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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

I, Lalith U. Gamage (Attorney-at-Law), Governor of Central Province, hereby announce that, the Drinking Water Safety By-law of Ambagamuwa Pradeshiya Sabha in exercise of the powers vested in the Pradeshiya Sabha under Section 126(ix) & (xiii) of the Pradeshiya Sabha Act, No. 15 of 1987, to be read with Sub-section (1) of 122 the said Act is approved as per the powers vested in me under Sub-section (1) of Section 123, of the Pradeshiya Sabha Act to be read with Sub-section (1) (a) of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989, and the said by-law shall be in force within the jurisdiction of the Ambagamuwa Pradeshiya Sabha from the date of publication of this *Gazette* Notification.

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

Governor's Office,
Palace Square,
Kandy.
29th day of April, 2024.



**Drinking Water and Water Catchment Safety By - Law of the
Ambagamuwa Pradeshiya Sabha**

01. This by-law is enacted in order to take measures for the safety of drinking water and matters consequential thereto including regularization and Supervision of related water sources taking actions related to the conservation of water sources related to Water Projects maintained within the jurisdiction of Ambagamuwa 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 Pradeshiya Sabha jurisdiction.
02. The Ambagamuwa Pradeshiya Sabha is conferred with powers to make this by-law under Sub-section 122(1) of the Pradeshiya Sabha Act, No. 15 of 1987 to be read with Sections 126(ix) and (xiii) of the said Act.
03. This by-law may be cited as the Drinking Water and Water Catchment Safety by-law of the Ambagamuwa Pradeshiya Sabha.
04. The Ambagamuwa 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 its jurisdiction.
 - (i) Name of Water Source
 - (ii) Location
 - (iii) Grama Niladhari Division
 - (iv) Location Coordinates
 - (v) Ownership / possession of land where water source is located
 - (vi) Access (should be outlined as possible)
 - (vii) 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, corralling, tethering or maintaining animals in a manner that would permit their entry.
 - (ii) Disposing, burying or depositing any waste.
 - (iii) Setting fires in the open space or taking any action that damages the water source.
 - (iv) Perform 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 flow directly to the water source.
 - (vii) 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.
 - (viii) When the source of water is a shallow well, in the case where cement and iron-reinforced concrete and well covers are used for the protection of the well, leaving the cement or the rust formed around the iron used for that to mix with the water.
 - (ix) 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 someone duly authorized by them.

06. In the 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.
- (i) Entering, corralling, tethering or maintaining animals in a manner that would permit their entry.
 - (ii) Washing vehicles or any other machinery.
 - (iii) Use for bathing.
 - (iv) Disposing, burying or depositing any waste.
 - (v) Setting fires in the open space or taking any action that damages the water source.
 - (vi) Performing excavations.
 - (vii) Taking any action that would enable diverting sewage through any drain.
 - (viii) Use for any cultivation purpose other than afforestation.
 - (ix) 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 project run by the National Water Supply and Drainage Board and in case of using a water source for domestic use, every person or organization running a drinking water project, using a water source shall obtain a license in accordance with the Second Schedule under this by-law from the Chairman of the Pradeshiya Sabha.
08. Every person applying for a license under this by-law shall apply for the same through an application made in accordance with the form set out in the first Schedule to this by-law.
09. No license shall be issued by the Chairman unless every person applying for a license under this by-law has fulfilled the conditions of this by-law.
- 10.1. Water distribution in the instance where water is distributed for consumption using only piped water system,
- (1) It should be verified that the water distributed is subject to the standards issued by the Sri Lanka Standards Institute.
 - (2) In case of the applicant is a community based organization, it must be registered under Pradeshiya Sabha or Community Water Department.
 - (3) The plan including all the 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 pipe 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 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 this by-law.
- (3) A certificate obtained from the said Board that the requirements have been fulfilled according to the orders issued under the Water Resources 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 purified under any method recommended by the Water Resources 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 this by-law, it is the duty of the Chairman to grant the desired license within one month of 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 this by-law shall be valid after being adopted by the Pradeshiya Sabha and published in the *Gazette*, subject to the Provisions of the Basic Law.

13. Every person licensed under this by-law 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 scheme must comply with the criteria of the National Water Supply and Drainage Board.
- (iii) Actions must be taken to confirm that the water obtained 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 other 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 a 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 in the jurisdiction, the services shall be maintained in accordance with the conditions specified under those orders.
- (ix) Every employee 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 jurisdiction is used under a license referred to in this by-law, 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 the 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 this by-law shall expire on the 31st day of 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 this by-law the Chairman shall give a written notice to the licensee giving a reasonable time to comply with the by-law. The reasonable time so given should not exceed 14 days.
18. In the event that any licensee fails to comply with the by-laws within the time limit provided under the above Section, the Chairman shall cancel the license issued under this by-law and notify the licensee in writing.
19. Nonetheless anything mentioned under the above clauses of this by-law, when a license is applied for the first time in respect of any water project related to a license under this by-law and in the event that a license is applied for again with changes in relation to a water project related to a license under this by-law, the Chairman shall not issue such license unless it has been recommended by a Committee appointed by the Chairman to make such recommendations.
20. For the purpose of Section 19 of this by-law and to make recommendations to the Pradeshiya Sabha to ensure the safety of drinking water in relation to water projects operating within the jurisdiction, 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 other 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 this by-law, it is an offense 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 this by-law in respect of a drinking water project subject to a license under this by-law which is in operation in the jurisdiction at the effective date of this by-law, it is legal for the Chairman to grant a grace period, taking into consideration the recommendations of the Committee mentioned in the 20th by-law above. However, the grace period provided under this Section shall not exceed the period of one year from the effective date of this by-law.
23. Unless, otherwise required by the terms of this by-law, in this by-law:

“Pradeshiya Sabha” means the Ambagamuwa Pradeshiya Sabha,

“Chairman” means the Chairman appointed for the Ambagamuwa 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 or 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 ground water for drinking water needs or a place that has the potential for public drinking water use.

SCHEDULE No. 1

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) Location Coordinates:

(vi) Ownership / possession of land where water source is located:

(vii) Access (should be outlined as possible)

(viii) Nature of Use (Private / Public):

5. 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>

6. Information related to the vehicles used for the business:

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

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

7. Number of beneficiaries identified under the proposed Water Project:

8. Expected water capacity to be used daily:

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

- A copy of the constitution and a copy of the Society's Registration Certificate if a Society,
- A rough plan certified by an acceptable Technical Officer showing how the components related to the Water Project have been utilized,
- The plan includes all the components related to the Water Scheme,
- Documents in which the permission has been given by the relevant authority in the case of deployment of the main pipe system used for the Water Scheme on a private property and in the case of deployment on a property belonging to another authority, by the relevant authority.

Signature of Applicant.

Date:

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

8A

SCHEDULE No. 2

A permit is issued for running a drinking water project using a water source within the Pradeshiya Sabha jurisdiction.

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

.....
Chairman,
Pradeshiya Sabha.

Date:

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