

[English]

SHRI V. VETRISLVAN (Krishnagiri): Mr. Speaker, Sir, I want to draw the attention of the Minister towards the worst condition of Dharmapuri district, particularly in my Krishnagiri constituency in Tamil Nadu, due to drought. Dharmapuri district is the most drought-affected district of the State. It is facing worst drought situation for the last two consecutive years. This year, drought has affected the district most adversely as compared to the previous year. The people are facing acute shortage of drinking water and food. Irrigation is affected severely due to failure of monsoon. The strength of cattle is decreasing day by day as they have no fodder and water. Employment opportunities in agriculture section have stopped. The farmers are facing a lot of loan burden and are not in a position to repay the loans.

Sir, no relief measures have, so far, been provided this year to this district either by the Central Government or the State Government. We have made request to the State and other Central authorities to provide some relief measures, to provide more foodgrains, to waive the loans of farmers and to take effective steps to provide drinking water facilities in this district.

Therefore, I would request the hon. Minister concerned to take personal interest towards the condition of this district and direct the State Government and the Central authorities to take effective action immediately and also to provide some direct relief to this district.

13.03 hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.

14.07 hrs.

The Lok Sabha re-assembled after Lunch at seven minutes past Fourteen of the Clock.

[DR. LAXMINARAYAN PANDEYA in the Chair]

CONTROL OF NATIONAL HIGHWAYS (LAND AND TRAFFIC) BILL

[English]

MR. CHAIRMAN: The House will now take up Item No. 14—Control of National Highways (Land and Traffic) Bill, 2002.

THE MINISTER OF STATE OF THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (MAJ. GEN. (RETD.) B.C. KHANDURI): Mr. Chairman, Sir, I beg to move:*

"That the Bill to provide for control of land within the National Highways, right of way and traffic moving on the National Highways and also for removal of unauthorised occupation thereon, be taken into consideration."

Sir, I wish to give a brief synopsis of the reasons for introducing this Bill. In India, today, a very massive road building operation is going on. It is not only the first time since Independence, but I think, it is the first time in the history of India, that such a massive road building programme has been taken up.

Now, we are spending almost Rs. 60,000 crore on a single programme—Prime Minister's National Highway Development Programme. In addition, we are spending Rs. 2,500 crore per year on the *Pradhan Mantri Gramin Sarak Yojna*. We are also spending about Rs. 1,000 crore on State Highways and major District roads which will be given to the States in addition to, of course, what the States are spending.

In addition to this type of expenditure, 10 ports connectivity is being given which is costing around Rs. 3,000 crore to Rs. 4,000 crore. This type of activity has never been taken up before. The results of this programme are now being seen on the ground. The States are also feeling very enthusiastic and they too want to improve their roads.

However, along with this development of roads, the tendency for encroachment, unauthorised occupation and creating obstructions on these development roads has also taken place side by side, which has resulted in more accidents. Unfortunately, in our country, we are having as many as 70,000 deaths per year just because of road accidents on all roads. Similarly, the full potential of roads that have been built—4-lane roads, 6-lane roads where there should be faster traffic on them—is not taking place because the population and the unauthorised encroachment occupation are creating difficulty in movement.

Therefore, the vast amount of money that is being spent is also not being used properly. In addition, if we want to do any future expansion, it is not possible as already constructions have come up along these roads. This is creating a big problem not only for present but also for future.

*Moved with the recommendation of the President.

[Mr. Gen. (Retd.) B.C. Khanduri]

The present position is, we have no direct Act to control encroachments on any Highway including the National Highways. At present, we can use only CrPC or IPC but they involve long drawn processes and, in fact, on ground they are not being used. With regard to Highways, we have two Acts at the moment. One is the National Highways Act which gives us the authority for conversion of State Highways into National Highways and also to maintain and develop them and the second one is, the National Highways Authority of India Act, 1988, under which the National Highways Authority of India was created. Apart from these two, we do not have any other legislation. It was, therefore, felt that we should have this legislation. Not only we, cutting across Party lines, all sections of the House were of the same opinion. A number of times we have been asked as to why we are not bringing a legislation to prevent or to remove encroachment. With that end in view, we have brought this Bill.

The main feature of this Bill is that we want to establish a Highway Administration which will control, minimise and possibly eliminate unauthorised encroachments on these roads. In this Bill we have also provided for a Tribunal so that if anybody feels that he is being dealt with unfairly, he can go to the Tribunal and get justice. We have not only provided for removal of encroachments but also control to the access of these roads. We know that if anybody want as to go anywhere, he gets into the National Highway. As a result, free flow of traffic is reduced. Similarly, which vehicle should pass through it, which part of the road is required to be prevented for usage by a particularly type of vehicle, all these aspects have been included in this Bill. So, this, in brief, is the synopsis.

I request the House to give me support so that full potential of these roads is utilised. I would request the House to pass this Bill as early as possible.

MR. CHAIRMAN: Motion moved:

"That the Bill to provide for control of land within the National Highways, right of way and traffic moving on the National Highways and also for removal of unauthorised occupation thereon, be taken into consideration."

[Translation]

SHRI SUSHIL KUMAR SHINDE (Solapur): Mr. Chairman, Sir after many years the Government of India have brought a good bill and for this I would like to welcome hon'ble Minister. Instead of the Government I would like to welcome hon'ble Minister because he has a vast experience of military service and he has also

worked in Pune hence he knows about north east and hilly areas. Besides, he has the knowledge of developing cities. Therefore, I welcome him. I have been requesting the Government of India through all the Transport Ministers for the last four years that the Act of the Government of India is not sufficient for smooth functioning. You can see anywhere, at many places Highways do not have service lane, despite they are called highways. Many colonies have come up along sides of Highway resulting in accidents. Children come on roads to play and get hit. I have a vast experience of National Highways, specially about National Highway no. 9 and 13 which passes through my constituency. Substantial work has been done there by the Government but in this new Bill, it has been stated that an authority will be established to remove encroachments. It has been stated in the objectives and reasons of the Bill that:—

[English]

"However, these enactment do not give powers to the Central Government to prevent or remove encroachments on land under the National Highways, or to restrict access to them from the adjacent land."

[Translation]

I know about encroachment. The Government have its officers in each State who give permission for the construction of building. Where and when this job will be undertaken? I would like to put a ticklish problem before the hon'ble Minister. An Act was passed in Mumbai High Court. Now Maharashtra is a State. Bombay Highway Act, 1955 was passed there. At that time also similar direction may have been given. It is not necessary that each State will adhere to the instruction issued by Government of India. The Government enacted the law and each Chief Minister was informed through a letter. Hon'ble Minister has sent me a copy of that letter. I would like to thank him for that. How many Chief Ministers have accepted that? If they have accepted, it is because of your authority. Similar situation has cropped up this time. The Chapter-III of Bombay Highway Act, 1955, has a restriction of Ribbon development section. I would like to read that:

[English]

It has no relevance with this Act. But this will be useful to give direction to the States. It will also be useful when you will frame the sub-sections of your law. Section 9 says:

"No person shall without the previous permission in writing of Highway Authority lay upon any lane

between the highway boundary and the building lines proposed to be fixed under sub section..."

An Authority is in existence at the moment also.

[Translation]

In ribbon area leaving some space along Highways, the permission for the construction of houses is given but today no State is accepting it. I can give many examples where houses have been constructed along Highways. The Government have instructed that scope for service road should be left. Who is implementing it? Whether or not the Government have a provision to monitor it? Have you ever pondered over it?

There was a time when rural population used to increase but now urban population is increasing. I remember that it is increasing from 18 to 32-42 percent. When Urban population increases then city expands, consequently agglomeration area, corporation and municipality area increases. Whether or not the Government have any provision to monitor it. Today many cities are in bad state. We see the roads in Switzerland and Singapore. Many people have visited Malaysia and say that the roads are very good there. We say that we want to make India as good as Singapore but do we have a political will for that?

A scheme is going to be launched through this Bill. I would like to welcome hon'ble Minister. He might have put pressure to start it. You like to promote it. A sum of Rs. 60 thousand crores are being spent. If the cities are not well planned, it won't do any good. Pt. Jawahar Lal Nehru had established Chandigarh. He has made it a beautiful city and good roads were constructed there, that city was well planned. Whether today we are pondering over to have this type of planning in the country. If we do not ponder over it then there will be no use of setting up any Authority.

Mr. Chairman, Sir, for your kind information I would like to tell that since 1997 I have been agitating for my question. It is not confined to me only. I have been requesting that something should be done in this regard. They have been replying that they are helpless as they don't have any such law, it falls under the jurisdictions of State. Therefore, States should be asked in this matter. State Governments say that they can't do anything they follow the rules of the Government of India.

Mr. Chairman, Sir, I would like to cite an example. Though the question of constituency should not be included in such a Bill but I would like to tell you that

earlier the population of Solapur Municipal Corporation area was 3 Lac. At that time it was a small area with the total area of 4-5 sq. Kilometer. Gradually the city expanded and today its population is upto 10 Lac. In 1990 the Government of Maharashtra extended it upto 20 kilometer with its extension risk so that future planning no pressure should be put on the new highways there, it should have service road and in the agglomeration area which starts after the extension area nobody will be allowed for construction within the five kilometers of that area long the Highway. I remember that the then Minister had announced in the House that if any construction had to be done in agglomeration area then the Sarpanch of rural department have the sole authority to give any permission. Nobody can object to it. The then Urban Development Minister of Maharashtra had constituted a committee and told in committee that the meeting of tehsildar, town planning officer and collector would be held and then the clearance could be given by the Committee and thereafter Sarpanch can give permission to the maps, only after that the construction in rural area can be carried out. I think it has some trouble. Once you have made it one Window then this unauthorised construction cannot be undertaken because poor Sarpanch does not know what is your ribbon area. What is your service road. He thinks that this matter is related to his village so he grants his permission and after his permission where officials of Authority call it unauthorised construction then the trouble starts. As such, the person who had done construction will have to vacate. Who is responsible for it?

Now the Authority you are establishing is only for punishment. You have to look into this matter thoroughly. We want that a comprehensive bill should be brought in this matter. There should be provision in that law that the areas having the Municipalities should be divided into five lac, ten lac and twenty lac but it should have a principle and a limit should be determined for the Highways passing through these areas. In the areas where the population is five lac, ten lac from where the ribbon area and building area will start. Different rules can not be applied for different areas on the basis of their population. Once a law is enacted, it is not reviewed later on.

I would like to give the example of Thana area of Maharashtra. One of its constituency having 40 lac. What would be achieved through that, the same old act is being given for implementation. Arrangement be made for monitoring also. It is the computer age. All the highways be processed through the computers to look out as to which highway would pass through which route and provide permission in this regard.

[Shri Sushil Kumar Shinde]

A very good work has been undertaken and the entire House would cooperate in this regard. My suggestion is that a comprehensive bill be brought in this regard and an Act should be enacted through which the entire country could be instructed and guided.

I have with me several letters including that of letter of Executive director & Chief engineer which has been addressed to the State Governments and is quite comprehensive but the implementation in States is almost negligible. It is a very important subject. An effort has been made to set up a new authority but as I have said that at certain places there are good social workers and other persons and at such places pathway for constructing the 26 metres wide road have been arranged as per the instructions but the officers nominated from your side whether they be of Housing Development Board or Urban Development Board, PWD or belonging to CPWD might not provide the 21 metres wide pathway and may narrow it down. I would like to know as to what action the Government contemplate to take in such a situation.

MR. CHAIRMAN: Shindeji, it is a very important Bill. You are also speaking quite well but the time allotted is very limited. Reminding you of time constraint, I would like to request you to conclude.

SHRI SUSHIL KUMAR SHINDE: Mr. Chairman, Sir, I would conclude within two to three minutes. Hon. Minister should take note of this thing and as he had been a Maj. General, he understands a lot about this. Hence I expect from him that he would get it implemented.

The 27 metre wide pathway might be given but what the hon. Minister expects to do if the permission for construction of road along 19 metre wide pathway is given in the Corporation area immediately after the extension. The 27 metre wide pathway could be made available in the city but who would be held responsible once the permission is granted to construct 19 metre wide road in the area of the extension of the city and once the permission for it is given the children of the families in the vicinity of the highway would become prone to accidents and it would increase the likelihood of truck accidents.

Sir, truck drivers work under a lot of strain because they have to drive for hours together. They have their own time constraint for reaching destination and they naturally drive at high speed on highways. They don't get full rest and are prone to commit accidents. I would like to know as to who is responsible for it?

Sir, my submission is that the same penalty which is imposed on encroachers should be imposed on those

who permit such obstruction and only such a step could stop construction along the highways. I am fully confident that the hon. Ministers would certainly take action in this regard. I cannot speak more due to time shortage, else I have a lot of material including the papers about which I wanted to apprise the hon. Minister regarding this matter. I do not want to waste the time of the House by providing the hon. Minister the information contained in these papers. I would personally meet him and would also give some suggestions in this regard as well.

I would like to tell the hon. Minister that he would get our full support because this work does not relate to a party. This work should be done rising above party-politics. We should also think seriously as how we could provide facilities to our coming generation. We often talk about Singapore and other prosperous countries and it is keeping in view the pursuit of development achieved by these countries that we have to restrain ourselves.

Sir, right now I don't want to speak on the condition of the roads in hilly areas like Manipur and Assam and also the encroachment on the roads in these States like in Nagaland where shops are constructed on every turn. How will it do like this? More alertness is required for the developing States where the population in cities is increasing. A separate comprehensive act is needed to be enacted for it. The amendment in the 1985 Act won't achieve the purpose.

Mr. Chairman, Sir, I am confident that the hon. Ministers would do something in this regard and also would not give us a chance to remind him. I am confident that he would implement my suggestions and I fully support this Bill.

SHRI RATTAN LAL KATARIA (Ambala): Mr. Chairman, Sir, I would like to congratulate the hon. Minister that he has brought a Bill to regulate the highways. The Bill would revolutionalise the handling and development of national highways in the future. I would like to say that the 6th January 1999 would go as the red letters day in Indian history on which hon. Prime Minister inaugurated the National Highway. National Highways covering the length of 13250 kilometres in the entire country would be constructed under this project which would involve an expenditure of 60 thousand crore rupees in two different phases. G.T. Road was constructed by Shershah Suri some 400-500 years ago in India. After him the credit in this field would go to Shri Atal Bihari Vajpayeeji who, by taking a leaf from the road systems in various countries of the world, took this resolve to bring this revolution in India. I would like to congratulate the hon. Minister for it.

I am of the view that prior to it no such law existed in the country. The old cases of national highways had been dealt under the acts of 1956 and 1988. Besides the concerned clause under CPU had also not been playing any specific role in it. Bad roads not only result in the wastage of time but also are also adversely affecting the economy of the country. The lack of proper maintenance of highways are resulting in 10 per cent more fuel consumption alongwith 25 percent more addition of time in journey. Insurance sector is also suffering loss due to increasing number of accident cases on these roads. Besides it is also adversely affecting the performance of the vehicle.

I hope that the setting up of such a tribunal or administrative authority would yield a profit of 20 thousand crore rupees in future and would also regulate the traffic. The construction of GO Highway alone would yield an annual profit of 8000 thousand crores.

[English]

It will generate 180 million mandays per year.

[Translation]

The construction of its first phase is going to revolutionise the system and the completion of its second phase would result in our dream coming true of linking Kashmir to Kanyakumari and Bombay to Guwahati.

Sometimes it really hurts. I Yesterday I was going to my constituency Ambala from Delhi. I knew that this Bill would be introduced tomorrow so I had a close look at the G.T. Road for a kilometre and witnessed the encroachments on at least at ten places whether it was by a petroleum owner or an owner of a hotel or any other shopkeeper. It is being reported in the newspapers, perceived by a visitor and also discussed in Lok Sabha that the doing away with such encroachments would save three hours between Delhi and Amritsar. It is a fact. Today people discuss that earlier it used to take 4 1/2 hours to reach Jaipur from Delhi but now condition of roads has improved and one can easily reach Jaipur in three hours only. But sometimes one's mood gets off when...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI (Raiganj): One needs huge insurance coverage for reaching Jaipur in three hours, please take care of that. So don't haste and be patient while travelling.

SHRI RATTAN LAL KATARIA: Sometimes a person reach Gurgaon with high speed but in absence of proper

traffic control or due to encroachment, it takes that much time to reach to Parliament from Gurgaon as required for reaching to Gurgaon from Jaipur, it is really very sad. Constituting such an authority will be revolutionary. I would like to say that say that State Governments should cooperative with Union Government in this regard. Under the provisions of this Bill, the officers appointed from Centre as well as from State will be accorded judicial power like lodging F.I.R., giving decision and referring the matter to Tribunal. I think, such provision has been made in this Bill that after their decision.

[English]

Only High Court and Supreme Court can interfere in the decision of the Tribunal.

[Translation]

It is a good provision. This bill will ensure prosperity and security both.

I would like to say that condition of roads has improved and I appreciate that for the first time Ministry are making efforts to mobilise resources within the country and avoid loan from IMF and other foreign agencies for this project. Toll tax has been imposed at some places and I would like to request the hon'ble Minister that this should be made practical and rational otherwise while enjoying pleasure of driving, people feel pinch in paying Rs. 150 or Rs. 50 at two-three places. Arrangements for its payment should be made alongwith payment of road tax. Cess has been imposed on diesel. An arrangement should be made...*(Interruptions)* I have just started speaking...*(Interruptions)* The long queues for collection of tax creates wrong impression and cause irritation. That should be avoided. Earlier under various plans, we know that 300 or 400 kilometer long national highway was constructed every year. But now the construction of highways has increased by 12 to 15 times, which is a revolution in this field. This Bill was essential for regulating all these things. Now I would like to sum up by furnishing some figures. Since construction of these highways the number of accidents has declined. In 1999, 1,02,839 accidents took place and in 2000 the number of accidents was 1,10,508. The number of accidents has declined since construction of these national highways. In 2001 the number of accidents declined to 71 thousand. In the year 1999, 28713 persons and in the year 2000, 30,216 persons died in accidents on national highways whereas during the year 2001 only 19086 persons died in accidents on national highways. In the year 2001, 98427 persons were injured in accidents and number of which has declined to...*(Interruptions)*

MR. CHAIRMAN: Katariaji, do not give details of that and come to the point. There is no need to give details of that.

SHRI RATTAN LAL KATARIA: With these words I support the Bill.

[English]

SHRI SUNIL KHAN (Durgapur): Mr. Chairman, Sir, I rise to support the Bill, but, of course, with some reservations. Some proposals regarding National Highways pertaining to the State of West Bengal are pending with the Government of India for a long time and I would request the hon. Minister that they should be cleared quickly.

Sir, the Government is taking loan from the World Bank, the Asian Development Bank and is also raising money through market borrowing and from private sector to meet the expenditure on construction of National Highways in the country. In addition to that, the Government is getting money to the Central Road Fund by way of imposing a cess on petrol and diesel which comes to Rs. 20,000 crore. With all this money, the National Highways Authority is constructing four-lane National Highways in the country at the cost of Rs. Six crore per kilometre. It is a very big amount. I do not want to mean that the money spent in constructing the Golden Quadrilateral and North-South, East-West Corridors is a useless expenditure. They are, of course, useful to us. But, at the same time, if the same amount of money, that is, about Rs. 60,000 crore, is invested in railway projects, it could provide more effective transport facilities for the poor people.

Now, I would like to draw attention of the House towards some important features of the Bill. Clause 27 of the Bill deals with 'recovery of cost of removal of unauthorised occupation and fine imposed.' I would like to know from the hon. Minister as to what is the present position regarding construction of the overhead bypass in the National Highway No. 2 connecting Panagarh Bazaar and Shaktigarh in West Bengal. The National Highways Authority of India is working on a proposal for construction of an overhead bypass between 513.15 KMP and 517 KMP to avoid alignment through main Panagarh Bazaar. This will be a seven kilometre stretch which will involve more than Rs. 42 crore, plus the cost of compensation and rehabilitation.

Over and above, large areas of cultivable land will have to be acquired, which means a serious blow to the agricultural sector. The labourers and the owners of small farms will lose their only means of earning. Whereas the business community of Panagarh Bazaar have agreed to give up 150 ft. of land alongside the stretch of the road, and in Shaktigarh, only seven to ten houses would have to be demolished, but the NH Authority declined to explore the possibilities. In one way, they rewarded the rich encroachers to be on the Government road.

In the case of Galsi NH-2, which is in my constituency, the NH Authority has dismantled 145 houses

for providing a straight way for the road. Nobody has come to oppose this for betterment of the road. So, why are you rewarding the encroachers instead of punishing them? On the other hand, the Authority is going to spend more than Rs. 60 crore for the bypass of Panagarh.

The Government must not forget that every rupee for construction of this road is coming from the pockets of the general masses by imposing taxes and levies. So, every rupee should be spent in the most worthy manner.

My next point of reservation is regarding the non-construction of service roads. According to the Government guidelines, no slow-moving vehicle should cross the National Highway. It is noteworthy to mention here that most of the rural people are unaware of traffic rules. As such, in the absence of a service road, the chances of accidents will increase a lot. So, a service road is a must for the benefit of the rural people. Otherwise, controlling of different types of vehicles will be difficult.

In such a poor country, the Government is imposing a higher-speed system of transport. It is going to be introduced.

Land is a State subject. Now you are bringing forward a Bill to encroach the land owned by the State. I want to know whether the Union Government has solicited the opinion from the State Government?

We want to have decent roads. There is no doubt about it. But can you overlook the reality? Millions of people are homeless. They are making a crowd, whether on the road side or the railway side. The NDA Government has declared in their manifesto: 'Home for All'. What will happen to those homeless people?

Now, I would like to know why there is such a discrimination in my State of West Bengal. The length of NH, as on date, is only 1,951 km. From 1998 to 2002, only 245 kms were completed in West Bengal. I would like to know about the delay regarding the proposal of NH from Haldia to Moregram via Panagarh in West Bengal. It was declared during the Ninth Plan period. It is about 300 km and has not been executed.

The other proposals for new National Highways in the State are: Raiganj to Hilly, which is a Bangladeshi corridor; Chakda to Bonga; Barasat-Bonga; Kona Expressway-Vidyasagar Setu-Kolkata-Diamond Harbour-Kulpi-Kakdwip-Namkhana-Bakkhali-133 kms; Gazole-Buniadpur-Patiram-Trimohini-Hilli-100 km; Raniganj-Pandabeswar-Dubrajpur-Suri-Moregram-141 kms; Tulin (West Bengal-Bihar border)-Puruliya-Bankura-Bishnupur-Arambagh-Bardhaman-Mogra-Iswardgupta Setu-Kalyani-Haringhata-Gaighata-Petrapole (West Bengal-Bangladesh Border)-391 kms; Radhamoni (Jn. of NH-41 with SH-4) Anantpur-Panshkura-Mechogram-Ghatal-Borda-Kharar-Hazipur-Arambagh- Bardhaman-Narja-Muratipur-Nutunhat-Futisanko-Kuli-Moregram (Jn. of NH-34 with SH-7)-275 kms.

Sir, reconstruction of bridges of National Highway 60, which was originally a district road and subsequently

declared as a State Highway, should be done immediately without reconstruction of old culverts like Amarkanjan old bridge and some culverts from Bankura to Raniganj. Subsequently the narrow road of Gangajal Ghat should be the bypass road. After crossing the river Damodar, the link of National Highway 60 to National Highway No. 62 from Raniganj should be a bypass and should be straight.

I would like to mention that the road from which it is bifurcated after Bankura town and which is going straight to Durgapur via Beliatare to connect to Muchipara (NH2) should be considered as Highway because it will be the shortest route from South India to North-East.

Sir, it is informally learnt that the allocation has been reduced from Rs. 105 crore in 2001-2002 to Rs. 95 crore and from non-plan fund it becomes Rs. 16.20 crore to Rs. 10.30 crore in 2002-2003.

Lastly, the road NH2 in West Bengal, which the hon. Minister opened a year back, is badly damaged from DVC, Durgapur to Muchipara. This work was done by such a wonderful company! I would like to know from the hon. Minister whether he would consider giving these works to our public sector companies like HSCL, Bridge & Roof, etc.

SHRI BHARTRUHARI MAHTAB (Cuttack): Thank you Mr. Chairman, I rise to support the Bill.

At the outset, I would congratulate the Minister for bringing this forward-looking Bill, as a large stretch of National Highway passes through Orissa. Around 13,250 kilometres are now being developed and about 3,301 kilometres of National Highway passes through Orissa. If we compare it with other States, this is no mean achievement. Adequate funds are also being provided, but we need more funds for the development of National Highway in Orissa. It is being very nicely utilised, unlike in other neighbouring States.

However, a very common question that was in my mind since my childhood, when I was in high school, is, what is the difference between a Highway and an Expressway. Is there actually a difference? What is the difference between a Mail Train and an Express Train? The Mail Train carries postbags but the speed of Express train and Mail Train is quite the same. So what is the basic difference between an Expressway and a Highway?

While going through the dictionary, I got their meanings. I would read it out. 'A Highway is a major road usually in rural areas, but more recently, a rural or urban road, where points of entrance and exist for traffic are limited and controlled'. This is the dictionary definition of a Highway. The dictionary definition of an Expressway is a 'major arterial-divided Highway that features two or more traffic lanes in each direction with opposing traffic separated by a median strip'. The rest is the same. It has controlled entries and exists and it has advanced designs depicting what is ahead of you. But the only difference between the two is, it has a divider, a separate median strip that divides it.

As we have the British style of traffic here, we have to take the left side. The median strip divides. This is the basic difference between a Highway and an Expressway. The Bill has propounded to have restricted entry and exists.

Now I come to the basic purpose of this Bill. What is the problem? Normally, in a Bill, certain problems are put forth and the object that the Government wants to achieve through the Bill is also explained. There are basically three problems. I would not go into the details of Rs. 60,000 crore, the Prime Minister's idea of connecting the four major metropolis and also the corridors of East-West, North-South and all that, but I would come to this Bill. I do not know how much time I have. But very briefly I would just say, as was mentioned by the Minister himself, that there are three basic problems. The first problem is to regulate traffic coming on the National Highway or to control the number of access roads joining the Highways. As the Minister has visited Orissa and seen the Bhubaneswar and Cuttack Highway, which is also being developed into a four-lane highway from Bhubaneswar towards Khurda to Banpur and connecting Cuttack towards Bhadrak, that four-lane work is continuing.

The first problem is to control the access roads joining the Highway. Not only in Orissa but also throughout the country, the Highway passes through a number of villages, especially in my constituency. This is a major problem in my constituency. When the former Minister for Surface Transport, Shri Rajnath Singh had gone there to inaugurate the four-laning of Bhubaneswar and Cuttack, in that meeting also, I had mentioned this. The Highway from Bhubaneswar to Cuttack, after the four-laning has been done, passes through a number of villages. The paddy fields are on the one side but the villages are on the other side. Schools and post offices are on the one side but the hospital is on the other side. The people have to cross. Though service lanes are there and underground roads have also been made, their number is not adequate. We need more such outlets where people can go to the other side of their habitation even underneath the Highway. This is one problem which should be looked into when we are widening it into four-laning and also to six-laning. Also, at the same time, the service roads are very much essential to control the traffic. It is because now-a-days, once a Highway is developed, a number of commercial establishments are also coming up on both the sides. Godowns are coming up on both the sides and they are occupying the paddy fields. They are just making an access to the Highway. That is also creating a lot of problems and also accidents. The traffic on the Bhubaneswar and Cuttack Highway is next to Pune-Mumbai traffic. It is the second congested road. A number of accidents are taking place because of this. So that traffic should be regulated. I fully stand by this.

The second problem is to provide the National Highways Authority adequate legal authority to prevent other utility organisations from digging up or taking any other measure. That is also another problem we face everyday. Just once you side your vehicle, suddenly it turns turtle because of the loosening of the soil.

[Shri Bhartruhari Mahtab]

The third problem is to remove encroachment.

With these few problems, I would come to the purpose of the Bill. I need not explain the first point which I have already done. The purpose is to prevent unauthorised occupation of the Highway land and the removal thereof, control of access points and regulation of different types of vehicles. What would they like to do? The Government would like to appoint an officer and that officer will necessarily be from the R&B or PWD Department, as we call it, of the State Government.

15.00 hrs.

He would be looking after a particular stretch of the road. If somebody were affected by his decision, a tribunal would be appointed. The tribunal would be there to take cognisance. If somebody has any complaint against the decision, he would go to the tribunal. In that respect, ultimately, it is the local administration, on which one has to depend.

Recently, while four laning a large tract of a national highway in Orissa from Cuttack to Bhadrak via Chandikhol and Dhamnagar and from Bhadrak to Balasore, a lot of encroached buildings were demolished. At that time, the local administration was taken into confidence and they had to do it. I would say even if this Bill becomes an Act, you have to take the help of the local administration, at the same time.

The basic point, which I appreciate that the hon. Minister has brought in this Bill, is that the responsibility is fixed on that specific officer. He would be responsible if an encroachment is made. He would be responsible to oust a number of encroachers from the national highway.

The total length of our national highways is 58,112 kilometres and within these five years the Government is taking up only 13,250 kilometres. This is a beginning. I think, it is one-fourth of the total length of our national highways.

With these words, I would thank the hon. Minister and also the Government for bringing up our national highways to world standards. I support this Bill and at the same time I would say that we have to raise our national highways to world standards.

[Translation]

SHRI DHARM RAJ SINGH PATEL (Phulpur): Mr. Chairman, Sir, I welcome this bill and congratulate the hon'ble Minister for introducing it. Control of National Highways (Land and Traffic) Bill, 2002 has been introduced with a very good objective and after becoming an act, it would regulate the traffic on roads, there will be no encroachments and the roads will be more safe.

However, hon'ble Minister, I have an apprehension that with the establishment of proposed Authority, your officers may start harassing the people of adjoining villages, markets or common by-passers. Therefore, there is a need to keep a watch on it.

Hon'ble Prime Minister had raised the tax on diesel for widening the national highways. It is being constructed for the safety of the people but still large number of accidents are taking place on national highways. Approx. 1-1.5 lakh accidents have taken place this year in which 60 thousand people have lost their lives. Alongwith damage of vehicles, thousands of families have been ruined by these accidents. I would like to know the steps taken in this Bill for the welfare of the families of the deceased in these accidents. Road tax is already being taken from people.

Sometimes dead bodies or injured people remain lying on the roads but the officials of Highway Authority do not make any arrangements in this regard. Authority is already existing but we are talking about improvement in it. There should be an office of Surface Transport Ministry at a stretch of every 50-60 Kms. on national highways so that accidents and encroachments could be monitored and things remain in control of the authorities. First the concerned officials let them encroach the land—be it is for the opening of petrol pump or tea stall. They do not even inform the authorities about it. People of the country do not know as to how much land belongs to national highways. They do not know as to whom the agricultural fields on both sides of highways belong to. People are unaware about the width of road going from Banaras to Allahabad, and at what distance, a house, a shop or a Petrol pump should be constructed on it. No body is aware of it. Officials of the Ministry never display any board due to which encroachments take place. Proper hoarding should be displayed mentioning the width of highway so that public could be aware of it and shopkeepers could not encroach upon the land.

National highway no. 2 is being constructed from Allahabad to Kanpur. A by-pass from Haudia to Kokhrajpur via Kaudihar is also under construction. However, no notice was served to the farmers about the construction of road and the land of the farmers being acquired for this purpose. I belong to that area and M.P. from there but I have not been informed about that road. Farmers ask me about the amount of compensation to be paid to them and the land which would be acquired. However, no information has been given till now. At least the MP of the concerned area should be duly informed about the amount of compensation.

Accidents occur almost every day on roads. Ministry of Surface Transport or National Highway Authority should give some compensation to the families of the deceased in road accidents as is given in case of railway accident or air accident. With this request, I conclude.

DR. RAGHUVANSH PRASAD SINGH (Vaishali): Mr. Chairman, Sir, hon. Minister is making declarations that he is making the Golden Quadrangle and highways and in this way making big highway roads. He has introduced law relating to land rights, in this way he would become the owner of the land despite the fact that the land belongs to State Government. He wants to become owner of highways in the name of making them. Thus he would also have control over the land and traffic. It is being

asserted that railway lines, highways and roadways are as much essential for the country, as veins and arteries are essential to circulate blood in different organs of a human body. The roads and highways have the same significance. They connect various parts of the country with one another.

SHRI DHARM RAJ SINGH PATEL: Please tell whether you are supporting it or not.

DR. RAGHUVANSH PRASAD SINGH: But what would he support—construction of road or acquiring of ownership rights. It is good that he is constructing roads. But he wants to become owner. As the time is very less. I will very briefly state about where does the danger lie. Emperor Shershah Suri constructed highways in his four year tenure. He connected Peshawar with Patna and Kolkata. He did this work within the period of four years. And at that time, there was neither administrative approval, nor any authority and he got these roads constructed at that time itself. Now they have everything—advanced technology, capital, but now they are saying that they would charge road-tax. Shershah did not charge any tax as such and constructed the roads within a period of four years. But how many years would they take in construction of roads, we do not know. Firstly, they say that they would make highway administration. Now see the kind of law they are introducing for having administration in highways. They will establish a body or an authority which would have one or more officers either from the Union Government or from the State Government but not from both—this is the law they wish to establish. Had the officers been from both levels of Government, we could have understood that both have a say in it. But he is introducing a complex law which says that one or more officers of State or Union Government. This is his work, but is being done in the name of the Government. But while making law, he would make use of the word State Government 'or' Union Government and thus, would appoint officers from the Union Government which means that land would be of the State Government, but he would be the owner. He is making his own authority and administration there.

Mr. Chairman, Sir, the second danger is that no person would have the right to travel on any vehicle on the highway or to walk in a group of five or more on the highway. So there is prohibition on walking of a person alone or even a group of five or more persons. Under Section 144, to walk in a group of five or more is prohibited. But what type of law is this, all details should be seen. People are taking the construction of National Highways in good spirit. No area can develop without construction of roads. Economics and all other experts assert that traffic and communications are two major aspects of development. Commuting facilities should be there so that transportation from one part of the country to the other part could be facilitated. The second claim made by them is that they would make a law that would provide for removal of encroachment. The word 'shop' is mentioned here. 'Dhabas' have been in existence since the period of Shershah Suri and in our area they are called as lane hotels. In Punjab they are called as Dhabas

and in South India, they must be having some other name. But here they have not made any mention of dhaba, they have simply said that either any shop is constructed or anyone makes an encroachment—I would like to know how he would remove 'Hanuman ji temples'. There is no law relating to this. Hanuman ji land encroachment officers sit beside so many roads and highways—what is the remedy provided by them in this connection. I am telling the possible dangers arising out of the law introduced by him. It has been stated that they would also give the shopkeepers lease of five years. But this would lead to corruption.

MR. CHAIRMAN: Please be brief and finish your statement.

DR. RAGHUVANSH PRASAD SINGH: Sir, I am speaking in brief only. How much should I be? An eight hour discussion should have been held on this. All hon. Members are interested to have discussion over this issue, this issue is being deliberately discussed on Friday so that as less as possible Members could speak over it. It is well known that very few Members are present on Friday. But otherwise, it is a very important issue.

Sir, the question relates to Highways. Now the Ministry says that they would stop construction of nallahs. Water of these nallahs flow on the roads on highways that passes through areas of dense population, market areas or small townships. If the entire road is dry, the highways would look beautiful, but as you enter the market, you would find that the water of nallahs is flowing on the road. And when this water comes on the road, the road is bound to get damaged—be it a small road, or a highway, it is destined to get damaged due to the accumulation of water. And that is why when any National Highway is proposed to be constructed, it should arrange for the construction of nallahs too.

Sir what would that person do whose house is beside the highway itself. Where would he take the water from his house if he happens to live beside the highway, or the main road. Water of neighbouring places would accumulate on road and the vehicles running on such road would damage it. You, must have observed that people living beside highways, raise the level of their houses, which leads to accumulation of water on the road itself which results in damage of roads. Even where the highways pass through Qasbas or small colonies, there also in the absence of proper drainage system, the roads get damaged. I, therefore, urge the Government that there should be some arrangement for drainage of rain water as also water coming out of colonies.

Sir, the Indian Road Congress has never made any deliberation from this point of view and so roads are getting damaged everywhere. We should take due care of road safety vis-a-vis public safety. Estimates of thousands of crores of rupees would be made by virtue of this Bill, but roads would always remain in bad condition every year due to no consideration towards safety of roads. I, therefore, once again request that arrangements for nallahs should also be made for

[Dr. Raghuvansh Prasad Singh]

drainage of rain water, water from Qasbas and markets from the highways. If a nallah is constructed beside the road, then rain water or water from other sources would either flow out or if accumulated, it would flow out within short time, and in this way the road would remain free from water and thus would be saved from getting damaged. And that is why I wish to give you this practical suggestion. I request that he may kindly ask the engineers and specialists to deliberate over my suggestions and get it examined.

Sir, the roads, constructed by Shershah Suri was actually got constructed by contractors of our country, but the present Government have done all out arrangements to give this work of construction of roads to foreign contractors. Infact some conditions in this have deliberately been laid so that the contractors of our own country may not be able to take over this work, but only foreign contractors may fit in. It has been stated that 137 companies were entrusted responsibility of this project out of which 89 were indigenous, 26 were joint enterprises and 12 were foreign companies.

MAJ. GEN. (RETD.) B.C. KHANDURI: Out of the 132 companies only 12 companies are foreign companies.

DR. RAGHUVANSH PRASAD SINGH: Only foreign companies will work and the Indian companies, unable to compete with them, will have to attach themselves to them and their status will be no more than that of second grade citizens.

MAJ. GEN. (RETD.) B.C. KHANDURI: Doctor Saheb, out of the 132 companies only 12 are foreign companies, 35 are joint ventures and 85 are domestic companies. Now tell me what is wrong in it.

DR. RAGHUVANSH PRASAD SINGH: Take for example the issue of manufacturing of number plates for vehicles. The conditions have been laid for the manufacturing of specific number of plates so that no domestic company of the country may produce those things. There is one German company which alone will produce it. The Indian people want to get some share of it by attaching themselves with that company.

MAJ. GEN. (RETD.) B.C. KHANDURI: Doctor Saheb, the conditions about which you are talking are the conditions which are being imposed by the State Governments. The Central Government is not doing anything in this regard.

DR. RAGHUVANSH PRASAD SINGH: On your behalf the Secretary of your department is organising meetings with the Secretaries of the State Governments every month and is pressurising them to implement it.

MAJ. GEN. (RETD.) B.C. KHANDURI: Doctor Saheb the Central Government are not doing anything in this regard. The State Governments are imposing conditions. No such conditions are being imposed by the Central Government. We have desired that no conditions reserving specified work to only foreign companies should be

stipulated. Measures should be taken to ensure that our country men may carry out such works.

DR. RAGHUVANSH PRASAD SINGH: Sir, N.H. 77 extends upto Patna-Hazipur-Muzaffarpur-Sitapur Sonvarsa. There is Kataunjha bridge on this highway. The people are staging fast-unto-death for that bridge. This Bill has been introduced at very opportune time. There people are doing fast-unto-death. The Sihor district of Sitamarhi remains cut off from the rest of the world for four months. The State Government has sent proposal in this regard. There is a pantoon bridge on N.H. 77 and N.H. 104 that goes to the east from Shivhar, Sitamarhi. The State Government has sent proposals regarding pantoon bridge on N.H. 104 and Kataunjha bridge on N.H. 77. I had also write letter in this regard...*(Interruptions)* The Minister, in his reply, had told that the matter is under the consideration of the Government. My submission is that the people are dying there and there is disaster all around. I would like to know as to how long the matter will remain under consideration of the Government? Please dispose it immediately.

Similarly, the condition of the road passing through Mahatma Gandhi bridge is very bad. That road is the life line of Northern Bihar. Daily 64 thousand vehicles pass through that road. The condition of that road is very poor. No Member from North Bihar is present here. Shri Hukumdeo Narayan Yadav might be knowing this. If he happens to pass through Ganges bridge he will see for himself the poor condition of the road. The road connecting Dharbhanga, Chhapra, Siwan, Madhubani etc. districts are in bad shape. You should consider the proposal of the State Government regarding rejuvenating the National highway...*(Interruptions)*

MR. CHAIRMAN: Now you please conclude.

...*(Interruptions)*

DR. RAGHUVANSH PRASAD SINGH: I would like to submit that the hon'ble Minister had stated it will be considered in the Tenth Five Year Plan to connect Hazipur to Vaishali, the birth place of Lord Mahavira, the place of action (Karmabhoomi) of Lord Buddha, the birth place of democracy being the site of Lichchavi republic: and Kesharia the site of the biggest stupa of the world, to Khajuria. My submission is that the condition of the larger part of the road is good, however, some parts of the road are not in good shape. Less amount of money will be required to repair the road. My submission is that they should give it the status of N.H. It will be good from the point of view of tourism also...*(Interruptions)* The Department of Tourism had also made a submission in this regard...*(Interruptions)*

MR. CHAIRMAN: Now you please conclude.

DR. RAGHUVANSH PRASAD SINGH: My submission is that trees were got planted along the roads by Shershah Suri. I would like to know about the scheme regarding the plantation of trees along the highway. The trees should be planted there according to the atroclimatic Zone in which it exists. It will not only improve the

environmental condition but will also provide shade. It will also be convenient for the people running road side Dhabas or hotels.

MAJ. GEN. (RETD.) B.C. KHANDURI: You have told about the two bridges which are under consideration. The final decision has been taken in this regard... (*Interruptions*)

MR. CHAIRMAN: You please tell about it at the time of giving reply.

MAJ. GEN. (RETD.) B.C. KHANDURI: You please keep sitting. I will tell you about both the bridges at the time of replying.

[*English*]

DR. V. SAROJA (Rasipuram): Hon. Chairman, Sir, thank you very much for giving me this opportunity to give some suggestions on this Bill.

Sir, better roads mean faster progress, so the Government is removing all blocks to complete the 14,000-kilometre Highways Project in a given period of time. With an amount of Rs. 54,000 crore, the National Highways Development Authority envisages construction of 14,080-kilometre highways in a record time of less than eight years.

I rise to support this Bill with some reservations. I would like to have the clarifications on some issues. Firstly, this Bill is meant to clear the land acquisition and encroachment and, secondly, to set up the Tribunal. This very well indicates that before formulating this dream project of the hon. Prime Minister of India, the Government has not been sensitive enough to take into confidence all the State Governments in regard to acquisition of land.

15.24 hrs.

[*DR. RAGHUVANSH PRASAD SINGH in the Chair*]

Sir, of the stipulated eight years time for completion of this dream project, we already have exhausted a considerable period of time without having made much progress. Is it now possible to complete this project within the given time? Secondly, the Government proposes to constitute a Tribunal. In what way would the setting up of this Tribunal help in completing this project within the given time?

Sir, I would like to quote a few sentences from an article that appeared in a magazine a few months back. It says:

"It is a boon for the nation's infrastructure. Prime Minister Atal Bihari Vajpayee has called it an ambitious project. Understandably, the energy on the spot is similar to that on a warfront. However, here the troops are road construction workers and the weaponry comprises road rollers and pavers. Leading the assault is retired Major General B.C. Khanduri, the dynamic Minister for Road Transport and Highways. The man in the hot seat, Khanduri, realises the difference an efficient road network makes to the far-flung farmer whose produce rots for lack of infrastructure."

Sir, I would like to make a few suggestions that could, perhaps, help the Government to achieve its goal of constructing this 14,000 odd kilometers of roads within the Budget allocation. Prof. Vasudevan of Thyagraja Engineering College in Madurai came out with a proposal of making roads with a mixture of plastic and coal tar. His Excellency, the hon. President of India had asked him as to why he did not demonstrate the quality and quantity of having roads with such a mixture. This has now been executed and this work has been appreciated by no less than His Excellency, the hon. President of India. I would like to request the hon. Minister to visit Madurai with a team of experts and have a look at the work that has been done based on the experiments of Prof. Vasudevan. Then they could even go in for a discussion with His Excellency hon. the President of India and utilise this technology for construction of roads. The details are there but for reasons of time, I would confine myself only to making my suggestions on this Bill.

Sir, delay in completion of the project indicates two things. Firstly, there was a lack of a co-operation as well as co-ordination between the State Governments and the Government of India before this project was formulated. Secondly, there was also no co-operation and co-ordination between the various Departments of the Government of India. What I mean to say is that before this project of constructing the North-South Corridor and the Golden Quadrilateral was taken up, the Government should have taken into confidence the Ministries like the Ministry of Petroleum and Natural Gas and also the Ministry of Health and Family Welfare. This was required to be done for having proper medical infrastructural facilities in place in case of road accidents and rehabilitation without wasting any time. In case of an accident, administering medical aid without delay is very much essential. It is a vital point. I would like to request the hon. Minister to have a discussion with these Ministries and also with the experts to have in place full-fledged hospitals with proper manpower and all medical facilities. Otherwise, this dream project would remain only a dream and would not serve any useful purpose for the people at large.

Sir, the Government proposes to raise a fund worth Rs. 6 crore by charging a cess of Re. 1/- on diesel. Is the Government aware that white kerosene is now being used by transport owners which would reduce the scope of raising the revenue that Government intends to do? In the process it would result in some kind of a derailment of this project. My suggestion is that the Government should bring on par the prices of diesel and white kerosene. It would help in overcoming this difficulty.

To mix five per cent Ethanol in the petrol, we are going to have ethanol mixing units in those States which produce more sugarcane. How is the Minister going to regulate the income generated out of this activity? Did he discuss this with the Minister of Agriculture and others concerned in order to have a coordinated approach to this issue?

[Dr. V. Saroja]

I would request the hon. Minister to make a critical evaluation of introduction of smart card. Through this, accidents can be reduced; the culprits can be found easily; and the quality of service can be improved. So, it is very essential to introduce the use of smart cards throughout the country.

The next meeting of the National Development Council is going to be held under the chairmanship of the hon. Prime Minister of India on the 21st of this month. I would request the Minister to inform all the Chief Ministers the projects that are going to be taken up in the next year—if this is done, they can come prepared with their suggestions—especially in regard to removal of encroachments and acquisition of land for this novel project. The Chief Ministers will definitely cooperate with the Union Government in this regard. This can be taken as one of the points on the agenda for the NDC meeting of 21st December.

We have not thought about medical insurance. You have to go in for this. In my Constituency, from Namakkal to Mudalipatti, NH-65 from Nagappattinam to Gudalur going via Karur and Coimbatore...*(Interruptions)*

[Translation]

MR. CHAIRMAN: You please conclude now, the time is over. Now the time is to take up Private Members' business. It does not broke any more delay. You may speak on it next time. Now you please take your seat.

SHRI AJOY CHAKRABORTY (Basirhat): When will this bill come up again.

MR. CHAIRMAN: Presently we have to decide the business, but the next turn will come next week.

15.33 hrs.

RESOLUTION RE: BAN ON COW SLAUGHTER

[English]

MR. CHAIRMAN: The House will now take up item No. 15.

[Translation]

Hon'ble Minister may conclude his speech.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI HUKUMDEO NARAYAN YADAV): During the discussion on the resolution last time, I had made my submission on behalf of the Government.

Finally, I would like to submit that we intend to call a meeting of the Animal Husbandry Ministers of State Governments wherein all issues relating to animal husbandry would be discussed. We will also discuss ways to implement the laws relating to it, how to make such laws more effective, how to protect cattle and other animals. Government of India is committed to the

protection, development and preservation and improvement of cattle and will make policies in that direction.

The report of commission on cattle has been submitted and we will constitute a task force to discuss the ways to implement the recommendations of the commission. We will take all possible measures including enacting laws, taking the House in confidence or cooperating with State Governments.

I would like to inform the hon'ble Member that the issue comes under State subject. We will take necessary steps after discussing the matter with animal husbandry ministers of the States. I would convey the sentiments of the hon'ble Member and of other Members to the meeting with State Government ministers. A consensual approach will be more effective. Therefore, I would like to request the hon'ble Member not to press for voting on this sensitive resolution and withdraw it. His views will be taken into consideration by the Government and we will consider them.

[English]

SARDAR SIMRANJIT SINGH MANN (Sangrur): Mr. Chairman, Sir, please give me 10 minutes. Shri Prahlad Singh Patel would like me to speak on the ban on cow slaughter.

[Translation]

MR. CHAIRMAN: The reply of hon'ble Minister has concluded. He has requested the hon'ble member to withdraw his resolution. He will decide on it. Where is the scope for debate now.

[English]

SARDAR SIMRANJIT SINGH MANN: He is dilly-dallying on the subject. This is a very important matter. It affects the feelings of majority of our population...*(Interruptions)* Let me say a few words.

[Translation]

MR. CHAIRMAN: You should have given your name earlier. Now the reply is over.

[English]

SARDAR SIMRANJIT SINGH MANN: Sir, Shri Prahlad Singh Patel has told me that I can speak. He is prepared to give me some time.

[Translation]

MR. CHAIRMAN: Now there is no scope. It is there in the rules that once the reply of hon'ble Minister has been given, no other Member can speak on the issue.

[English]

SARDAR SIMRANJIT SINGH MANN: Nobody has given any suggestion as to what has to be done for protection of cow. They say 'stop slaughter of the cow.'