

[Sh. I. Rama Rai]

crores were lost, which was allotted for the development and research work in the agricultural sector. Sir, I also happens to be a farmer. Right from our hon. Speaker up to the bank bencher like me, we are all farmers and we have special problems now. At present, different villages are allotted different branches of the nationalised banks. Originally there was a set up and now suddenly these branches are allotted only a particular village or a panchayat. The difficulty of the farmer is that he is not having enough record to prove all his necessities and the eligibility, which are required by the banking officials.

Sir, Saturday is almost a holiday for the banks because banks work only upto 12 noon. Sunday is a holiday for the banks. And on one day, in the rural areas branches, there will be no transactions because the Managers are supposed to go to villages and learn different things. So, out of the remaining four days, when these farmers approach for petty loans, they are not entertained in a proper way.

15.00 hrs

As suggested by Shri Shahabuddin, the principal amount has to be waived if the interest on the loan goes beyond the principal amount. Our learned friends, Prof. Ranga was referring to some legislation of 1953 enacted during Rajaji's regime in composite Madras State whereby debt relief was being given to the farmers. I want to know a categoric answer whether the same is applied throughout the country. Whenever we go to any bank, the standard reply is that write off of any specific loan is permissible only when all the avenues of recovery are exhausted. The farmer is pledging all his land for getting a petty loan. The industrialist is wise enough. He pledges his machinery and gets hefty loan. He will not pledge his personal property. But in the case of a farmer more security is extracted.

I do not want the Government to sacrifice its economic rationality as is the case

with Haryana Chief Minister. In order to gain political advantage he is promising write off of loans.

There must be a record of what is called land rights and loan book. In that book all the particulars should be furnished like the particulars of land, the area, whether he has availed of any loan and whether he is eligible to avail of more loan and if so, how much, so that with that book the poor farmer can go to a bank and get the loan without any difficulty. I hope, Government will give serious consideration to this and find out some remedy so that poor farmers remain out of the clutches of Shylocks who are still existing and extracting the blood of the farmers.

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STATEMENT RE: REMOVAL OF DIFFICULTIES FACED IN THE IMPLEMENTATION OF MOTOR VEHICLES ACT

[English]

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI RAJESH PILOT): Hon'ble Members will recall that the Motor Vehicles Act, 1988 and the Rules framed under it came into effect from 1.7.89. They have been welcomed all over the country and the response from all over the country is quite positive. The new Act replaced the Motor Vehicles Act, 1939. The formulation of the new Act and Rules were preceded by detailed examination of the needed changes not only by Central Government and State Governments but also by representatives of the transport industry, trade and commerce. Since the enactment of old Motor Vehicles Act in 1939, a sea change has taken place in the transport scenario and in response to these changes, it was considered necessary to make substantial modifications to the provisions of the Motor Vehicles Act, 1939 with a view to promoting road safety, improving the qualification of drivers, prescribing standards for construction of vehicles, controlling pollution and removing some major constraints on the healthy development of the transport

industry and new Motor Vehicles Act received the overwhelming support of this House.

During the course of the implementation of the Act and the Rules, Government have received from affected interests suggestions for effecting certain modifications. The Act and Rules have been formulated to subserve the interests of the citizens of this country and, therefore, Government have given the most urgent consideration to the suggestions received and the difficulties pointed out. I have considered carefully the suggestions received from hon. Members of this House. I have also held wide-ranging discussions with representatives of States and Union territories and also considered various representations received by Government. In the light of these, it has been decided that certain modifications to the Rules framed under Motor Vehicles Act, 1988, would be desirable. We also had a meeting with the Transport Commissioners and Transport Secretaries from all the States and took their points of view as to what problems they faced during this period from 1st July to 9th or 10th of August when we had the meeting, and also what practical problems they faced in implementing these rules, and what hardships our citizens—brothers and sisters—faced by the implementation of this new Act. Based on those observations, suggestions and other things, following modifications in the rules are being placed for the information of the House.

- (i) Rule 5 of Central Motor Vehicles Rules, 1989 prescribes the Form of medical certificate which is to accompany the application for learner's licence. It has been decided to simplify the application form. State Governments have also been requested to authorise all registered medical practitioners possessing the qualifications of MBBS to issue the medical certificates and also to fix a reasonable fee payable for obtaining the medical certificate.

- (ii) Rule 8 of Central Motor Vehicles Rules specifies that all those applying for a licence to drive a transport vehicle, other than a tractor-cum-trailer, after 1.7.1989 should have a minimum qualification of IV standard. The basic objective was that the driver should be able to read and understand signals, signs and directions on the roads. This provision is being modified to the effect that the ability to read and write would suffice. I would also like to clarify that it is already provided in the Rules that all driving licences issued prior to 1.7.1989 will continue to be valid and will be eligible for renewal without any reference to the educational qualification of the driver.

- (iii) Rule 9 of the Motor Vehicles Rules, 1989 stipulates that the driver of a transport vehicle carrying hazardous cargo should possess a minimum educational qualification of X standard. As hon. Members are aware, transport of hazardous cargo poses risks to the citizens, and the driver should be able to follow the written instructions on the packages as well as on the literature available on the subject. In response to genuine difficulties that have been brought to the notice of Government on account of this provision, and recognising the need for a period of transition before such a qualification can be insisted upon, it has been decided that this provision will be brought into effect only from a future date to be notified later, till all States gear up their system so that the supply of these commodities, specially oil, petrol and kerosene, does not affect the common man.

- (iv) Rule 62 of the Central Motor

[Sh. Rajesh Pilot]

Vehicles Rules, 1989 specify that the validity of fitness certificate of a transport vehicle will initially be for a period of two years. Thereafter, fitness certificates have to be obtained at intervals of one year up to the tenth year and thereafter, at intervals of six months. It has been decided that the validity of the fitness certificate for transport vehicle would be one year after the initial period of two years. This continues every year.

(v) Rule 81 of the Central Motor Vehicles Rules, 1989 prescribe fees to be paid at the time of renewal of fitness certificates of different classes of transport vehicles. These fees will be reduced in respect of light motor vehicles from Rs. 100 to Rs. 50, medium motor vehicles from Rs. 200 to Rs. 100 and for heavy motor vehicles from Rs. 300 to Rs. 150.

(vi) Section 9(4) of the Motor Vehicles Act, 1988 requires an applicant for a licence to drive a transport vehicle to undergo training in a recognised drivers' training school. The difficulties caused by the paucity of sufficient driver training schools in certain areas as well as the difficulties faced by drivers of certain categories of motor vehicles desiring to obtain a licence to drive a transport vehicle, have been brought to the notice of the Government and suitable steps will be taken to overcome these difficulties. Some of the States have said that they do not have the Government motor driving school, specially the State of Prof. Soz. So, we have said that we will look

into it and overcome these difficulties.

(vii) Section 58(1) of Motor Vehicles Act, 1988 empowers the Central Government to notify the maximum safe laden weight and maximum safe axle weight of transport vehicle. Although the Central Government have issued a fresh notification on 8-6-1989, on this subject and have not made any change in the maximum safe axle/laden weight as notified under the provisions of erstwhile Motor Vehicles Act, 1939, an impression has gone in some quarters that the maximum safe axle/laden weight has been reduced in the new Motor Vehicles Act, 1988. However, difficulties have been brought to the notice of Central Government that due to heavy penalties prescribed in the M.V. Act, 1988 for overloading and also provision of off-loading the excess load before the vehicle is allowed to proceed, the effective capacity of the transport vehicle to carry goods has reduced. It is brought to notice that due to heavy structure of the body of some of the existing vehicles, the unladen weight of the vehicle has gone up thereby reducing the carrying capacity of the vehicles when compared to lighter bodies vehicles. In order to remove such difficulties of such existing transport vehicle, it is proposed to permit maximum laden/axle weight of transport vehicles upto 15% in excess of the prescribed maximum laden/axle weight for a maximum period of 9 months from 1-7-1989 so as to facilitate transition of these existing vehicles to lighter bodied vehicle and increased use of multi-axle vehicles.

3. I would also like to mention that some

of the representations received against the Motor Vehicles Act and Rules are unfortunately based upon some misunderstanding about the provisions contained therein. An impression existing in certain quarters is that Government have fixed a maximum age-limit of vehicles under the Act. I have clarified in Parliament that Government have not fixed the maximum age for any class of vehicle, nor is there any such proposal under consideration. I would again like to reiterate this most emphatically. There is also another impression that the new Motor Vehicles Act, 1988, has substantially increased the fines prescribed in the Motor Vehicles Act, 1939 for violation of various provisions. I would like to clarify that the new Act has not increased the level of fines prescribed under the Motor Vehicles Act, 1939, except in respect of overloading in goods carriages. Where new provisions have been introduced in the Motor Vehicles Act, 1989, fines which were not in existence in the Motor Vehicles Act, 1939, have been prescribed.

4. It is my hope and expectation that with the above modifications and certain other consequential and incidental changes that may be found necessary in the Motor Vehicles Rules, 1989, and notifications issued under the Act and Rules, the genuine difficulties faced by the common man would be removed. The Motor Vehicles Act, 1988, represents an imaginative and bold forward step to usher in a climate of greater safety and discipline in the entire road transport sector. The change that the present conditions demand and we want to bring about are not possible unless practices which have been prevalent for long time are modified in tune with the current requirements. I hope that with the changes proposed, the difficulties faced in the implementation of the Motor Vehicles Act, 1988 and the Rules framed thereunder will be removed.

15.14 hrs.

### DISCUSSION UNDER RULE 193

#### Demand for waiver of Agricultural Loans—Contd.

[English]

SHRIN. TOMBISINGH (Inner Manipur): Mr. Deputy -Speaker, Sir, I rise to take part in this discussion. I have before my eyes the areas of Assam and Manipur and adjoining States which are still under heavy flood water. Farmers, particularly the poor agriculturists wherever they are in any part of the country, are in need of several kinds of relief measures and assistance and waiving of loans perhaps is one of the several measures by which we can help the agriculturists in genuine cases. The loans and other forms of assistance do not come to the resource of the poor agriculturists in many cases. A hundred rich men cannot make a poor man rich by giving alms and doles in a small measure every time. I would like to confine my discussion to the plight of the farmers and the agriculturists whose lands are flooded and the huge areas of standing crops have been damaged by the recent floods.

Sir, I would like to draw the attention of the hon. Finance Minister to the state of agriculturists of the Barak valley and Brahmaputra valley and also the agriculturists of my State Manipur. I think the flood situation in the North Eastern areas has been inspected by the Surface Transport Minister Rajesh Pilotji representing the Prime Minister to see the actual damage done. In the Bishampur district of Manipur valley, 75,000 hectares of land have been damaged by flood waters. The actual need of the agriculturists there is not only waiving of loans by the lending agencies but they will also have to be given alternative solution. They have to be given fresh assistance in the form of seeds and other things for transplantation and sowing. The entire area of 700 square miles of the Manipur valley has been affected in an unprecedented way, this time. In the Manipur hill areas, terrace cultivation