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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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No. 1425/1 – MONDAY, DECEMBER 26, 2005

(Published by Authority)

## PART IV (A) — PROVINCIAL COUNCILS

### Provincial Council Notifications

#### CENTRAL PROVINCIAL COUNCIL

#### Revision of the Passenger Transport Enactment, No. 01 of 2000

I, Sarath Ekanayake, Minister of Education, Law and Order, Finance and Planning, Local Government, Tourism, Trade and Commerce, Cultural Constructions, Environment, Land, Housing, Human Resources Development and Local and Foreign Investment Co-ordinating of the Central Provincial Council as per the powers vested upon me by the Passenger Transport Services Act, No. 01 of 2000 hereby revised the Sections 30, 31, 32, 33, 34 and 36 respectively stated in Part III of the Act, No. 01 of 2000 published in the *Gazette* of the Democratic Socialist Republic of Sri Lanka No. 1 – 169 dated 26.01.2001.

SARATH EKANAYAKE,  
Chief Minister and Minister of Education, Transport, Law and Order, Finance and Planning, Local Government, Tourism, Trade Commerce, Cultural Constructions, Environment, Land, Housing, Human Resources Development and Local and Foreign Investment, Co-ordinating  
Central Province.

#### PART III

#### FINANCE

A statute to amend the Passenger Transport Services Authority Statute, No. 01 of 2000 ..... of the Central Provincial Council.

All Sections and Sub-sections coming under Section 30 to Section 36 of Part III – Finance in the Passenger Transport Services Authority No. 01 of the year 2000 of the Central Provincial Council is hereby deleted and the following Sections are substituted therefor : –

30. (1) For the purpose of this Statute there shall be a separate account for the Authority hereinafter called and known as “Central Province Passenger Transport Services Authority Account”. Account of the Authority.

(2) The General Manager shall operate the Transport Authority Account.

(3) There shall be maintained an account in a Bank approved by the Provincial Councils Treasury by the afore mentioned name on behalf of the Authority and shall transact business through the account in irrespect of all receipts and expenditure of the Authority. The power of maintaining the account may be delegated to the officials of the Authority in a suitable manner.

N.B.— *Gazette Extraordinary* Series No. 1,424/01 ends with No. 1424/32

Funds of the  
Authority.

31. (1) (a) the initial Capital of the account of the Authority shall be ten million. This sum of money shall be credited to the Account of the Authority from the Provincial Council Fund by such number of instalments to be divided by the Minister in Charge of the subject of Finance in the Provincial Council in consultation with the Minister concern.

(b) the net/assets acquired from the Passenger Transport Advance Account existing so far, under Section 42 of this Statute shall be a portion of the Fund to be granted in this manner.

(c) As the Authority functions, the said working capital shall be increased from time to time as and when a necessity arises and any excess or any profits of the Authority may be transferred as a share of the capital by the Minister in consultation with the Minister of Finance.

(2) (a) The annual estimates shall be prepared for the Authority showing the revenue and receipts, for payments and expenditure for the ensuing year. Such estimates shall be approved by the Board of Directors, and shall obtain the concurrence of the Secretary to the Ministry and also of the Provincial Treasury. The Authority shall be informed of the reasons when such concurrence is not given.

(b) The Authority shall not make any payment or enter into any bond exceeding the approved limits of the approved payments or bonds.

(c) During the course of the year if it appear that any of amount of revenue of receipt will not be received or if it appears that any expenditure or payment will exceed the approved limits, action shall be taken to amend the approved limits of the approved payments.

(3) Following sums of money shall be credited to the account of the Transport Authority during the year.

(a) All sums of money that may be voted by the Provincial Council from time to time for the use of the Transport Authority.

(b) All sums of money that may be received as grants from the Government or foreign assistance received through the Provincial Council for the development of Transport Services.

(c) All sums of money that may be received or that shall be received to the Authority during the course of carrying out or performing its duties and functions vested with the Authority under this Statute.

(d) The Minister of Finance may issue an order to credit all receipts under Section (3) to the Provincial Council Fund and to provide the funds required for the Transport Authority through and estimate of the Provincial Council. If such an order is issued the authority is bound by to carry out such an order.

Making payments  
from the account  
of the Authority.

32. The Account of the Authority shall be utilized to incur expenses in carrying out the duties and functions of the Authority under this Statute, to pay the salaries and wages of the General Manager, including all other employees ; to incur expenditure involved in maintaining the Transport Authority ; to incur all other expenditure that may occur under this Statute ; to make any payment that may be decided by the Authority and to make payments approved by the Board of Ministers of the Central Provincial Council.

Loans raised by  
the Authority.

33. where there be a difficulty in settling payments from funds to be received to the Authority as mentioned under Section 31, for the purpose of discharging the duties and obligations of the Authority, such sum of money as it require, may be raised by borrowing temporarily in the form of a bank overdraft or otherwise, with the consent of the Minister and according to his permission and general direction. When the Minister in charge of the subject of Finance gives such permission, action may be taken under Section 21 of the Provincial Council Act, No. 42 of 1987.

However, the aggregate amount payable from any temporary loan or any bank overdraft raised by the Authority under this Section shall not exceed such sum of money at may be determined by the Minister in charge of the subject of Finance.

Financial year of  
the Authority.

34. The financial year of the Authority is the calendar year.

35. (I) The account of the Authority for each financial year shall be forwarded to the Auditor General for audit before the lapse of three months after the end of each financial year. For the purpose of assisting him in the audit of such account, the Auditor General may employ the services of any qualified auditor/auditors who shall act under his direction and control.

Auditing the account of the Authority.

(II) (a) The account of the Authority shall consist of the active account, profits and loss account, and a statement of assets and liabilities. And such account shall be certified by the Chairman and by the General Manager.

(b) The following information shall be forwarded along with the account.

- (1) A schedule of loans and overdrafts raised by the Authority.
- (2) A schedule of investments made in other institutions by the Authority.
- (3) A schedule of liabilities committed by entering into agreements by the Authority.

(III) Such reports of accounts shall be forwarded to the Provincial Council before the lapse of five months after the end of the financial year.

(IV) If the Auditor General makes a request for any remuneration for the purpose of meeting the expenses incurred by him in the audit of the account of the Authority, such remuneration shall be paid from the funds of the Authority as determined by the Minister. The Auditor General and / or any person assisting the Auditor General in the audit of the account of the Authority, shall have access to all such books, deeds, contracts, accounts, vouchers and other documents of the Authority, as the Auditor General may consider necessary for the purpose of the audit and shall be furnished by the Authority or its officers with such information within their knowledge as may be required for the purpose.

(V) From the profits or excess of the year, a sum of money as determined by the Minister in charge of the subject of Finance or a percentage of profits or a percentage of revenue shall be debited to the Authority as a compulsory payment and shall be credited to the Provincial Council Fund before the lapse of five months after the end of the financial year or before a date to be determined by the Minister of Finance.

(VI) Where there is an excess sum of money in the Transport Authority, such amount of money may be invested in a State Bank as determined by the Authority and shall do so only in consultation with the Provincial Treasury.

36. (1) The Auditor General shall examine the account of the Authority and furnish a report –

Audit report of the Authority.

Drawing the attention to any item in the account which in his opinion may be of interest to the Provincial Council in any examination of the activities of the account of the Authority.

(2) The Auditor General shall forward his report to the Hon. Governor with copies to the Chairman of the Provincial Council, Secretary to the relevant Ministry, and to the Chief Secretary.

(3) The Chairman of the Authority shall forward a report to the Minister in respect of audited accounts for each year; the report of the Auditor General when received; and a report of the activities of the Authority for each year. The Minister shall forward a copy of such report to the Provincial Council before the lapse of twelve months after the end of the relevant financial year.

Forwarding the Auditor - General's Report and the report of the annual activities of the Authority to the Minister.

**AMENDMENTS MADE TO THE ORDERS OF THE ROAD PASSENGER TRANSPORT ENACTMENT  
No. 04 OF 1992**

I, Sarath Ekanayake, Minister of Education, Transport, Law and Order, Finance and Planning, Local Government, Tourism, Trade Commerce, Cultural Constructions, Environment, Land, Housing, Human Resources Development and Local and Foreign Investment, Co-ordinating as per the powers vested upon me under Section 24 of the Road Passenger Transport Service Enactment No. 04 of 1992 hereby inform that the following charges will be levied in addition to the charges published in the *Gazette* of the Democratic Socialist Republic of Sri Lanka, No. 1775/24 dated 16th March, 2001.

<i>Serial No.</i>		<i>Proposed Amount Rs. Cts.</i>
1.	Log Sheets	500.0
2.	Service charges for the issue of Licences	2,000.0
3.	Licences fees for the luxury buses	5,000.0
4.	Documents pertaining to the Registration of Omni buses	1,000.0
5.	Specimen form for the Driver CP 175	100.0
6.	Charges for the application on which the new license fees is approved	200.0
7.	Entrance fees	500.0

SARATH EKANAYAKE,  
Chief Minister and Minister of Education, Transport,  
Law and Order, Finance and Planning, Local Government, Tourism,  
Trade Commerce, Cultural Constructions, Environment,  
Land, Housing, Human Resources Development and  
Local and Foreign Investment, Co-ordinating,  
Central Province.

01-208/2

**AMENDMENT MADE TO ORDERS ON PASSENGER TRANSPORT SERVICES  
ORDINANCE OF No. 04 of 1992**

I, Sarath Ekanayake, The Chief Minister of Central Provincial Council and Minister for Education, Transport, Law and Order, Finance, Planning, Local Government, Tourism, Trade and Commerce, Cultural Constructions, Environmental, Land, Housing, Human Resources Development and Local and Foreign Investment, Co-ordinating, by virtue of powers vested in me under Section 24 of Passenger Transport Services Ordinance No. 04 of 1992 and as per special *gazette* notification No. 1175/24 of the Democratic Socialist Republic of Sri Lanka, dated 16th March, 2001 do hereby declare that ; in addition to the charges published therein, the issue of new route permits under Passenger Transport Services Authority - Central Province, on popularity of such routes would be graded as A, B, C, D and E and it is notified that the minimum estimated charges would be collected in the following manner.

Minimum estimated charges on new "A" grade route permit	Rs. 30,000
Minimum estimated charges on new "B" grade route permit	Rs. 25,000
Minimum estimated charges on new "C" grade route permit	Rs. 20,000
Minimum estimated charges on new "D" and "E" grade route permit	Rs. 15,000
Route permit estimated charges on new luxury bus route permit	Rs. 30,000

SARATH EKANAYAKE,  
The Chief Minister of Central Provincial Council and Minister for Education, Transport,  
Law and Order, Finance, Planning, Local Government, Tourism, Trade and Commerce,  
Cultural Constructions, Environmental, Land, Housing, Human  
Resources Development and Local and Foreign Investment, Co-ordinating,  
Central Province.

01 - 208/3

**SURCHARGES UNDER THE ROAD PASSENGER TRANSPORT AUTHORITY ENACTMENT,  
No. 04 OF 1992 IN CENTRAL PROVINCE**

I, Sarath Ekanayake, Minister of Education, Transport, Law and Order, Finance and Planning, Local Government, Tourism, Trade Commerce, Cultural Constructions, Environment, Land, Housing, Human Resources Development and Local and Foreign Investment, Co-ordinating as per the powers vested upon me under Section 24(1) (2) of the Road Passenger Transport Service Enactment No. 04 of 1992 the following surcharges will be levied according to Section 15 under the provisions and the conditions stated in iv(a) of the Road Passenger Transport Enactment No. 04 of 1992.

<i>Serial No.</i>		<i>Proposed Amount Rs. Cts.</i>
1.	Transporting passengers without a valid permit of the passenger transport service	500.0
2.	Running on routes which are not mentioned in the permit	500.0
3.	Undertake special trips without a special trip permit	500.0
4.	Fail to stop the bus when an authorized officer signals to do so	500.0
5.	Driving without the signal lights	350.0
6.	Not issuing tickets to the passengers	500.0
7.	Engage in the duties without obtaining conductor's license	500.0
8.	The destination board is not displayed in all three (03) languages	200.0
9.	Route number is not written clearly on the destination board	250.0
10.	Head lights are not in a working condition (Stop journeys)	
11.	Over loading of the luxury buses	500.0
12.	Running without the side mirrors of the bus	350.0
13.	Bars are not fixed in the bus for the passengers to holdfast	300.0
14.	Not running up to the terminus	500.0
15.	Cover with polythene material instead of glasses of the buses	500.0
16.	Buses are not in a suitable condition to transport	500.0
17.	Switch off the air conditioners in the luxury buses on the way	500.0
18.	Taking more than the fixed charge in the ticket from the passengers	500.0
19.	Loading goods to obstruct the passengers in the bus	500.0
20.	Not controlling the volume of the cassette radio	300.0
21.	Allow the passengers to go on the footboard	500.0
22.	Defects in the bus	200.0
23.	Removing the seats of the bus to transport passengers	500.0
24.	Transporting the passengers after the expiration of the license	500.0
25.	Running without the running chart	200.0
26.	Running without the wipers	300.0
27.	Misconduct of the driver	500.0
28.	Misconduct of the conductor	500.0
29.	Surcharge for not obtaining the log sheets and the entrance license on the relevant date (Rs. 25 for each week)	25.0
30.	Not displaying the bus fare chart in the bus	100.0
31.	The bell fixed in the bus is not working properly	150.0
32.	Notice pertaining to the reserved seats for cleargy, disable and pregnant women are not displayed	200.0
33.	The notice 'Smoking is Prohibited' is not displayed	100.0

SARATH EKANAYAKE,  
Chief Minister and Minister of Education, Transport, Law and Order,  
Finance and Planning, Local Government, Tourism, Trade Commerce, Cultural Constructions,  
Environment, Land, Housing, Human Resources Development and Local and Foreign Investment,  
Co-ordinating — Central Province.