

[English]

SHRI JAGDISH TYTLER: After 3.30 p.m., let the Chair decide the next date. It can continue on Monday.

MR. CHAIRMAN: I shall now put the Resolution to the vote of the House. The question is:

"That this House approves the National Housing Policy, laid on the Table of the House on the 9th July, 1992."

The motion was adopted.

15. 19 hrs.

MOTOR VEHICLES (AMENDMENT) BILL

As passed by Rajya Sabha

[English]

MR. CHAIRMAN: We shall now take up the next item— Shri Jagdish Tytler to move that the Bill further to amend the Motor Vehicles Act, 1988, as passed by Rajya Sabha, be taken into consideration.

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): Madam Chairman, before I move the motion for consideration of the Motor Vehicles (Amendment) Bill, 1994, as passed by Rajya Sabha on 11th August, 1994, I would like to draw the attention of the House that Clause 51 of the Bill partly involves expenditure from the Consolidated Fund of India and so it should have been typed in thick type or in italics. Inadvertently, the same has not been done.

Madam, with your permission, I would like to say a few words about the proposed amendments before. I move the Motion for consideration of the Motor Vehicles (Amendment) Bill, 1994 by this House.

The Motor Vehicles Act, 1988 (No.59 of 1988), a Central Act, consolidates and rationalises various laws regulating Road Transport in the country. The Act was framed with a view to revise the Motor Vehicles Act, 1939 (No.4 of 1939). After the coming into force of the Motor Vehicles Act, 1988, Government received a number of representations/suggestions from the State Governments, transport operators and members of public regarding inconvenience faced by them while implementing provisions of the new Act/Rules framed thereunder. To examine and review the entire Act in the light of these representations, a Review Committee was constituted by the Government. Recommendations of the Review Committee were examined in consultation with the State Governments. The Government also considered the number of representations received from the trade sector and the public regarding making of additional provisions in the Motor Vehicles Act, 1988, which were received much after finalisation of the report of the Committee.

The Bill now before the House has been prepared keeping in view the recommendations of the Review Committee as also other suggestions. Some of the important provisions of the Bill provide for the following:-

- (i) modification and amplification of certain definitions of new type of vehicles;
- (ii) simplification of procedure for grant of driving licences;

- (iii) putting restrictions on the alteration of vehicles;
- (iv) certain exemptions for vehicles running on non-polluting fuels;
- (v) ceiling on individuals or company for holding permits removed to curb benami holdings;
- (vi) States authorised to appoint one or more State Transport Appellate Tribunals;
- (vii) increase in the amount of compensation to the victims of hit and run cases; and
- (viii) removal of time limit for filing of applications by road accident victims for compensation.

The Law Commission in its 119th Report had recommended to amend the provisions of the Motor Vehicles Act so as to provide therein that every application for a claim be made to the Claims Tribunal having jurisdiction over the area in which the accident occurred or the Claims Tribunal within the local limits of whose jurisdiction the claimant resides or carries on business or within the local limits of whose jurisdiction the defendant resides, at the option of the claimant. This recommendation of the Law Commission has been accepted and the Bill also seeks to make necessary amendments based on this recommendation of the Law Commission.

The Bill also seeks to provide for a new pre-determined formula for payment of compensation to road accident victims on the basis of age/income. In case of the pre-determined formula introduced in the new Bill, the claimant shall not be required to plead or establish that the death or the permanent disability was due to any wrongful

act or neglect or default of the owner of the vehicle. The Central Government has also been given powers to amend the schedule indicating the rate of compensation from time to time. It is expected that with this provision not only the road accident victims would be appropriately and expeditiously compensated but there would be a substantial reduction in the pendency of cases with the Motor Accidents Claims Tribunals.

The Bill has already been passed by the Rajya Sabha on 11.8.1994.

With these words, I beg to move:

"That the Bill further to amend the Motor Vehicles Act, 1988, as passed by Rajya Sabha, be taken into consideration."

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Motor Vehicles Act, 1988, as passed by Rajya Sabha, be taken into consideration."

[Translation]

SHRI CHETAN P.S. CHAUHAN (Amroha): Madam Chairman, the hon'ble Minister is moving the Motor Vehicles (Amendment) Bill, 1994, which is an amendment to the Motor Vehicles Act of 1988. I welcome this but at the same time I would like to say that this Bill has been brought very late. Due to this delay, a large number of people have been killed on the roads and others have suffered a lot, as number of cases have been pending in the courts and there has been no hearing on them. The number of vehicles is increasing day by day and rules and regulations are not being adhered to. It is high time that something is done to check this tendency.

Madam Chairman, according to the statistics, 60,000 people were killed in the road accidents in the country in 1993. Thousands of cases are pending in the courts. The problems relating to vehicles and traffic are increasing day by day. Urbanization is the main reason for this. Because of the facilities available in the cities, villagers are coming towards cities. The facilities of education, health, employment and transport are available in the cities and due to these facilities people are coming towards cities resulting in their being crowded—be it a Town, Tehsil, District or a Metropolitan city. All this has led to traffic problems in the urban areas. It has, therefore, become very necessary to control this traffic chaos. Due to increase in the population also, the congestion and traffic has been on the increase. The population is increasing in every city. Therefore, we will have to think seriously about this.

As I have said, 60,000 people have been killed and loss of property worth Rs. 2000 crore has been incurred. The time has come when it has become necessary to save life and property for which rules should be framed and action should be taken accordingly.

There are several reasons of loss of life and property in road accidents but the main reason is lack of training among drivers. I urge upon the hon/Eble Minister that one chapter of traffic sense should necessarily be included in civics so that people can get education regarding traffic rules etc. in their childhood itself. Until we do this, the violation of traffic rules will continue to take place.

[English]

MR. CHAIRMAN: Shri Chauhan, now it is 3.30 p.m. It is the time for private business. So, you will continue later.

15. 28 hrs.

COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS

Thirty-Fifth Report

[English]

SHRI K. PRADHANI (Nowrangpur):
beg to move:

"That this House do agree with the Thirty-Fifth Report of the Committee on Private Members/E Bills and Resolutions presented to the House on the 17th August, 1994."

MR. CHAIRMAN: The question is:

"That this House do agree with the Thirty-fifth Report of the Committee on Private Members/E Bills and Resolutions presented to the House on the 17th August, 1994."

The motion was adopted.

15. 29 hrs.

RESOLUTION RE: ENLARGEMENT OF
FUNCTIONS OF NATIONAL
COMMISSION FOR BACKWARD
CLASSES— *Contd.*

[English]

MR. CHAIRMAN: Now we take up further discussion on the Resolution moved by Shri R. Anbarasu.

Shri P.C.Chacko — Not present

Dr. S.P. Yadav — Not present

Shril Ram Vilas Paswan