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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

PROVINCIAL COUNCIL OF THE CENTRAL PROVINCE

By - LAWS

BY virtue of the powers vested in me under Sub section (1) of Section 123 of the Pradeshiya Sabha Act No. 15 of 1987, read along with Sub section (1) (a) of Section 2 of the Provincial Councils Act No. 12 of 1989 (Consequential Provisions) I, Lalith U. Gamage Attorney- at- Law, Governor of Central Province, hereby announce that, the Drinking Water Safety By-Laws of the Na- ula Pradeshiya Sabha, as power vested in to the Pradeshiya Sabha under Sub section (1) of Section 122 of the Pradeshiya Sabha Act No. 12 of 1987, read along with Sections 126(ix) and (xiii), do hereby announce that, the Drinking Water Safety By- Laws of the Na - ula Pradeshiya Sabha, shall be in force within the jurisdiction of the Na- ula Pradeshiya Sabha from the date of publication of this *Gazette* Notification.

LALITH U. GAMAGE,
(Attorney - at- Law)
Governor, Central Province.

At the Governor's Office,
Palace Square,
Kandy.
30th January, 2024.



DRINKING WATER AND WATER CATCHMENT SAFETY BY - LAWS OF
NA- ULA PRADESHIYA SABHA

01. These By Laws are enacted in order to take measures for the safety of drinking water and matters consequential there to including Regularization and Supervision of related water sources taking actions related to the conservation of water sources related to Water Projects maintained within the authority areas of Na- ula Pradeshiya Sabha to protect the safety of drinking water in private and public use in order to secure the public health safety of the people living within the authority areas of the Pradeshiya Sabha.
02. The Na- ula Pradeshiya Sabha is vested with powers to make these By Laws under sub Section 122(1) of the Predeshiya Sabha Act No. 15 of 1987 read along with sub Sections 126(ix) and 126 (xiii) of the said Act.
03. These By Laws may be cited as the Drinking Water and Water Catchment Safety By Laws of the Na - ula Pradeshiya Sabha
04. The Na- ula Pradeshiya Sabha Shall maintain the following information in relation to every source of water that supplies drinking water for the consumption of the public within the authority areas of the Pradeshiya Sabha.
 - i. Name of Water Source
 - ii. Grama Niladhari Division
 - iii. Coordinating Number of the Location
 - iv. Ownership of land where water source is located
 - v. Access (Should be sketched roughly as possible)
 - vi. Nature of use (private/ public)
05. When the water source is an underground water source, no person shall take any of the following actions within a radius of 15 meters from it.
 - i. Entering, Corraling, tethering or keeping animals in a manner that would make their entry or marking entrance for them.
 - ii. Disposing, burying or depositing any waste.
 - iii. Setting fire in the open space or taking any action that damages to the water source.
 - iv. Performmining excavations.
 - v. Taking any action to divert waste water through any drain or allowing the constructed drains to be maintained in a defective condition.
 - vi. Let surface water from any distance to flow directly to the water source.
 - vii. When the source of water is a shallow well, allownig surface water to seep into well from a distance of less than 4.5 meter from the edge of the well.
 - viii. Where the source of water is a shallow well, maintaining water seepage into the well at a depth of less than 3 meters from the ground level.
 - ix. When the source of water is a shallow well, the well covers of concrete when made with cement and reinforced iron for the protection of the well, leaving the cement or the rust formed around the iron used, that to mix with the water.
 - x. When the source of water is a shallow- well, failing to keep the well clean and empty the well water within the time limits set by the Chairman of the Pradeshiya Sabha and the Medical Officer of Health or any Officer duly authorized by them.

06. In case of a natural surface water source, no person shall take any of the following actions within the limit of 30 meters on both sides and above 10 meters below from the inlet.
- Entering, corralling, tethering or maintaining animals in a manner that would permit their entry.
 - Washing vehicles or any other machinery.
 - Use for bathing
 - Disposing, burying or depositing any waste.
 - Setting fire in the open space or taking any action that make damages to the water source.
 - Perform mining excavations.
 - Taking any action that would enable diverting sewage through any drain.
 - Use for any cultivation purpose other than afforestation.
 - The Use of a bucket or any other instrument by any person for taking out water, so that any waste may be mixed with the source of water.
07. Except in case of a water supply project run by the National Water Supply and Drainage Board and in case of using a water source for domestic purpose, every person or organization running a drinking water supply project, using a water source shall obtain a license in accordance with the second Schedule under these By Laws from the Chairman of the Pradeshiya Sabha.
08. Every person applying for a license under these By Laws shall apply for the same through an application prepared in accordance with the form set out in the first Schedule of these By Laws.
09. No license shall be issued by the Chairman unless every person applying for a license under these By Laws has fulfilled the Conditions of these By Laws.
10. 1. Water distribution in the instance where water is distributed for consumption using only pipelined water supply system,
- It should be verified that the water distributed is subject to the standards issued by the Sri Lanka Standards Institute.
 - In case of the applicant is a community based organization, it must be registered under Pradeshiya Sabha or Community Water Department
 - The plan including all components related to the Water Scheme should be Submitted.

- 4) All components and constructions used for the water scheme must comply with the criteria of the National Water Supply and Drainage Board.
 - 5) When the main pipeline system used for the water scheme is deployed on a private property, a confirmation must be submitted by the respective owner and when deployed on a property belonging to another authority, a confirmation must be submitted by the relevant authority.
 - 6) It should be ensured that the information requested under the application form regarding the employees expected to be employed under the water project and the relevant information whenever the employees change is submitted.
- 10.2 Where water is collected and distributed for commercial purposes using a bowser or a water container or any other tool,
- 1) It is need to be verified that the water distributed is subject to the standards issued by the Sri Lanka Standards Institute.
 - 2) A Confirmation need to be submitted that the water is obtained under a water source maintained in accordance with these By Laws.
 - 3) A Certificate obtained from the said Board that the requirments have been fulfilled according to the orders issued under the Water Resource Board Act No. 24 of 1964, regarding the source of water to be used and the water to be distributed need to be submitted.
 - 4) The water provided for use need to be treated under any method recommended by the water Resource Board.
 - 5) If any vehicle, container or any other tool is used to distribute water, information about the use needed to be submitted.
11. In the event that a request is made for a license under these By Laws, it is the duty of the Chairman to grant the desired license within one month receiving the application or if it cannot be granted, to inform the applicant in writing of the reasons for the same.
12. Fees for a license under these By Laws shall be valid after being adopted by the Na- ula Pradeshiya Sabha and published in the *Gazette*, Subject to the Provisions of the Basic Laws.
13. Every person licensed under these By Laws shall act in accordance with the following conditions:
- i. The distributed water shall comply with the standards issued by the Sri Lanka standards Institute.
 - ii. All components used for the water supply scheme must comply with the criteria of the National Water Supply and Drainage Board.
 - iii. Actions must be taken to confirm that the water contained from the water source confirmed at the time of applying for the license will be used for the activities related to the license.
 - iv. Containers and the tools used for water distribution must be manufactured in accordance with the standards issued by the Sri Lanka Bureau of Standards.
 - v. The Source of water used and the water distributed must be maintained in accordance with the orders issued under the Water Resources Board Act No. 24 of 1964.

- vi. Every worker employed shall not be a person suffering from a skin disease or an infectious disease or person who has been in contact with such a person.
 - vii. Sanitary and clean clothing shall be worn at all times of employment and gloves shall be worn as prescribed.
 - viii. In the event that orders are in force in accordance with the Disease Prevention and Quarantine Ordinance within the authority areas, the services shall be maintained in accordance with the conditions specified under those orders.
 - ix. Every employe who will be employed in connection with the water project must be the person whose name is included in the information submitted at the time of application for the license or who is included in the information when submitting the information to the Chairman of the Pradeshiya Sabha, if employed at any time thereafter.
 - x. The workers employed under the water project should be certified by a certificate confirming that they are fit for work once in every six months or within the time limits recommended by the Medical Officer of Health.
14. Any water source within the authority areas is used under a license referred to in these By Laws, no other person except the licensee shall make use of the said water source or maintain improper water connection with it.
15. It is legal for the Chairman or any officer of the Pradeshiya Sabha specifically authorized by the Chairman, at such time as may be deemed fit and reasonable to enter the premises where the source of water is located, take samples or request any other information deemed necessary for the purposes of these By Laws and in case of distribution of drinking water, carrying out necessary inspections regarding the water distributed or the containers and tools used for it and requesting information deemed necessary for that purpose in order to check whether the conditions mentioned in these By Laws are being maintained.
16. A license issued under these By Laws shall expire on the 31st day December of the year of issue, unless specifically revoked by the Chairman.
17. In any case where any source of drinking water is being used or distributed contrary to the terms mentioned in these By Laws the Chairman shall give a written notice to the licensee giving a reasonable time so given should not exceed 14 days.
18. In the event that any licensee fails to comply with these By Laws within the time limit provided under the above section, the Chairman shall cancel the license issued under these By Laws and notify the licensee in writing.
19. Nonetheless anything mentioned under the above clauses of these By Laws, when a license is applied for the first time in respect of any water project related to a license under these By Laws and in the event that a license is applied for again with chages in relation to a water project related to a license under these By Laws, the Chairman shall not issue not such license unless it has been recommended by a committe appointed by the chairman to make such recommendations.

20. For the purpose of Section 19 of these By Laws and to make recommendations to the Council to ensure the safety of drinking water in relation to water projects operating within the authority areas, there shall be a committee consisting of the following.

- i. Chairman
- ii. Secretary
- iii. Technical Officer
- iv. Environment Officer
- v. Medical Officer of Health or an officer Nominated by him.

However, the above mentioned Provisions should not be a hindrance to call any another officer nominated by the Chairman of the Pradeshiya Sabha to assist the Committee in order to achieve the objectives of the Committee as per the need of the service.

21. Subject to a license referred to in these by Laws, it is an offence to act in contravention of Section 5, when using a water source without a permit or when operating a drinking water project and after being convicted by a Magistrate's Court for the said offence, such person shall be liable to the punishment mentioned under Section 122 of the Pradeshiya Sabha Act No. 15 of 1987.

22. if a person, institution or an organization running any water project requests any time limit for complying with the conditions mentioned in these By Laws in respect of a drinking water project subject to a license under these By Laws which are in operation within the authority areas at the effective date of these By Laws, it is legal for the Chairman to grant a grace period, taking into consideration the recommendations of the Committee mentioned in the 20th By Laws above. However, the grace period provided under this section shall not exceed the period of one year from the effective date of these By Laws.

23. Unless, otherwise required by the terms of these By Laws, in these By Laws;

“ Pradeshiya Sabha” means the Na- ula Pradeshiya Sabha,

“ Chairman” means the Chairman appointed for the Na- ula Pradeshiya Sabha, in accordance with the Local Government Elections Act or a person appointed in accordance with the written law to perform the duties and functions of the Chairman in case the Chairman's office is not in operation.

“ Waste ” has the same meaning as given to waste in the National Environment Act No. 47 of 1980 as amended from time to time.

“ Authorized Officer” means an officer authorized in writing by the Chairman either generally specially to perform a special function.

“ A Water Source” means a natural or artificial accumulation of water that leads to the use of Surface water or group water for drinking water needs or a place that has the potential for public drinking water use.

NA- ULA PRADESHIYA SABHA

Schedule - 01

Application Form For License to Use Water Sources for Obtaining Drinking Water

01. Name of the Applicant :
02. Address:
03. If the applicant is running a business, registration number/ if the Applicant is a society the registration number of the relevant society:
04. The following information about the location of the water source:
- i. Name of the Water Source:
 - ii. Location (should be outlined):
 - iii. Nature of the Water Source:
 - iv. Grama Niladhari Division:
 - v. Coordinating Number of Location:
 - vi. Ownership of land Where water source is located:
 - vii. Access (Should be outlined as possible)
 - viii. Nature of Use (Private/ Public):
05. Information about the workers employed for the Water Project:

<i>Index No.</i>	<i>Name</i>	<i>Address</i>	<i>N.I.C.Number</i>

06. Information related to the vehicles used for the business.

<i>Index No.</i>	<i>Vehicle No.</i>	<i>Type of Vehicle</i>

8A

The Chairman should be informed whenever the information in numbers 05 and 06 above changes.

07. Number of beneficiaries identified under the proposed water project:

08. Expected water capacity to be used daily

The following attachment should be submitted along with the completed application form:

- i. A copy of the constitution and a copy of the Society's Registration Certificate if a society.
- ii. A rough plan certified by an accepted Technical Officer showing how the components related to the water project have been utilized.
- iii. The Plan includes all the components related to the Water Scheme.
- iv. Documents in which the permission has been given by the relevant authority in case of deployment of the main pipeline system used for the Water scheme on a private property and in case of deployment on a property belonging to another authority, by the relevant authority.

Date:

Signature of Applicant

(A copy of the document containing the relevant guidelines will be provided with his application)

Schedule - 02

**A Permit is issued for running a drinking water project using a water source within the authority areas of the
Na- ula Pradeshiya Sabha**

1. Licensee's Full Name:
2. Address :
3. N.I.C. Number:
4. Authority Sources of Water:
5. Period of Time allowed:

Chairman
Na - ula Pradeshiya Sabha

Date:

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