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## THE CEYLON GOVERNMENT GAZETTE EXTRAORDINARY

අංක 12,187 — 1960 අගෝස්තු 26 වැනි සිකුරාදා—26.8.1960

No. 12,187 — FRIDAY, AUGUST 26, 1960

(Published by Authority)

### PART I: SECTION (I)—GENERAL

#### Government Notifications

##### FARES BOARD

*Present :* Mr. P. O. Fernando, Chairman,  
Mr. K. Satchithananda, Member, Fares Board,  
Mr. P. D. Abhayapala, Member, Fares Board,  
Mr. D. G. B. Ranasinghe, Member, Fares Board,  
Mr. S. S. H. Silva, Secretary, Fares Board.

The Ceylon Transport Act, No. 48 of 1957.

In the matter of the application of the Ceylon Transport Board to approve the Fares Scheme No. 1 of 1959.

##### INTERIM DECISION

1. We shall not approve the Scheme as prepared by the Ceylon Transport Board.
2. We are prepared to approve the amended Scheme appearing in Annexure A.
3. The Ceylon Transport Board should prepare and submit to the Secretary, Fares Board, as early as possible the maximum fare tables for all the Omnibus routes for which services are being provided at present by the Ceylon Transport Board according to the rates in the amended Scheme namely, 4 cents a mile per passenger in the low country areas and 5 cents a mile per passenger in the up-country areas.  
These fare tables should be published in the *Ceylon Government Gazette* when they are received from the C. T. B. Objections to these fare tables may be made by :—
  - (a) Associations approved by the Minister of Nationalised Services ; and
  - (b) by Local Authorities within whose administrative limits such Omnibus Services are wholly or partly provided.
4. With regard to miscellaneous services and facilities we are prepared to reconsider the maximum rates fixed by us if the Ceylon Transport Board forwards to the Secretary of the Fares Board a statement showing :—
  - (a) the present charges levied in respect of these services and facilities,
  - (b) the proposed charges which the Ceylon Transport Board considers reasonable in respect of these services and facilities.
5. We shall take into consideration any representation in writing upon any matter arising out of this interim decision received either from the Ceylon Transport Board or from any authorised objector within 3 weeks of the date of publication of this interim decision in the *Ceylon Government Gazette*.
6. These decisions should be published in the *Ceylon Government Gazette* and in the following newspapers :—
  - (a) The Ceylon Daily News,
  - (b) The Ceylon Observer,
  - (c) The Times of Ceylon,
  - (d) The Dinamina,
  - (e) The Janatha,
  - (f) The Lankadipa,
  - (g) Virakesari,
  - (h) The Thinakaram.
7. We shall, if necessary, resume the public Inquiry. We shall not however, at the resumed Inquiry be prepared to consider any representations other than those which may be made with regard to the fare tables prepared by the Ceylon Transport Board.

SAM H. SILVA,  
(Secretary).

Colombo 5,  
16th August, 1960.

P. O. FERNANDO,  
(Chairman).  
K. SATCHITHANANDA,  
(Member).  
D. G. B. RANASINGHE,  
(Member).

Annexure A

CEYLON TRANSPORT BOARD—FARES SCHEME No. 1 OF 1959

PART I

*Citation and Interpretation*

1. *Citation*.—This Scheme may be cited as the Ceylon Transport Board Fares Scheme No. 1 of 1959.
2. *Interpretation*.—(1) In this Scheme except so far as the context otherwise requires the following expressions have the meanings hereby respectively assigned to them—
  - “The Board” means the Ceylon Transport Board.
  - “Conditions” include Regulations.
  - “Contract Hire” has the same meaning as the term “Occasional Service” in Section 48 (2) the Motor Traffic Act, No. 14 of 1951.
  - “Fare Stage” means the distance between any fare stage point and the fare stage point next before or next after that fare stage point.
  - “Fare Stage Point” means a point determined by the Board under paragraph 10 of this Scheme.
  - “Ordinary Luggage” includes in relation to any passenger, any small package, article instrument, tool or other thing which is carried by hand by the passenger himself and causes no inconvenience to other passengers.
  - “Route” means any section of a highway on which omnibus services are provided by the Ceylon Transport Board.
  - “Season Ticket” means a ticket entitling the holder thereof to travel on a specified number of journeys between 2 fare stage points on a particular route during a specified period of time.(2) The Interpretation Ordinance, Chapter 2 (Volume 1) of the Legislative Enactments of Ceylon shall apply to this Scheme as if it were an Act of Parliament.

PART II

*Carriage of Passengers*

3. *Maximum Single Fares*.—(1) Subject to the provisions of paragraph 4 and 5 of this Scheme the Board may charge fares for the carriage of passengers not being carried on contract hire in accordance with the first Schedule to this Scheme.  
(2) The Board may—
  - Calculate the distance by reference to which any fare is chargeable in terms of fare stages, determined at such points along the routes on which services referred to are operated as may be convenient for the majority of bus passengers.Provided that—
  - (a) the fare stages into which the said routes are divided shall not on the average be less than one mile in length or as near thereto as may be reasonable, and
  - (b) any distance of 5 miles measured along a route from the commencement of any fare stage shall not contain more than 5 complete fare stages in the case of any route classified under paragraph (A) of Schedule 1 to this Scheme or more than 4 complete fare stages in the case of any route classified under paragraph (B) of Schedule 1 to this Scheme.
4. *Children and Young Persons*.—Notwithstanding paragraph 3 of this Scheme—
  - (a) the Board shall not make any charge for the carriage of a child under the age of 3 years travelling in the company of a fare paying passenger, and
  - (b) the fare chargeable under the same paragraph in respect of any journey made by a passenger under the age of 14 years shall not exceed one half of the sum which would apart from this provision have been charged thereunder.
5. *Maximum Season Ticket Rates*.—(1) The Board may levy a charge for the purchase of a season ticket, at a rate not exceeding 80 per centum of a sum calculated in accordance with paragraph 3 of this Scheme for the carriage of a passenger over 52 single journeys between 2 specified points on a particular route provided that—
  - (a) the single fare between these 2 points calculated in accordance with paragraph 3 of this Scheme is not more than Rs. 2.
  - (b) a season ticket purchased in accordance with the provisions of this paragraph shall entitle the holder to perform not more than 52 single journeys between these 2 points during a period of 45 days.(2) Notwithstanding the provisions of sub-paragraph (1) of this paragraph the fare chargeable shall not in the case of a passenger under the age of 14 exceed  $\frac{1}{4}$  of the sum chargeable under sub-paragraph (1) of this paragraph for 44 single journeys.  
(3) Notwithstanding the provisions of sub-paragraph (1) and (2) of this paragraph and paragraph 4 of this Scheme the Board may levy a charge not exceeding the sum chargeable under sub-paragraph (2) of this paragraph in the case of a student below the age of 18 purchasing the season ticket provided that he produces a certificate signed by the Principal or Head Master of the Institution in which the passenger is a student that—
  - (a) he is between 14 and 18 years of age,
  - (b) he is a student of that Institution.(4) For the purpose of sub-paragraphs (2) and (3) of this paragraph—
  - (a) a season ticket purchased in accordance with the provisions of this paragraph shall entitle the holder to perform not more than 44 single journeys between 2 stage points on a particular route during a period of 30 days, and
  - (b) the single fare calculated in accordance with paragraph 4 of this Scheme for a journey between these 2 points shall not be more than 50 cents.

PART III

6. *Luggage*.—(1) A passenger carried on the services of the Ceylon Transport Board at a fare authorised under paragraphs 3, 4 and 5 of this Scheme shall be entitled to take with him without any extra charge—
  - (a) any ordinary luggage or small package or article which is carried by hand by the passenger himself and causes no inconvenience to other passengers,
  - (b) a small dog, bird, or other small inoffensive animal,
  - (c) any article of food or drink whether prepared or not used by a passenger for the purpose of his trade or occupation, and
  - (d) any live poultry.Provided that—
  - (a) No dog, bird or other animal shall be taken without the permission of the conductor thereof.
  - (b) No luggage or package or article or dog or bird or animal shall be permitted to occupy any part of the seating accommodation in any omnibus or to obstruct the platform or gangway.
  - (c) Any such luggage or package or article or dog or animal shall be carried in such part of the vehicle as the conductor thereof may direct.
  - (d) Any such luggage or package or article or dog or bird or animal not exceeding 28 lbs. in weight.

(2) No luggage, package, article or live poultry, dog, bird or animal referred to in sub-paragraph (1) of this paragraph shall be carried in any omnibus unless it is packed in a suitable container and in such manner that no inconvenience will be caused to any passenger by reason of the carriage of the article, &c., in the omnibus.

(3) Nothing in the preceding provisions of this paragraph shall be deemed to authorise the carriage in any omnibus of any petroleum or other fuel, acids, explosives or other dangerous or foul smelling articles or corpse whether enclosed in a coffin or not, or any article in contravention of the Excise Regulations, Food Control Regulations for the time being in force.

(4) The Board may levy in respect of any excess luggage taken by any passenger a charge not exceeding the sum ascertained in accordance with the second Schedule of this Scheme. In this paragraph the expression "Excess Luggage" means in relation to any passenger so much of any ordinary luggage exceeding 28 lbs. but not exceeding 84 lbs. in weight or any luggage which he is not entitled to take without extra charge under sub-paragraph (1).

#### PART IV

##### Miscellaneous and General

7. *Miscellaneous Services and Facilities.*—The maximum charges that may be levied by the Ceylon Transport Board shall be following in respect of the miscellaneous services and facilities mentioned below :

- (a) The use of any omnibus specially provided for particular passengers or on contract hire :  
5 cents per mile per passenger according to the number of passenger seats in the bus.
- (b) The use of any omnibus specially provided in connection with any race meet, sports event, festival, exhibition or any other special occasion :  
5 cents per mile per passenger.
- (c) The use of any omnibus which the Board advertises as an omnibus in which passengers may travel only on payment of supplementary charges :  
5 cents per mile per passenger.
- (d) The reservation of seats :  
25 cents per seat.
- (e) The carriage of luggage in advance or unaccompanied :  
Same rates as in Schedule 2.
- (f) Cloak room or left luggage facilities :  
10 cents per parcel per day.

8. (1) The Ceylon Transport Board may levy such reasonable charges as they may determine for the use of any services and facilities not specified in this Scheme.

(2) Any question as to the reasonableness of any charge made or sought to be made by the Ceylon Transport Board under the provisions of sub-paragraph (1) of this paragraph shall be determined by the Fares Board on the application either of the Ceylon Transport Board or of the person liable for the charge.

9. *Terms and Conditions.*—The Board may make use of any of the services or facilities to which this Scheme relates subject to such reasonable terms and conditions as they may determine, provided that any term or condition which—

- (a) is repugnant to any provision of this Scheme,
- (b) purports directly or indirectly to exclude or limit the liability of the Board in respect of the death or injury of any person making use of any of the said services or facilities, or
- (c) purports directly or indirectly to prescribe the time within which or the manner in which any such liability may be enforced shall be void and of no effect.

(2) Any questions as to the reasonableness of any term or condition imposed or sought to be imposed by the Board in the exercise of the powers conferred by sub-paragraph 1 of this paragraph shall be determined by the Fares Board.

10. *Chargeable Distance.*—In the case of any journey where a maximum charge is authorised under paragraph 3, the distance with reference to which the fare chargeable for the journey is ascertained shall be the distance between—

- (a) the fare stage point at which the passenger boards the vehicle, or where the passenger boards the vehicle at a place other than a fare stage point, the fare stage point next before that place, and
- (b) the fare stage point at which the passenger is to alight from the vehicle or where the passenger is to alight from the vehicle at a place other than the fare stage point, the fare stage point next after that place.

11. *Fractions.*—(1) For all the purposes of this Scheme fractions of a mile not exceeding  $\frac{1}{2}$  a mile shall be reckoned as  $\frac{1}{2}$  a mile. Fractions of a mile exceeding  $\frac{1}{2}$  a mile shall be reckoned as 1 mile.

(2) In determining—

- (a) the maximum fare authorised by this Scheme to be charged for any particular journey (including the maximum fare authorised under paragraph 3 of this Scheme),
- (b) the maximum charge for excess luggage authorised under paragraph 6 of this Scheme, and
- (c) the maximum charge for excess luggage authorised under paragraph 7 of this Scheme.

Fractions of 5 cents amounting to  $2\frac{1}{2}$  cents and over shall be reckoned as 5 cents, fractions of 5 cents below  $2\frac{1}{2}$  cents shall be disregarded.

(3) For the purpose of determining the maximum fare under paragraph 6 of this Scheme with regard to the weight of passengers luggage, fractions of a pound shall be reckoned as a pound.

#### PART V

12. *Publications.*—The Board shall at its head office and at the office of every Regional Manager and District Manager and Depot Manager exhibit a copy of this Scheme and shall on demand made by any person during office hours produce the same for inspection.

13. The Board shall at every Depot and at every bus stand keep available for public inspection a list or lists showing the fare stages on every route controlled by the Depot or served by the bus stand and the maximum fares chargeable under Part II of this Scheme in respect of any journey thereof. Where however, the actual fare which the Ceylon Transport Board proposes to charge is less than the maximum fare a list showing the actual fares shall also be kept available for public inspection.

SCHEDULE 1

Maximum Charges Per Mile

(A) Five cents per mile for the carriage of a passenger on any route falling within the following areas :—

- (1) The revenue district of Kandy.
- (2) The revenue district of Nuwara Eliya.
- (3) That portion of the revenue district of Matale which lies to the south of the Weralanda-Galewela-Ussettawa-Naula-Elahera road.
- (4) The revenue district of Kegalle excluding the portion lying west of the Rambukkana-Kegalle-Galigomuwa-Undugoda-Deraniyagala-Parakaduwa road.
- (5) That portion of the revenue district of Ratnapura which lies to the east of the Parakaduwa-Ratnapura road, south of the Ingiriya-Ratnapura road and to the north of the Hingura-Embilipitiya-Liyanegama road.
- (6) That portion of the revenue district of Badulla which lies to the north of the Wellawaya-Moneragala road, and west of the Alutnuwera-Bibile road but excluding the portion which lies to the south of the Halpe-Haldumulla-Wellawaya road and east of the Moneragala-Bibile road.

(B) Four cents per mile for the carriage of a passenger on any route falling within any area not specified in paragraph (A) above.

SCHEDULE 2

Transport of Excess Luggage

For every 28 lbs. or part thereof, in excess of the 28 lbs. of luggage which may be taken free of charge by a passenger the charge shall be a sum equivalent to one third the passenger fare subject to a minimum charge of 10 cents (any fraction of 5 cents shall be reckoned as 5 cents for the purposes of this computation).

The computation of charges on the basis mentioned for every 28 lbs. or part thereof shall be as follows :—

Passenger Fare			Luggage Fare Payable		
Rs.	c.	Rs.	c.	Rs.	c.
0 05	to	0 30	..	0 10	
0 35	"	0 45	..	0 15	
0 50	"	0 60	..	0 20	
0 65	"	0 75	..	0 25	
0 80	"	0 90	..	0 30	
0 95	"	1 05	..	0 35	
1 10	"	1 20	..	0 40	
1 25	"	1 35	..	0 45	
1 40	"	1 50	..	0 50	
1 55	"	1 65	..	0 55	
1 70	"	1 80	..	0 60	
1 85	"	1 95	..	0 65	
2 00	"	2 10	..	0 70	
2 15	"	2 25	..	0 75	
2 30	"	2 40	..	0 80	
2 45	"	2 55	..	0 85	
2 60	"	2 70	..	0 90	
2 75	"	2 85	..	0 95	
2 90	"	3 00	..	1 00	
3 05	"	3 15	..	1 05	
3 20	"	3 30	..	1 10	
3 35	"	3 45	..	1 15	
3 50	"	3 60	..	1 20	
3 65	"	3 75	..	1 25	
3 80	"	3 90	..	1 30	
3 95	"	4 05	..	1 35	
4 10	"	4 20	..	1 40	
4 25	"	4 35	..	1 45	
4 40	"	4 50	..	1 50	
4 55	"	4 65	..	1 55	
4 70	"	4 80	..	1 60	
4 85	"	4 95	..	1 65	
5 00	"	5 10	..	1 70	
5 15	"	5 25	..	1 75	
5 30	"	5 40	..	1 80	
5 45	"	5 55	..	1 85	
5 60	"	5 70	..	1 90	
5 75	"	5 85	..	1 95	
5 90	"	6 00	..	2 00	