

**GOVERNMENT OF INDIA
ROAD TRANSPORT AND HIGHWAYS
LOK SABHA**

UNSTARRED QUESTION NO:4264

ANSWERED ON:29.08.2011

OVERLOADED VEHICLES

Adsul Shri Anandrao Vithoba; Dharmshi Shri Babar Gajanan

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the details of damage caused to National Highways due to various overloaded vehicles plying thereon;
- (b) whether there is any proposal to ban overloaded vehicles from entering and plying on NHs;
- (c) if so, the details thereof;
- (d) whether the Government has identified the entry points on NHs where checks will be put up to stop the entry of overloaded/errant vehicles;
- (e) if so, the details thereof; and
- (f) the steps taken by the Union Government to protect public property and book offenders under the damage to public property Act?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA)

- (a) Overloading of vehicles on National Highways causes distress such as raveling, pot holes, cracks in pavement, edge breaking etc leading to reduction in overall life of pavement.
- (b) to (e) There are adequate provisions in the Motor Vehicles Act, 1988 to check overloading of motor vehicles. Enforcement of these provisions rests with the State Governments. Hon'ble Supreme Court in its order dated 9.11.2005 in the matter of Shri Paramjit Bhasin and Others Vs Union of India & Others (W.P. No. 136/2003) held that in case a vehicle is found to be overloaded, the excess load needs to be offloaded besides levy of penalty in terms of the provisions of the Motor Vehicles Act, 1988. The State Governments/UTs have been advised from time to time to implement the provisions of the Motor Vehicles Act, 1988 and ensure compliance of the order of Hon'ble Supreme Court to check overloading of motor vehicles.
- (f) The Prevention of Damage to Public Property Act, 1984 deals with the offences pertaining to damage caused to the public property. "Public Order" being State subject, as per the Constitution, it is primarily the responsibility of the State Government to register and investigate cases involving offences relating to damage to public property.