corporation, statutory board, local government authority company, firm or individual who/which obtained such approval shall inform the appropriate project approving agency of such alterations or the case of abandonment as the case may be and where necessary obtain fresh approval in respect of relating to any alterations which are planned to be made to such prescribed project for which for which approval had been given. Provided however where such prescribed project that is being abandoned or altered in a project approved with the concurrence of the Provincial Authority, the Provincial Authority should also be informed of such matter and any fresh approval required to be obtained should be given only with the concurrence of the Authority.

Submission of a
report of
approved
prescribed
project

(47).(1) It shall be the duty of all project approving agencies to forward to the Provincial Authority a report concerning each and every prescribed project for which approval has been granted by such agency.

Removal of any
restriction for
environmental
protection

(2) (a) It shall be legal for any person or environmental agency authorized by the provincial authority to make a verbal or written direction to any person, who has been responsible for the construction of any erection obstruction project or the projection within the North Central Provincial Council Jurisdictions, which is a obstruction for the environmental protection and which should not have been excited unless on a permit obtained under this statute to remove any such erection or any obstruction or a projection hazardous to the environment and if the person to whom such directive is referred to refuses or neglects act in accordance with such directive within the prescribed period given by the Provincial Authority or doubtful as to the person who shall make such order the provincial authority may stick such order on that erection or the holding or the fitting for a period deemed to have been reasonable by the Provincial Authority is legal to have such construction erection obstruction or the projection removed forthwith any human labour together with necessary machinery and equipment or using any other method by the Provincial authority itself.

The exhibition
Environmental
inspection
report's.

(b) If shall be legal for a person or for persons who have been authorized by the provincial Authority to remove such erection obstruction or projection to enter with any human labour machinery cattle elephants or any other animal labour together with necessary implements, such place premises house or buildings and take all measured that may be required to give effect to such removed or demolition.

Charge guilty
with persons.

(c) Any person obstructing such section shall be liable on conviction to a fine not less than rupees ten thousand and not exceeding rupees one hundred thousand or to imprisonment of either description for a term of two years or for both.

(d) It shall be legal for the Provincial Authority to recover the cost of such removal by the sale of material equipment machinery of building belonging or connected to such erection obstruction or the projection.

(e) Where no such recovery is possible it should be the alternative to obtain a court order for recovering the damage in the form of a fine imposed on the offending party.

Chapter VIII

- (48)(1) A panel of arbiters consisting of three members as indicated below for the settlement of problems arising between this Provincial Authority and any other Provincial Authority established under a statute of another Provincial Council, in the implementation of powers in this statute on the agreement of the parties linked to the problem or the differences. Reconciliation of conflicts among local authorities
- (a) The Provincial authorities involved in shall appoint one obiter each.
 - (b) The third arbiter will act as a judge of the arbiters being appointed in terms of above subsection one.
- (2) The disputes between relevant authorities shall settle based on the conclusions of the arbiters appointed in terms of subsection one
- (49) (1) For the purpose of effecting the principles and objects of this statute the provincial authority may by noticed in writing served on the occupier of any premises. Require that occupier to furnish to the Provincial Authority within a period of 14 days or such longer period as is specified in the said notice such information as to any manufacturing industrial or trade process carried on in such premises or as to any wastes discharged or likely to be discharged from the said premises as is specified in the notice. Furnishing of information regarding the garbage to the Provincial authority.
- (2) The Provincial Authority shall treat all information being furnished to it pursuant to any requirement made under the subsection one, with the strictest secretary and shall not divulge such information to any person other than to a court of law, subject to subsection 03 of the purpose of any prosecution for an offence under this statute. The Secretary of the information.
- (3) If a person who has furnished any information in terms of an order relative to subsection one to the authority has raised any objection at the time of providing such information or statement that he would be guilty of a criminal act it shall not be used as evidence at a case against such person.
- (50)(1) The chairmen of the Provincial Authority or an officer appropriate authorized by him in writing at any time enter any presses or a land and;
- (a) Examine and inspect any equipment or industrial plant.
 - (b) Take samples of any pollutants that are emitted discharged, deposited or are likely to be of a class or kinds are usually emitted discharged or deposited from such equipment or industrial plant.
 - (c) Examine any books records or documents relating to the performance or use of such equipment or industrial plant relating to the emission discharge or deposit from such equipment or industrial plan
 - (d) Take photographs of such equipment or industrial plant as it considers necessary or make copies of any books records or documents seen in the course of such examination.
 - (e) Take sample of any fuel, substance or material used, likely to be used or usually used in such trade industry or process carried out in or on such premises.
- (2). The secretary of the provincial authority or the officer authorized by him may, where he has reasonable cause to apprehend any serious obstruction in the execution of his duties under subsection one enter any land or premises accompanied by a police officer.
- (3) Any person who prevents or obstructs the chairmen of the Provincial Authority or any authorized officer in carrying out such inspection or investigation, recording of data or the taking of samples under subsection one shall be guilty of an offence under this statute. It's an offence to obstruct.
The search or the inspection.

Provincial Authority to issue directions	51(1) The Provincial Authority shall have the power to issue directives to any person engaged in or about to engage in any development project or scheme which is causing or is likely to cause damage or detriment to the environment regarding the measures to be adopted for preventing or doing away with such damage or loss the environment and it shall be the duty of such person to comply with such directive.
The suspension of the project when the Directives of the Provincial Authority not complied with	(2) Where a person fails to comply with any directive issued under subsection one the Magistrate may on application made by the Provincial Authority order the temporary suspension of such project or scheme until such person takes necessary measures specified in such directive.
Declaration of areas as environmental protection areas	52 (1) subject minister may by the regulations published in government gazette declare areas as environmental protected areas herein after referred to as protected areas. (2) By the regulations declaring certain areas as protected areas as referred to in the subsection one the boundaries of such areas shall be demarcated with some mark and signs.
	53.(1) Where a certain area has been declared as a protected area under the section 52(1) the subject minister may in a gazette notification being published may declare, that a particular scheme project or an industry located in such protected areas initiated under the provisions of another law conflicting with the provision of this statute, not to be implemented (2) So long as an order under subsection one is in force the provincial authority shall be responsible for physical planning of such area in accordance with the provisions of this statute. (3) Notwithstanding the provisions of subsection one, the subject minister may at the request of the provincial authority declare from time to time by order being published in government gazette that with effect from such date as shall have specified in such order the provincial authority shall cease to be the authority responsible for planning, in a such protected area, projects and schemes. (4) so long as an order under section 52 relating to a protected area as such no person other, than the provincial Authority shall exercise perform and functions relating to planning and development within such protected areas.
Appointment of environment pollution investigating officials	54.(a) The provincial authority any appoint analysts for making analysis of samples taken for the purpose of this statute and environmental pollution investigation officers for inspection and evaluation of records of records of monitoring prescribed equipment and installation for detecting the freeness quantity and nature of waste and its effect on the receiving components of the environment.
The empowerment of powers already vested in our riot effected	(55)(1) The provincial authority may by order subject to the subsection five, delegate any of its duties under this statute to any government department corporation statutory Board, local governmental body or any officer. (2) Where the provincial Authority has delegated any power under subsection one to any government Department Corporation Statutory government Authority officer, any officer of such government department corporation statutory board or local government authority as the case may be or such public officer may exercise any of the powers which the Secretary of the Provincial Authority would be able to exercise but not exercised has he been exercising powers as such himself.

- (3). Nothing in this section shall prevent the provincial authority from any responsibility or power to protect the environment and from administering the provisions of this statute.
- (4). An order made under subsection (1) may be revoked or varied at anytime by the Provincial Authority provided such order has been made by it.
- (5) (a) No order shall be made except with the compliance of the Subject Minister, relating to any provincial council department or an officer or any institute without the consent of the Provincial Minister in charge of such department institute or the officer.
- (56). All members' officers and servants attached to the provincial Authority shall be deemed to be public servants within the meaning of meaning of and for the purpose of the penal code.
- (57). The Provincial Authority shall be deemed to be a scheduled institute within meaning of the Bribery Act and the provisions of that act shall be interpreted adoringly.
58. (1) The Provisions of this Statute shall have the effect not withstanding anything to the contrary in the provisions of written law and accordingly in the event of any conflict or inconsistency between the provisions of the statute and the provisions of such other written law the provisions of this statute shall prevail over the provisions of such other written law in north Central Province.
- (2) The subject Minister may suspend the implementation of the complete statute or the relevant provisions in the statute temporarily or undated. When the subject minister considers that it would be a barrier for a procedure in effect under any parliamentary Acts which is in progress of or such procedure likely to be effected or would make such procedure more productive, whatever the case may be³.when such a suspension has been activated or the order of suspension has been removed such as act shall be published in Gazette and each such notice in three daily news papers appearing in Sinhala, English and Tamil.
- 59 (1) (a) No suit or prosecution shall lie against the Provincial Authority for any act which is committed in good faith or purported to have been done by the Authority under Statute; and
- (b) Against the members of the Provincial Authority Advisory Council or Provincial Environmental Agency or any officer or servant of the Provincial Authority for any act which in good faith is done or purported to have done under this statute. Or on the directions of the Provincial Authority.
- (2) Any expense incurred by the Provincial Authority in any suit or prosecution brought by or against the Provincial Authority before any court of law shall be paid out of the fund of the provincial Authority and any cysts paid to or recovered by, the Provincial Authority in any such suit or prosecution shall be credited to the fund of the provincial authority.
- Imposer directions with regard to an institute or a person
- The member's officers and employees of the provincial authority should be considered as state employees
- The Authority deemed to be a scheduled institution within the meaning of the Bribery Act
- This statute to be prevailing over the provisions of any other written law.
- Suspension or the implementation of provisional madder the stay Act.
- No prosecution possible for action take under this statute or on the directions of the provincial Authority
- The legal fees shall be paid out of authority funds and monies received to be credited to the fund.

The course of action regarding the punishment imposed on e. benefited officer acted under the order of the authority	(3)	Any expense incurred by any such person as is referred to or in paragraph (b) of subsection (1) in any civil or criminal suit or prosecution brought against him before any court in respect of any act which is done or is purported to be done by him under this Statute or on the direction of the Provincial Authority. If the court has decided that such person has committed such offence in good faith such expenses or cost shall be paid out of the fund of the Provincial Authority provided that he has not recovered such cost or expenses at the end of the case.
Punishing those who breach the rules and regulations of the statute	60.	Any person who breaches rules and regulations or directives or provisions instated under this Statute or defaulting such rules and regulations etc. becomes guilty of an offence for breaching or defaulting at and at a suit before a magistrate when found guilty shall be liable on conviction to a fine of not less than rupees ten thousand or an imprisonment of for a period not exceeding two years or liable for both.
The farming of regulations by the Subject Minister	61. (1)	The Subject Minister may institute regulations with regard to all matters which are stated or are required by such statute to be prescribed or for which regulations required under this statute to be formulated.
	(2)	Particularly and with no prejudice to the generality of the powers conferred by subsection one the Subject Minister may make regulations concerning all or any of the under mentioned subjects —
		(a) (1) examining plans specifications and information in relation with installations or proposed installations.
	(2)	The issue of licenses under this statute.
	(3)	Levy of fees for inspection required and for implementation.
	(b)	Specification of standards or criteria for the carrying out of any environmental policy or classification for the protection of the environment and for safeguarding beneficial uses.
	(c)	Specification of standards or criteria for concluding whether any matter, action or a thing is poisonous, objectionable, deferential to health or come within any other description or referred to in this statute.
	(d)	Prohibition of the discharging emission or depositing in to the environment of any matter whether solid, liquid gaseous or of radio activity and prohibition of or otherwise regulating unitization of any specified fuel.
	(e)	Specification of ambient air quality standard and emissary standards and the specification of the maximum permissible concentration of any matter might be present in or discharging in to the atmosphere.
	(f)	Prohibition of any machine facility vehicle or boat to be used which is capable of causing pollution or regulating the construction installation or operation thereof 50 as to prevent or minimize pollution.
	(g)	Necessity to issue notices of alert or warning relating to pollution.
	(h)	Prohibiting or regulating of the burning in open the refuse or easily combustible materials.
	(i)	Regulation of places for the disposal of liquid or solid waste interior or on the surface
	(j)	The conclusion of hazardous noises on medium scale.
	(k)	Regulation or the prohibition of bathing swimming and boat riding in any water resource for preventing pollution or hazardous to health or welfare or leading to contradictory cultural influences.

- (l) Requirement that the oil refineries carrying on business fixing such equipment as may be prescribed for reducing or preventing any trade affluent from containing oil.
 - (m) Prescribing the procedure with regard to appeals against the conclusion of the authority.
 - (n) Arrangements for exhibiting notices and instituting provisions for cleaning of lands and buildings and fixing a procedure for regularization of procedure for land unitization and land usage with regard to visual amenities in urban and rural areas.
 - (o) Storage and transportation of harmful materials.
 - (p) Disposal of wagers, and hazardous materials either to atmosphere wasters or soil.
 - (q) Tree planting and cutting, home gardening cultivation in barren land, establishment of tree clusters protection of trees and maintenance.
 - (r) Requirement of specific environmental monitoring duties by a development officer or definite third party delegated for such work.
- (3) Every regulation made by the Provincial minister dealing with the subject shall be published in the *gazette* and shall be coming in to effect on the date on such publication or upon a later date being specified in the regulations.
- (4) Every regulation made by the Subject Minister shall be brought before the Provincial Council for approval having punished same in the *gazette* every regulation which has not been approved shall be deemed to be rescinded as from the date of such rejection but without prejudice to anything previously done there under. If any regulation has been in effect before such rescinding a notification of the date on which any regulation is deemed to be rescinded shall be published in the *gazette*.

The publication of the orders of the Subject Minister in *gazette* and the implementation of same.

Interpretations:—

- Environment* :- Lands, Water, Soil Atmosphere, climate, taste, Adour and all sorts of physical features relating to creatures and the surroundings.
- Land* :- Habitats, buildings and all easement relating thereto and all sorts of lands occupied or unoccupied and crown lands granted by the government.
- 'Building* :- Houses, faction, parapet wall or any construction.
- Local Government:-* Municipality Council, Urban Council, Pradeshiya sabha or any institute or sabha established instead of it.
- Pollution* :- Means causing any unbeneficial influence to the environment by discharge, emission, or the deposit of wasted so as to effect any beneficial use adversely or to cause a situation which is hazardous or potentially hazardous to public health safety or welfare or to wild creatures, birds, animals, wildlife, plants, vegetation, aquatic life.
- Noise Pollution* :- Includes causing or allowing to cause any sound at a level which causes irritation. Fatigue, hearing losses or interferes with the perception of other kinds of sounds with creative activity through distraction or which breaking attention or contemplation.

- Air Pollution* :- Emission of any obnoxious or dour or smoke or gaseous material containing hazardous particles causing undesirable change in the physical chemical and biological characteristics of air which will adversely effect plants, animals human beings and inanimate objects or respiratory inconveniences.
- Waste* :- Means untreated feces and urine garbage particles or portions of animals or plants industrial or agriculture poisonous chemicals, or tremnants of materials or the materials used for the business or the enterprise, gashouse materials, liquid steam, or smoke which is undesirable for public health and environment.
- Poisonous Chemicals* :- Means soil material, liquid or a gas which causing a unbeneficial influences on living beings or capable of causing any hazardous charge in the environment.
- Reservoirs* :- Means any river, tank, ancients, ponds canals wells, Springs and all other water resource or a store.
- Subject Minister* :- Means the Provincial Minister in North Central Province in charge of environmental affairs.
- Secretary* :- Means the Administrative Director all as Secretary of the Provincial Environmental Authority and Provincial Environment Advisory Council or the Officer holding such office.
- Chairman* :- Means the Chairman of the Provincial Environmental Authority *alias* the officer in charge as such.
- Relevant Minister* :- means Provincial Minister holding the relevant Office.
- Working Director* :- means full time Director assisting the Chairman in the discharge of duties of the Provincial Environmental Authority and in public relation affairs and Planning.

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