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12.13 hrs.

Title: Introduction of the Control of National Highways (Land and Traffic) Bill, 2002*

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR): Sir, on behalf of Maj. Gen. (Retd.) B.C. Khanduri, I beg to move for leave to introduce a 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.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a 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. "

Shri Radhakrishnan, you had said that you would like to oppose this Bill. As per rules, you are not allowed to oppose because the notice given by you was time barred. But very briefly you can raise your point.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, I accept your valuable advice, but I may be permitted to raise the main and important issue, which I will have to put in three-four sentences.

While welcoming the principle involved in the instant Bill, I am constrained to oppose it on a basic issue. Just like the offences of rape are on the increase, the accidents on the roads are also on the increase...*(Interruptions)*

MR. SPEAKER: This is Control of National Highways Bill.

श्री रघुनाथ झा (गोपालगंज) : अध्यक्ष जी, प्रश्न तो नेशनल हाइवे के बारे में था। (व्यवधान)

SHRI VARKALA RADHAKRISHNAN : Just like rapes, road accidents are also on the increase. Now, if we read the newspapers, everyday there

are reports of big accidents. Yesterday also, President of a *Gram Panchayat* was met with an accident. So many accidents are taking place. The reason is, non-maintenance of the national highways. When we travel on the national highways, the road is in a very pitiable condition. That is the main reason for all these accidents. They are on the increase.

अध्यक्ष महोदय: जब इस विषय पर चर्चा होगी, उस समय आप अपना प्रश्न उठा सकते हैं। Please sit down, now.

SHRI VARKALA RADHAKRISHNAN : No, I have not completed. The Bill did not contain any provision for giving punishment for the laxity on the part of Department officials, that is, the officials of the National Highways...*(Interruptions)*

अध्यक्ष महोदय: जब बिल पर चर्चा होगी, आप उस समय इस विषय पर बोल सकते हैं।

When we discuss the Bill, you can speak about it, and not now.

SHRI VARKALA RADHAKRISHNAN : They may also be made liable. That provision is not in the Bill.

MR. SPEAKER: Please conclude.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN): Sir, I am making a request to you. Normally opposition to a Bill at the introduction stage is done on the legislative competence of this House. I would request you that the Secretariat should examine some points about the legislative competence, on which the Member has a right and he can raise. But every time what we see is that with this notice, the merit of the Bill is discussed in the beginning.

For the proper follow up of rules and conventions of this House, I would request you to see that if there is some legislative competence, the Members have the right and they can raise it. But every time what we see is that the merit of the Bill is discussed at the stage of introduction itself. That should not be allowed. This is my request.

SHRI VARKALA RADHAKRISHNAN : I am discussing the legislative competence...*(Interruptions)*

MR. SPEAKER: Now, I have not allowed you.

SHRI VARKALA RADHAKRISHNAN : When the Bill is in vogue, on principle, there is a legislative competence. That competence has not been met.

MR. SPEAKER: Please sit down, now.

श्री संतो कुमार गंगवार: अध्यक्ष महोदय, इन्हीं सब बातों के लिए यह बिल लाया जा रहा है।

MR. SPEAKER: The question is:

"That leave be granted to introduce a 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."

The motion was adopted.

SHRI SANTOSH KUMAR GANGWAR: I introduce the Bill.
