

14.33 hrs.

MOTOR VEHICLES
(AMENDMENT) BILL

As Passed by Rajya Sabha - Contd.

[English]

MR. CHAIRMAN: Now we will take up Legislative Business, that is, the discussion on the Motor Vehicles (Amendment) Bill. Shri Rajnath Sonkar Shastri.

[Translation]

SHRI RAJNATH SONKAR SHASTRI (Saidpur): Mr. Chairman, Sir, I thank you for allowing me to speak. Motor vehicles (Amendment) Bill, 1994 is presented here. I rise to welcome and support this Bill.

Road accidents are continuously rising in our country and today safe travelling on roads is not possible. It cannot be said whether life would be safe or not on roads. When a person goes out of his house, now a days, his family behind him thinks whether he will return home safely or not.

Just now I was going through the figures regarding road accidents. In 1951, 576 cases of road accidents were recorded after ten years in 1961, 890 cases of road accidents were recorded. In 1971 after ten years the number of accidents reached upto 1226 per year and by 1993 the cases of road accidents rose upto 1440 per year. Now-a-days,

170 persons die daily in road accidents and 62,500 persons are killed in road accident every year. This rate is quite high. Our country is incurring a loss of about Rs. 2000 crore every year due to road accidents.

Sir, these accidents should be checked. These accidents can be checked in our country only when a stringent Motor Vehicle Act would be framed.

Mr. Chairman, Sir, as per my information Motor Vehicles Act was introduced and passed in 1988. Some States had objected to it and for that reasons our Government thought it necessary to amend it. Today the hon. Minister has presented it in the form of an amendment Bill. It is a good step but I feel that these amendments are inadequate. There should be more amendments therein.

Sir, in the past when motor vehicle was stolen there used to be several problems in the disposal of the case. Today you have amended the Section 48 of the original Act. I welcome this amendment. It is good and now the registrant would not have to face several difficulties in this regard which he used to face earlier. You have amended the Section 51 of the original Act also. Now you have added a Final Registrar Officer in the place of the original Registrar. This is also a welcome step. It would solve several problems. The people going in for second hand vehicles have got a lot of relief from it.

Mr. Chairman, Sir, I am happy to say that you have done a good thing by amending Section 89 of the original Act and through this, have constituted Transport Appellate Authority. This is also commendable. But I would like to know

whether its Chairman or Members will be from judicial service and of the level of District Magistrates. I want that it should be further amended and if person from the fields other than judicial are appointed as its Chairman or Members, it would prove to be more effective.

Sir, the Section 127 of the original Act deals with parking of a motor vehicle at a public place, it has also been amended commendably. I would like to tell you that the entire nation is aware of this fact that motor vehicles are parked on G.T. Road and several such places which causes traffic jams and due to that the person coming from the other side meets with an accident. The steps taken by you in this regard are also commendable but it needs to be amended further. It should be seen as to where the motor vehicles are to be parked. The townships and their markets should also have parking places on the lines of cities. G.T. Road or national highways are generally 100, 90 and 40 feet wide and these motor vehicles which are to be parked on the roads, are when taken off the roads and parked increased danger and it prones to be more unfortunate.

Mr. Chairman, Sir, Section 147, 149, 157, 158 and 168 of the original Act are related to life insurance policy. But I would like to tell you that even life-insurance policy prones to be one of the factors causing accidents. When a vehicle owner gets his vehicle insured he drives at a higher speed, and in some cases, if the vehicle is an old model, its owner deliberately causes an accident and then claims the full compensation of the policy. We have seen several people who buy old vehicles, get them insured for a large sum and deliberately cause an accident thereby getting the insurance amount upto Rs. 2-4 lakh or the amount fixed.

That is why, I would urge upon the hon. Minister to keep these points in view while amending the Sections regarding life insurance policy. Similarly, the same thing happens in several cases involving old vehicles.

Sir, apart from these facts I would like to draw your attention to certain other very vital aspects. As it had been discussed in the House yesterday also that the amendments made in the Bill are inadequate. Yesterday deplorable conditions of the national highways was also discussed. Adequate attention should be paid towards these.

The rapid increase in the number of vehicles should also have been mentioned the Bill. Subjects like the condition of the driver, traffic sense, the speed of the vehicle should also be paid attention.

The condition of the national highways now-a-days is quite bad. Though it has not been highlighted in the Bill and the subject also does not relate to it, yet I would definitely like to say one thing. The hon. Minister is a Minister of highways also. Now-a-days the 35 per cent traffic flows on the national highways. But it is a sorry matter that our national highways are not upto the international standards. 98 per cent national highways are not motorable as per international standards. And the hon. Minister has presented motor vehicles Bill. I would like the hon. Minister to pay attention to that. The number of road accidents have increased ten times as compared to the year 1960. The hon. Minister is present here. I would like to draw his attention to the fact that sub-standard material is being used in the construction of new national highways.

Speed breakers are constructed to avoid road accidents. But in my opinion,

[Shri Rajnath Sonkar Shastri]

80 per cent speed-breakers are built to increase the number of accidents. As per rules speed breakers should be clearly visible and should be painted white whereas our speed breakers are built high. The colour of the road as well as the speed breakers is black. In such a case speeding vehicle meets with an accident. It should be paid attention.

The number of vehicles has increased 25 times as compared to the year 1960. The number of vehicles in 1956 was to six lakh which increased to 1.75 crore in 1993. It includes 63.6 per cent two-wheelers and 31 per cent out of these are in big cities like, Delhi, Assam, Madras, Calcutta, Pune, Lucknow and Ahmedabad.

A survey had been conducted. I am reading its report which shows that cars kill more persons than buses and the two wheelers excell cars in this respect. The 45 per cent of the accidents are caused by buses and trucks. The indiscriminate crowd of vehicles has increased the traffic on the roads. I would like to tell the hon. Minister that this is a very good Bill but the Bill does not mention this fact. It should also be paid attention.

You have not mentioned the police department in this Bill. I was hoping that you must have had mentioned police department in it. Your Bill mainly covers three aspects. The compensation of the accidents, accident and licensing policy, the rashly driven vehicles. The most sensitive aspect of the motor vehicles these days is police department. The police personnel go to their offices and pray daily for an accident to take place. I am citing an example. There is a place called Sighona in our constituency. Some 25 days back in the morning some

personnel gathered at a point to entrap people. A truck came along which was carrying a number of bullocks. The police deliberately tried to stop it. When it did not stop, thorns were thrown in front of it. The truck driven on at a high speed but in a hurry collided with a pavement resulting in death of 2 men and 8 bullocks. Later, the police claimed that it had happened due to the failure of truck's breaks leading to its collision with the pavement though hundreds of people had seen it.

I come from Varanasi. Four policemen were trampled by a truck-driver in that area. These people used to extract money from the drivers. Sometimes the driver rebels and trample over them when they stand before the trucks in order to stop them. In a similar case four policemen were killed this year in Varanasi. We will need to review the powers given to the police. It would have been better if a provision was made for that.

Sir, the condition of the drivers is an open secret. Most of the drivers drive in an inebriated state and drive rashly while some drivers are over-confident of their abilities and they think that they are perfect drivers and will not meet an accident. Some of them drive in a zig-zag manner. Some of them apply brakes causing jerks, some drive in wrong lane and switch on all the lights. They even cross red-lights. It is a common sight to see their vehicles parked on both sides of a narrow road. The hon. Minister should have given attention to these facts also.

You have made a mention of guarantee of right to work. Sometimes the vehicle owners employ two drivers. One driver drives the vehicle while the other

takes a nap. But in the event of one driver going on leave, the other driver drives on alone from Varanasi to Bombay. This way he cannot even take a nap. He tends to doze off while driving and thereby falling prey to accidents.

There was a discussion here on the sense of traffic. That is also required. It was suggested yesterday that the education regarding traffic-sense should be imparted to students in schools. At some places people really lack the basic sense of traffic. I would like to cite an example. A group of foreigners had a trip of Varanasi. Somebody asked them as to what had they liked in Varanasi. They sarcastically replied that they had liked most the sense of the people to walk on the roads.

When I see the traffic in the Chandni Chowk area of Delhi, I get surprised. Even the urban people do not have much traffic-sense and it leads to traffic jam there. If one wants to go to the Airport he gets delayed because of traffic jam.

We have a coal market in Chandausi. We often go to Mughal Sarai to catch the train. Generally we miss the train. The only reason can be traced back to the lack of traffic-sense. The roads must be wide.

The certificate given by the LIC and the speed of the vehicle are the factors which should essentially be taken into account. One of the main reasons behind accidents is the speed of the vehicles. Rules should be formulated to regulate it. The light vehicles are designed with a rated speed of 150-175 km per hour. But these vehicles are driven at a speed of 70-80 km per hour.

The vehicles designed with a rated speed of 160 are perforce being run at

the speed of 70-80 per km. It causes defects in the parts of their vehicles which again cause accidents. I am of the view that such trivialities should also be given attention.

So far as the amount of compensation is concerned, it has been mentioned in this Act and the amount has also been increased which is commendable. The procedure for the accident victims' compensation which has been adopted and streamlined will definitely lead to a smooth disposal of the cases. Generally such cases are pending for years together. When somebody dies and the compensation is provided to the next of his kins within a span of 2-3 months then it somehow alleviates their suffering but the distressing fact is that the family of the deceased is made to run from pillar to posts for years. It is a good thing that in this Amendment Bill you have attempted to simplify this procedure. Under this Act, the compensation amount has been raised from Rs. 25,000 to Rs. 50,000, from Rs. 8,500 to Rs. 25,000 and from Rs. 2,000 to Rs. 12,500. It is a welcome step but I feel it should have been increased further. You are getting this Bill passed now and it will be passed in the House but I would like to give one suggestion that if you propose to streamline the motor vehicles system and make it more effective then you should bring a more comprehensive Bill after conducting an extensive study in the near future, in 2-4 months time or in the next session. This Bill has been presented keeping in view the conditions prevailing in States but should introduce a more comprehensive Bill keeping in view the condition of the entire nation.

The tax imposed on the sale of motor vehicles in various states needs to be reviewed. This tax is 7 per cent in Uttar Pradesh, 2 per cent in Goa and

[Shri Rajnath Sonkar Shastri]

3 per cent in Haryana. There is no uniformity in the tax structure. The amount is more at one place and less at the other; exorbitant at yet another place and quote less at another. I feel that a uniformity should be brought in the tax structure and in its application throughout the country.

There is no mention of doctors in this Bill. The private doctors hesitate to treat the victims of the accident. They feel that if they treat such a patient they might be faced with many problems, such as police-interrogation, giving witness at the courts and the patient dies unattended. The victims of the accident fail to get timely medical help. I would like to say that since it is a very delicate aspect, it should be given a thought.

I support this Bill again and thank you for allowing me time to speak.

SHRI ANAND RATNA MAURYA (Chandauli): Mr. Chairman, Sir, I thank you for bringing the Motor Vehicles (Amendment) Bill, 1994, and it would have been much better if it had been brought earlier.

The number of vehicles on roads has increased by 50 or 60 lakh during the last six years. Mr. Chairman, Sir, the second thing is that now-a-days vehicles being manufactured have much more speed than the old ones. At present the number of vehicles on road has reached upto 2 crore and along with this crowd of vehicles their higher speed has increased the rate of accidents in the country. The number of accidents have increased by two and a half time more than the earlier. Last year, 200 persons lost their lives and property worth Rs. 2000 crore was damaged.

Sir, I would like to say that time has now come to educate people regarding traffic sense and maintenance of roads and the method of road construction should be improved upon and rules for road safety should strictly be implemented in the country. I would like to say that speed breakers constructed on highways which cause accidents as vehicles running on a speed of 100 or 120 km per hour get a bump on these speed breakers, so I request you that strict measures should be taken for stopping the construction of speed breakers on national highways. The existing notice boards, hoardings and signals regarding traffic rules, put up on roads are not proper and these should be made proper. Traffic signals should be installed properly, so that these could be seen from far away and could be followed effectively. These signals should be maintained properly. Sometimes we find that traffic signals installed at road side are not in working condition and traffic police personnel posted there does not know how to control the traffic. Such reasons lead to accidents.

Mr. Chairman, Sir, now a days use of helmet is made compulsory for the drivers of two wheelers in Delhi but several other big cities of the country do not have such rules and people do not have the sense of using helmets. I think that use of helmets should be made compulsory throughout the country and people should be educated in this regard.

Mr. Chairman, Sir, today we see on both the sides of highway that encroachments are going on. Shops are being constructed. There should be a law to stop all such practices. Effective steps should be taken to stop encroachments as it is going on continuously despite the hoardings that no construction should be

made on both the sides of national highway upto 100 meters but there must be stringent law to stop that construction. The Government should find its own methods to stop encroachments. If it would not be done, there would be much more chances of accidents.

Mr. Chairman, I would like to raise the matter of licence which are issued by RTO Offices. No other office in the country have so much crowd and among those most of them are brokers.

15.00 hrs.

It will be more appropriate if RTO offices will be called office of brokers. You cannot get licences without their help and after greasing their palms, licences are given to people who even do not know driving at all. Such a dangerous situation is prevailing throughout the country. Now-a-days we have vehicle like cars, two-wheelers and trucks which run on high speed and without proper training of driving the danger of accidents will always be there. Effective measures should be taken up for improving the conditions in RTO offices. There is provision in this Bill to set up driving schools and licences will be issued only after obtaining certificates from there, but proper attention is needed to check the functioning of these schools so that they will not become another RTO offices. These days one cannot think about getting licences without the help of a broker. Such situation makes all the rules and laws ineffective. It is a very dangerous process and I request the hon. Minister to improve this situation... *(Interruptions)*

Now a days, the number of vehicles is increasing day by day and about 10 to 12 lakh vehicles are added to their

fleet. About 2 lakh vehicles are added every year only in Delhi itself. We have to pay proper attention towards environment also. The fuel used by vehicles in our country contains lead which is observed in the atmosphere through smoke and it affects human body. Pollution Control Board has been set up, which checks the vehicles and gives certificates regarding the pollution level of the vehicle.

I would like to say that pollution cannot be stopped with the existing allocation of funds, therefore effective measures should be taken up in this regard. At present a person obtains certificate to this effect that his vehicle does not emit smoke but the vehicle can go out of order on the very next day and start discharging much more smoke than the prescribed parameter and it has no time limit. My humble suggestion is that all vehicles manufactured in India must possess catalytic convertors. Such practice is prevalent in foreign countries and their vehicles discharge less carbon monoxide and lead. I request the hon. Minister to make catalytic convertors made compulsory and licence for manufacturing vehicles should be given after fulfilling this condition. Issuing certificates of non-pollution or sudden checking for that purpose or to impose a fine upon the owners of vehicles is not enough, but effective steps should be taken to protect the environment for the future.

Mr. Chairman, Sir, there is a provision regarding the amount of compensation in this amendment. Sometimes vehicles or buses dash into a house and kill or injure some one, in such cases the existing amount of compensation of Rs. 25,000 seems quite insufficient, it should be raised to Rs. 50,000. Devaluation of rupee has also made the compensation

[Shri Anand Ratna Maurya]

of Rs. 25,000 quite insufficient. I suggest that compensation for death should be raised upto Rs. 50,000 and for permanent disability, the existing amount of compensation of Rs. 12,500 should be raised upto Rs. 25,000. Laws are enacted but they are not satisfactorily implemented in our country. Police plays an important role in it. In our country, policeman posted for controlling traffic are selected from the general police and given different uniforms. I do not know as to whether they are given special training or not. Traffic policemen's main work has become to check the loaded vehicles and grab money from them. If a driver refuses to pay the bribe, traffic police make his challan. Sometimes drivers run away to avoid interrogation by them which leads to accident.

[English]

MR. CHAIRMAN: Why are you insulting the police by saying that they take 25 paise or 50 paise.

[Translation]

SHRI ANAND RATNA MAURYA: I do not know how much they are charging at present but this old practice is still going on. I would like to make a suggestion that a Traffic Police Force should be constituted in place of traffic police.

MR. CHAIRMAN: These points have already been discussed, please give new suggestions.

SHRI ANAND RATNA MAURYA: Traffic policemen are posted temporarily and after sometimes sent back to their parent offices. A separate police force should be organised and posted for this purpose. Width of roads have also not

been increased with the increase in the speed of vehicles. I suggest that roads should be doubled to lessen the number of accidents.

The provision for deciding the claims of compensation by tribunals is praise worthy. It will speed up the settlement of such cases. At present settlement of such claims takes 5 to 6 years. I would like to make a suggestion that time limit of two years should be fixed to dispose off such cases. With these words I support this Bill.

[English]

SHRI BOLLA BULLI RAMAIAH (Eluru): Mr. Chairman, Sir, this Motor Vehicles (Amendment) Bill, 1994 is an amendment of the Act which was introduced in 1988. Various provisions, particularly the licensing system for the drivers, have to be implemented with great care because the frequency of the accidents that occur on the road, due to the vehicles carrying either goods or passengers, depends on the efficiency of the driver. So, this licensing system should be strengthened. Alternative system are being operated without following the regular methods. This requires the cooperation of the State Government. The Centre can always seek the cooperation of the State Government in the larger interest of the State, Centre and the country.

Another thing that is required is the proper maintenance of roads. A number of accidents occur due to improper condition of roads and also due to the type of signals that we have.

The road signals should always be provided way ahead on the road so that the road-users know what would be

happening on the road after one or two miles. To help people from different parts of the country to understand the road signals, they should always be displayed, at least, in three languages *i.e.*, Hindi, English and the regional language.

Another most important difficulty faced by the road users is the poor maintenance of national highways. With the increased agricultural and industrial production, and the ever increasing population, unless we have four lane road system on our highways we cannot avoid the accidents. This requires huge funds. I am sure the State Governments do not have enough resources, unless the Central Government comes to their rescue. If necessary, the World Bank loan should also be obtained to improve interstate road transport and maintain the national highways at the standards required in the present condition of the country.

One can find a lot of speed-breakers every now and then on the roads. I do not know whether these are raised with the permission of the Government or not. Speed-breakers should not be allowed to come up without the permission of the Government. As no signals are erected, these unauthorised speed-breakers raised by some individuals in the localities do not forewarn the road-users thereby resulting in avoidable inconvenience and some times accidents too.

One of the primary causes of vehicle accidents is non-availability of genuine spare-parts. The Government should make all efforts to control restrict and prohibit these fake spare-parts as far as possible.

The important issues which have already caused a lot of commotion in the

transportation sector in the past are the Octroi Duty and the *path kar*. These two things should be regularised and rationalised to eliminate the corruption and the extra cost of transportation. With the increasing fuel costs, we already find the cost of transportation is on constant increase.

We have introduced the system of checking the pollution caused by motor vehicles. Today, most of the countries in the world have streamlined their systems of checking vehicular pollution. They use an apparatus called catalyst in the new vehicles at production stage. In those countries, if a vehicle is found to be below standards or causing pollution it is immediately rejected in the test and declared not roadworthy. Unfortunately, we cannot do it so quickly here in India due to various financial constraints. But, unless we start using such technology at some point of time, there will not be any end to the problem of vehicular pollution. As this pollution wastes enormous amount of fuel and poses many health hazards, it should be taken seriously. I am sure the Government will definitely take these things into consideration at this point.

I have also mentioned earlier about the fake licensing system and other things. Flying-Squads should be introduced throughout the country so that this illegal driving is minimised to the optimum extent. The tribunals we were talking about could also be introduced as early as possible with full powers to enable them to take quick action on various issues of the road transport.

Insurance premium that we now have also requires to be modified in order to settle the claims of compensation speedily.

[Shri Bolla Bulli Ramaiah]

Now-a-days we find a lot of traffic jamming on the highways as drivers park their vehicles on the road-sides to have their lunch or dinner. To avoid this, rest places should be established on the highways after every thirty to forty miles. These rest places should have facilities for supply of fuel and other conveniences also.

MR. CHAIRMAN: Reading out the papers is not allowed.

SHRI BOLLA BULLI RAMAIAH: Well, Sir, phasing out of two-wheelers and three-wheelers should also be taken into consideration in order to see that the pollution is controlled. All these things have to be taken into consideration in some way or the other so that this Bill becomes more effective in serving the country the purpose for which it is being brought.

With these words, I conclude.

DR. K.V.R. CHOWDARY (Rajahmundry): Mr. Chairman, Sir, I am thankful to you for giving me time to speak on the Motor Vehicles (Amendment) Bill, 1994.

First of all, I welcome this Amendment Bill but at the same time I take this opportunity of adding a few lines for the consideration of the hon. Minister.

As far as general insurance is concerned, for vehicles there should not be three categories of insurance. There should be only one comprehensive category of insurance exclusively for the purpose of vehicles. There should not be a third party insurance and other such insurance. For discouraging old vehicles of more than five-year duration from plying on the roads, the Government

should increase the insurance fees. It is because, these old vehicles tend to release the dangerous carbon di-oxide gas. Sometimes these old vehicles tend to breakdown causing a lot of traffic jams and also quite a lot of difficulties to the passengers. They block free flow of traffic with the result that accidents also occur.

Now, I will come to licensing of drivers. It should be made very stringent. A minimum qualification of, at least, tenth standard is necessary. They should be given, at least, three months' training in theory as to how they should use a particular part when it goes out of order and how they should read the road signs and road maps. Now-a-days, most of the drivers do not even know the interpretation of the road signs and road rules. The licences are being given to the drivers by the corrupt officials by taking bribes from the drivers. So, the Government should see that proper tests are conducted before giving them licences. Erring drivers should be punished for violation of road rules.

As you know, in India, we are having very bad roads. These roads are causing a great deal of inconvenience to the free flow of traffic, loss of valuable time, wear and tear of vehicles and damage to tyres etc.

I would like to again suggest that a uniform tax structure should be there throughout the country for collecting Sales Tax and other taxes. I would request the Central Government to collect taxes on their own and give a large chunk of them to the States so that there would not be any variation between one State and another. If it is done, the inter-State road traffic will also improve without causing any difficulties for the vehicle-owners. My

suggestion, therefore, is that 90 per cent of the taxes collected should be given to the States for maintenance of their highways and the roads that are there near their zila parishads and their local bodies and the rest would be left with the Centre for taking care of the National Highways.

Sir, good roads are more important not only for free flow of traffic but also for the development of our economy. With the liberalisation of our economy there is eventually some scope for rapid industrialisation and movement of goods from one part to the other...*(Interruptions)*

MR. CHAIRMAN: Mr. Chowdhary, the hon. Member is indirectly telling me that I am not checking the Congress Members who are reading from the papers.

DR. K.V.R. CHOWDARY: I am not reading from the papers. I am just referring to the points. I am of the opinion that good roads along with good highways is one of the factors which has helped western countries in developing their economy. Similarly, I suggest that we should also have good highways, at least, between metropolitan cities in tune with the international standards.

Vehicles carrying goods are stopping on the road side in the Highways causing a lot of inconvenience for the road traffic and traffic jams. They should not be allowed to do it. Consumption of alcohol by a driver should be dealt with severely and his licence should be suspended at least for six months or one year as is done in the Western countries.

Vehicles carrying goods should not be allowed to ply between 12 p.m. and 3 a.m., because at that time most of the accidents occur.

Vehicles carrying goods should not be used for public transport. More private buses should be given licences to ply on the road for better transport for the people because lack of transport is causing lot of difficulties in the villages.

The non-corrupt flying squad should be introduced so that the law-breaking drivers should be taken to task and severely punished. Thank you.

SHRI ANNA JOSHI (Pune): Mr. Chairman, Sir, I would like to make certain suggestions. On page 3 of the Bill, it reads as follows:

"Where the applicant does not pass the test, he may be permitted to re-appear for the test after a period of seven days."

For re-appearing at the test, what can he study within seven days? So, I would like to suggest that instead of seven days, it should be one month.

Again on page 3, it further reads as follows:

"Provided that in the case of licence to drive a transport vehicle carrying goods of dangerous or hazardous nature be effective for a period of one year and renewal thereof shall be subject to the condition that the driver undergoes one day refresher course of the prescribed syllabus."

Within one day, who can complete the refresher course? So, instead of one day, I would suggest that it should be for seven days.

On page 5, after the alterations in a vehicle, there is no provision for its technical testing. We do not know who

[Shri Anna Joshi]

has made these alterations in the engine and of what type, etc. My suggestion is after alterations, the vehicle should again be tested by a technical authority and they should certify all the changes made in the vehicle.

On page 9, if he fails to produce his certificate within 15 days from the date of demand, then I would suggest that a photo copy of his Registration Certificate should always be kept in his vehicle. Then the need for submitting it after 15 days will not be there.

On page 13, it reads as follows:

“(a) has, in his blood, alcohol exceeding 30 mg. per 100 ml. of blood detected in a test by a breath analyser.”

Where is the breath analyser at that time? It is kept somewhere in the police station and the police officer is testing his blood on the road. Therefore, my suggestion is that a breath analyser should be made available to each police officer of the rank of Sub-Inspector and above.

If they have got the breath analyser with them at the place of incident, they can do all these tests on the spot and the process can be assessed.

On page 13, clause 56(2):

“(2) Nothing in this section shall apply to the use of a motor vehicle in an emergency for the conveyance of persons suffering from sickness or injuries or for the transport of food or materials to relieve distress or of medical supplies for a like purpose...”

On page 14 they have further stated that provided, he reports the same within seven days to the concerned authority. I think it is not necessary. It is an emergency when an accident has taken place and I have taken the victim to the hospital to save his life. Why is it said that within seven days it should be reported to the authority? Therefore, I suggest for the deletion of this provision:

“provided that the person using the vehicle reports about the same to the Regional Transport Authority within seven days from the date of such use.”

On page 15, clause 60(2) says:

“A police officer in uniform may arrest without warrant any person, who has committed an offence under this Act, if such persons refuses to give his name and address.”

Sir, I want to say that this should be read like this — “if such person refused to give his name or address or gives false name or address and that identity card should be carried by everyone driving a vehicle.” If this identity card clause is made compulsory for the drivers, then one cannot refuse to give name or one cannot give wrong name or wrong address.

My last point is that the liability to pay compensation is only on the driver or the owner of the vehicle. The Government takes all sorts of taxes on other things, but when there is an accident only the owner has to pay the compensation. I would suggest that the Government should share equally in that amount along with the owner of the vehicle. These are my amendments to this Bill.

I have got two or three more points to suggest. This discussion of the Bill has got four crucial points about condition of roads, condition of vehicles, ability of the driver and strict implementation of provisions of this Act. The success of this Motor Vehicles Act depends on these four points. Regarding roads, bridges, etc. So many Members have said so many things. So I need not say anything on this point.

But I would say that the Government has passed one law that five per cent of the excise levied on the total sale of petrol and diesel should be given for the Road Development Fund and from that, crores of rupees can be given to the States for the Development of roads and other things. I appeal to the hon. Minister that this Road Development Fund—though it is collected, it is not given to the States—should be given in its proper form.

Now it was suggested that the roads should be widened and all those things. Here I would say that the States are giving the names of roads to be declared as National Highways, but nothing has been done so far. The list is pending with the hon. Minister.

Every time, they are informing that it will be done in the next Five Year Plan or in the next year. But nothing is being done. Therefore, the action for declaring State Highways as National Highways has to be taken immediately.

My last point is regarding the process of issuing licences and permits. There are many incidents. I would like to remind the hon. Minister that there was a serial on TV regarding accidents and traffic in Delhi. In that serial, certain persons, who were caught in regard to

committing accidents, were interviewed. When they were asked as to how they got the driving licence, they replied that they had not gone to the Office, they had not undergone any test, they had not produced any doctor certificate, they got the driving licence at their homes and they had to pay only some extra money for it. This was the case, which had been given in the media by the interviewing authority of Delhi.

[Translation]

If corruption on such level is prevailing in Delhi, what will be at other places.

MR. CHAIRMAN: There is less corruption at other places.

SHRI ANNA JOSHI: If it is so then it is very good.

[English]

I think, the *Indian Express* had carried out a news item about the malpractices in the Department. The journalists had interviewed certain police officers and published some fake stories. They interviewed these people and it had come in the newspaper. Now, this corruption in the RTO and the Traffic Police is not a single man's act. It is a systematic racket. At least about Maharashtra, I can tell you that the drivers are given some number and if they pay at one point then throughout on that route their trucks can go straightaway. And if anything happens to that, the whole amount will be repaid. Therefore, this racket should be busted.

My last point is in regard to the working of the Tribunals. These Tribunals must work efficiently and satisfactorily.

[Shri Anna Joshi]

But in many places, we notice that vacancies are not filled up and where vacancies are filled up, the Tribunals work for two to three hours a day and also work for two to three days a week and, therefore, a large number of cases are pending for years together. Therefore, the working of these Tribunals must be made more efficient and satisfactory.

In regard to noise pollution and air pollution, there should be some control. I may remind the hon. Minister that mixing up of kerosene and diesel has been done away with and now the low quality of petrol, in Hindi it is called '*Kachcha petrol*', is being supplied regularly to different petrol pumps and that is mixed in petrol, which is causing more pollution. Therefore, that aspect has also to be taken care of.

Many Members have said about number plates and other things. The number plates should be uniform, simple and readable.

If this Bill is brought with these modifications, then I fully support this Bill.

DR. MUMTAZ ANSARI (Kodarma): Mr. Chairman, I am very happy that at last justice has prevailed upon... (*Interruptions*)

MR. CHAIRMAN: Not lastly; but from the very beginning.

DR. MUMTAZ ANSARI: I rise to support this Motor Vehicles (Amendment) Bill, 1994 which was passed earlier by the Rajya Sabha on the 11th August, 1994, with certain reservations and some valuable suggestions. I am very happy that enough light has been thrown on the different aspects of the Motor Vehicles (Amendment) Bill by my esteemed col-

leagues and Members of Parliament. But I have certain suggestions to render to the Hon. Minister and I will not consume more time in this respect.

15.40 hours

[SHRI P.C. CHACKO *in the Chair*]

This Motor Vehicles (Amendment) Bill which has been put forward before this House is really a very important Bill which must be supported by all. But there are certain points and some valuable suggestions must be rendered to the hon. Minister for the benefit of the common masses.

For example, there are some registering and licensing authorities who are giving the fitness certificates. I have come to know that in some States there are certain private persons who are authorised by the State Governments to give some sort of fitness certificates to vehicles. It is very unjust and very much discriminatory because it is causing some losses to the State exchequer as well as to the Central Governments. So, I would like to suggest to the hon. Minister that this sort of provision must be done away with because it might cause losses to the exchequer of the State Governments and the Central Government. The correct people to give such certificates are the Motor Vehicle Inspectors appointed by the State Governments or the Central Government. They are authorised to give the fitness certificates to motor vehicles. They are the only real authorised persons and this should not be privatised at all.

Secondly, the registration itself is done at regular intervals of time and it is being done whimsically by certain authorities. It should not be allowed to be cancelled by such authorities unless

they hold some technical qualifications. If they do not have any technical qualifications, they should not be allowed to cancel such types of Registrations.

I had been to Japan and I was very much surprised to see that though the roads were full with different types of vehicles like cars, motor cycles and several other types of vehicles, there was pin-drop silence and there was no noise pollution or air pollution or any other kind of pollution. But here we see it in Delhi, as it has been mentioned, 20 lakh motor vehicles have been pumped into the city and they are not observing any traffic rules. They are causing a lot of noise pollution and air pollution. So, I would like to suggest to the hon. Minister that to deal with this, some kind of control must be strictly enforced, by the hon. Minister, to check pollution.

Similarly in different other States also this pollution is taking place and it has become health hazard. To do away with this health hazard some kind of control system should be enforced to get rid of those polluting elements.

All the motor vehicles which have served beyond a particular date should be scrapped. There is prescribed life for all motor vehicles and after that time those motor vehicles must be scrapped. There is a provision for depreciation and they are charging depreciation also. After the expiry of the estimated life of a motor vehicle also the people are plying them in several cities and towns. Such motor vehicles should be scrapped immediately without giving any short notice to the owners. This is my suggestion to the hon. Minister.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Are they bio-degradable?

DR. MUMTAZ ANSARI: Similarly, I would like to mention to the hon. Minister that there are certain highways and for the maintenance of those highways some taxes are collected. I know that the maintenance of the highways is the responsibility of the State Governments. But whatever funds the Government is collecting from different States have to be released to them. So far, in Bihar since 1974 not even a single kilometre of a national highway has been granted or accepted by the Central Government.

You are not releasing the funds collected by you for the maintenance of the National Highways to the State Governments. Due to this bad maintenance of National Highways, a large number of accidents are also taking place. So, in order to stop these accidents which are taking place, you must pay attention to the maintenance of roads, at least to these National Highways.

Secondly, the red line buses have been granted permits. It is all right. I do not have any objection to that. You can grant permits and licences whatever you want. However, these are not just red liners but they are red killers. They have killed so many persons, children and women. That is why there must be some sort of regulation of speed on such red lines. If you want to have proper control over these red line buses, then you will have to cancel the permits of such red line buses.

Again, if an accident has taken place and the people have been injured due to that accident then without waiting for any formalities, without going into all these procedural formalities, first of all, the practitioners, the doctors and the nearest hospital should be advised to take care of such injured persons. The

[Dr. Mumtaz Ansari]

life is very precious and important and if you are attending to all these formalities then naturally the lives will be lost. So, in order to save all these precious lives, you must pay attention to all these provisions and the nearest practitioner, the nearest doctor should be advised to take care such people.

Similarly, I would like to say that if there is a natural calamity or catastrophe, in that case, special permits must be given to some motor vehicles so that they can attend to all these things. There should not be any precondition for these motor vehicles and they should be allowed freely.

So far as my suggestions are concerned, they must be taken into consideration and must be translated into action.

MR. CHAIRMAN: I have to make an announcement. There are five more Members to speak. We have already taken one hour and thirty minutes more than the time allotted. So, with the permission of the House I want to restrict the time to five minutes for each Member.

Now, Shri Nirmal Kanti Chatterjee.

SHRI NIRMAL KANTI CHATTERJEE: Thank you, Sir. But I am not worried because we have consumed one hour and thirty minutes more. Normally, we consume much more time than that.

MR. CHAIRMAN: Please come to the point otherwise you may not get as much time as you want.

SHRI AMAL DATTA (Diamond Harbour): He wants to say that he will consume as much time as you give....
(Interruptions)

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): I hope the hon. Members will speak only on the Bill... (Interruptions)

MR. CHAIRMAN: That is very important. I need not remind Shri Chatterjee. Please speak only on the Bill. You are speaking about so many other things but not about the Bill. So, I think, hon. Members may kindly deal with the provisions of this Bill. We are discussing an amending Bill to the Act.

SHRI NIRMAL KANTI CHATTERJEE: Thank you very much, Sir. I think, it is quite valid that in discussing a particular Bill, the question of approaching the whole problem should also be stated.

Many hon. Members from our side as well as from that side have approached it in that fashion. They relate motor transport/road transport to water transport, rail transport etc. I do not think such observations are invalid at all. The question is how do we approach the whole problem of road transport which is relevant. But I will be limiting myself to the Bill itself because all those things have been discussed.

Most of my points are in the form of questions because I am little puzzled by some of the amendments.

I do not know the answer. Perhaps the Minister will be kind enough to remember an answer for that. For instance, there is one amendment on page 2 which is defining the vehicle. The change in the definition of the vehicle is that while previously it was 35cc capacity of engine, now it is reduced to 25cc. This is quite interesting. On the other hand, there is a statement in the reverse

direction when in clause 4 of this Amending Bill, he is mentioning about grating a licence. While previously a licence to a sixteen years old person could be granted for a motorcycle without any gear, this time we say: "If the engine capacity does not exceed 50cc. The movement of these two statements is in two opposite directions. 50cc engine motorcycles have now been introduced. They are quite powerful vehicles and you are going to permit the sixteen years old people to drive them. Why this movement in two directions is there, I am not clear about that. I want the Minister to kindly clarify this.

The second point I want to be clear about is that in clause 29, there is a reference to working hours of the workers engaged in this sector. It is mentioned here that the hours of work of any person engaged for operating a transport vehicle shall be such as provided in the Motor Transport Workers Act, 1961. This is the amendment. Previously it was explicitly provided that it should not be more than five hours at a stretch, there should be half-an-hour interval after five hours, etc. I have not been able to find out what exactly is provided for in the Workers Act, 1961. So, I want to be enlightened whether this is an improvement in the working conditions or really it implies a deterioration in the conditions of workers in the motor transport sector.

Now I have a comment to make. Here I thank Dr. Ansari. He has already covered this point when he referred to noise pollution. There should be reference to that in the Motor Vehicles Act. Controlling the horns, etc., I think, should be included in the Motor Vehicles Act. The sounds generated by the horns are killing propositions for our ears. So, that sort of a provision should be made in the Motor Vehicles Act. Also, there should be

some restriction imposed in using the headlights. Even on National Highways which pass through dense areas, that kind of a restriction should be provided somewhere.

A slightly more substantial point that I want to make is that in this Act, in some ways, there should be more incentives provided for using non-conventional energy for a motor vehicle. Not that there is none. Not that there is silence. It is there. But, after all, these Motor Vehicles Amendment Bills will not come every year. We have a perspective that in the course of this century, new developments are taking place all over the world. Emphasis is either on battery-operated vehicles or on different kinds of fuels, etc. So, special provisions for giving incentives for that should be made in this Amending Bill.

Now I want to mention something about the compensation scheme. I have not been able to decipher what is contained in this Bill. There is a multiplier. It is not unlimited. Compensation is related to annual income of a particular individual. I want the hon. Minister to kindly clarify the table for me.

Secondly, this relates to people who have an income. There are different slabs of income like Rs. 3,000 or Rs. 4,200 etc. It is interesting to note that upto the income of Rs. 11,400 the increase in the slab is Rs. 100 a month. After that, suddenly it has become Rs. 50 a month and after that it has become Rs. 500 or Rs. 600 per month. I have not understood the rationality of the table at all. If a bright research scholar who has no income and who is still a student is skilled, what is the compensation for

[Shri Nirmal Kanti Chatterjee]

him? How do you assess his worth? There is no such provision here. There is a great lacuna in this table and I want this also to be clarified.

Incidentally, let me mention one thing about the earning people. There are two kinds of earners, in a sense, apart from those who earn from capital assets, one group has a dearness allowance and its income is indexed to the rising prices. There is another group whose income is not so indexed. Unless your compensation rates are fixed for a year only, what are you going to do for such people? Why should you not introduce an indexing system in the compensation also relating it to movement in prices? This kind of improvement in the table should be there. This is what I feel.

These are the marginal comments that I have got on this Bill. I have got a very specific objection to the Bill which relates to Clause 23. This Clause 23 modifies Section 71 and in the sub-section (c) of the Clause 23 a very innocuous statement is there. It says: "Sub-sections (4) and (5) shall be omitted." What are these sub-sections (4) and (5)? I do not think the House has taken this into consideration. It is in terms of the ownership. It is stated in the objective itself that previously there was a limitation of ownership of say buses and it seems now that the Government is convinced that limitation generates *benami* ownership and, therefore, it is like the case of throwing the baby along with bath water and therefore, withdraw all limits of ownership. What does it mean? Let us remind ourselves that this was reserved as a small scale sector. The Private bus ownership was by limiting the number of buses which can be owned and it was meant to be a small scale

sector. Even the Finance Ministry recognises that as such. When they talk of the presumptive tax they refer to these kind of transport owners where they say that: you do not have to give a return but you give a lumpsum if your turnover is such and such.

This is being withdrawn. The argument is of the same kind that because there are tax rates of a high order and, therefore, there is black income and you should reduce the tax rates leading to the logical conclusion that because of laws and restrictions, there are so many illegalities and, therefore remove all laws. It is exactly that kind of argument. It is this section which I am totally opposed to. It is opening up an area which was reserved for the small scale sector to, maybe, large foreign companies. Foreign financial institutions are coming in the share market. Now they will come into this transport market also.

Henceforward it is perfectly possible to imagine that the entire routes or the entire city buses will be owned by these big people and individual transport owners would be eliminated from the scene.

16.00 hrs.

I did not get time to give an amendment to this amending Bill. But I earnestly request the hon. Minister to reconsider this and, if possible, withdraw at least this section.

SHRI SRIBALLAV PANIGRAHI (Deogarh): Mr. Chairman, Sir, I thank you for giving me opportunity to express my views on the Motor Vehicles (Amendment) Bill, which is to amend the Motor Vehicles Act, 1988. This is a State subject. The matters like motor vehicles, road, road transport come under the State List. So, I congratulate the

Government of India and particularly Tytlerji for having taken initiative in this regard, to give guidelines to the States. He is a very progressive person and a dynamic Minister.

Sir, the States will have to frame the rules and while framing the rules, they can consider the local situation and implement the Act and the rules framed under the provisions of this Act. The principal Act of 1988 was a comprehensive one and in the course of six years since 1988 while implementing the Act, some difficulties were experienced by the State Governments. There was a Review Committee here and the Review Committee has come out with its report. The suggestions contained in that report are being incorporated in this amending Bill, after due consideration. In that way, all the provisions are not debatable.

There are certain suggestions as to how they can be improved upon. This Bill has received the unanimous support from all sections of the House. I do not want to repeat the points made by the hon. Members because of the time factor. But I would like to say one thing. Our Minister himself is a Delhite and he represents constituency from Delhi in the Parliament. Delhi is our capital. Earlier, people used to say very fondly like this:

"Pushpeshu malli, Nagareshu Delhi"

That means, among the flowers there was "Malli" and among the cities there is "Delhi". But today, we do not enjoy that reputation in the world. From the point of view of environmental hazards, Delhi is one of the four most polluted cities in the world. Then, noise pollution is also increasing day-by-day. This is not a creditable thing. Secondly, from the point of view of accidents Delhi has become

a death trap. Out of the annual figure of 19,067 people who lost their lives in road accidents, Delhi stands at the top position, having the maximum number of deaths. Delhi, being the capital of country, with all its traffic control etc., should have the minimum number of deaths.

Among the metro cities, it should be the least. But Delhi is number one.

MR. CHAIRMAN: Have you anything to say on the provisions of the Bill?

SHRI SRIBALLAV PANIGRAHI: Delhi is claiming this sort of life.

MR. CHAIRMAN: This is general information. If there is anything about the provisions of the Bill, please give it.

SHRI SRIBALLAV PANIGRAHI: It is all connected.

The hon. Minister himself has said that three-fourths of the accidents are caused due to human failure. When human failure is three-fourth, it could very well be corrected. I would like to give some suggestions about driver's training and licence etc. This provision should be strictly implemented that he should be of sound mind and he should have some minimum education and he must have received training in a well-recognised Institute etc.

I would like to give one or two specific suggestions for the consideration of the Government. We have this family norm of two children. But people used to say it should be three, at least one for the father, one for the mother and one for the road. Road accidents are so numerous. Most of the road accidents during the early hours after 12 midnight

[Shri Sriballav Panigrahi]

to 4 a.m. or 2 a.m. to 4 a.m. It should be considered whether driving of at least heavy vehicles can be forbidden during these hours. Anybody should get time for three or four hours to take rest even on the road side.

The second point is about the drinking habit of the driver. An analysis has found that most of the drivers who are involved in road accidents are found drunk while driving. Plentiful of country liquor, even foreign liquor, is now available on the road side of the State Highways. This should be forbidden. This should not be available within at least 200 metres from the road. One should not get down from the steering itself easily.

There is noise pollution in Delhi. There are enough number of DTC redline buses. DTC buses silently kill people. Noise pollution is, by and large, attributed to this sound pollution. The DTC buses are out-moded and rotten buses.

Even after realisation of the entire amount of construction of a bridge, there is hardly any thinking to withdraw the toll tax. This is something to be considered.

The slum-dwellers in bastis are putting up speed breakers without any recognition from the authorities. This should not be encouraged or allowed.

I was discussing with the hon. Minister about road diversion.

MR. CHAIRMAN: That has nothing to do with the provision of the Bill.

SHRI SRIBALLAV PANIGRAHI: The whole purpose of participating in the debate is to highlight our own problems. Everybody, including those who occupy their seats there, knows it very well.

Since you are ringing the bell, I am closing now.

Sir, Deogarh — which is my constituency — in Orissa is a town of very great tourist importance. It is a town of scenic beauty. Very good sceneries are there. The waterfall is there. It is on the NH-6 passes through the town itself. On either side of NH-6, there are primary schools, high schools, colleges etc. There is a great risk for the school children and the pedestrians in this town. There is a proposal for having a bye-pass road. That should be there. Therefore, the bye-pass road on NH-6 has to be constructed and the proposal has to be implemented.

There is another thing. In a backward area, there is a portion of NH-42 and NH-43 passing through. Bhubaneswar and Sambalpur are on NH-42 and Rourkela, Ranchi, Talcher etc. are on NH-43. In between this, there is a highly tribal-dominated area. There is a missing link. There is no provision of funds for that. I would urge upon the hon. Minister to provide funds for this purpose. I can afford to speak no more because the time is short.

Finally, I would like to say only one thing and I close my speech with this. During the six-year period, we hardly come across any major efforts undertaken by the Ministries. After clear-cut analysis, they have made sincere efforts to plug all the loopholes. I congratulate the Government of India, particularly the Minister for the efforts they have put in. I appreciate the efforts taken by them. I also appreciate the spirit behind this Bill. This Bill will be of great help. But much more depends on the State Governments. Funding and improvement should go together.

With these words, I support this Bill.

[Translation]

SHRI MOHAN SINGH (Deoria): Mr. Chairman, Sir, the Motor Vehicles (Amendment) Bill, 1988 was brought after changing the law of 1939, there were several shortcomings in it. The Government of India received several memoranda and representations against these shortcomings from the State Governments and several other organisations. The hon. Minister brought the comprehensive amendment keeping in view this background and the State Governments have also given their consent to it. So, I think that we have nothing to say against it but make some new suggestions. The law being enacted today after making amendment in the Constitution of India which is going to empower the district Board and local bodies because every now and then these institutions cannot be instructed from this Parliament. But along with it the Parliament and the Government of India is accountable to the whole country, therefore, it should think on these important points.

Several new technologies are being introduced in the field of vehicle manufacturing. On many roads I had seen that water pumps used for fetching water are fixed in the old structure of bullock carts which have no brakes and clutches. It has no proper system of driving and passengers are being carried out in these carts. No name has been given to these vehicles.

SHRI MRUTYUNJAYA NAYAK: It is not a Ram rath?

SHRI MOHAN SINGH: It can be called any rath and it may be called

Mrutyunjaya rath also. These vehicles are causing accidents. In the same way tractors and its trollies meant for agricultural work are mostly being used for carrying passengers to fairs and in marriage parties in villages. As a result thereof number of vehicle is increasing day by day on roads. The engine of old vehicles are being exchanged with the new ones which do not possess ISI mark and there is no specific system for it. These vehicles are causing accidents therefore I request the Government to think over it seriously. My colleagues have raised the issue of compensation and rehabilitation. I would like to know as to what procedure will be adopted for settlement of compensation if a lawyer, or an intellectual dies in such road accidents. If the Government has adopted the policy of rehabilitation or paying of compensation, what policy it would adopt for dignified persons of the society such as lawyers, doctors, scholars or professors who may be in large numbers? I think it is not proper and needed to be reconsidered.

Mr. Chairman, Sir, so far as roads are concerned, I have been reading in the newspapers for several days. The hon. Minister said that express roads would be constructed. For this purpose, a company from Malaysia is being invited to look after this work. I have also heard that a express highway is proposed to be constructed between Delhi and Agra. However, when we travel on this road, it becomes very troublesome even to cover the distance of ten kilometres. Its condition is more bad than the roads of villages. If the Government declares anything in this regard, it should repair the roads within a time-bound schedule. Further, if the project of any express road has been undertaken, how much time it would take?

[Shri Mohan Singh]

Mr. Chairman, Sir, I have written several letters about a main road in Varanasi. This road is being constructed by the Government of India. A proposal for constructing a bridge on this road, near Mugalsarai is pending for a long time. In the absence of a bridge, there is no traffic. The contract for construction of a bridge at Ram Nagar was awarded to Uttar Pradesh Bridge Construction Corporation 11 years back but it could not commence the work on it. Now, this work has been awarded to an organisation of the Union Government but it has also not been able to take up the work so far. I would request the hon. Minister that this work may be got completed as soon as possible. With these words, I support this Bill.

[English]

SHRI P.C. THOMAS (Muvattupuzha): Sir, I stand to support the Bill and I congratulate the Minister and the Ministry for taking up this work of bringing in some amendments to certain very pertinent aspects. I am sure, the amendments which have been brought in Section 7 to 9, regarding licences, in Section 43 to 52 etc., regarding hire purchase and Section 140 and other related sections regarding insurance will be of great help to the public and also to the society as a whole.

Now I congratulate the Minister for increasing the amount for liability without fault to Rs. 50,000 in the case of death etc. But with regard to one point, I think, though some amendment has come in Section 71 with the intention to take up certain public interest matters also, yet I think, the purport of the Bill of what has been intended may not be achieved by the amendment which has come in Section 71 or Section 80. These are related to stage carriage permits.

Now we, in the Motor Vehicles Act which we had in 1939, had provision for allowing the Government or the Government machinery to call for permits.

The Government would call for permits in any route considering the public interest. Now, in rural areas especially, there may not be any person who will come forward to put a vehicle as 'stage carriage', for helping the public. The overall changes which were brought about in 1988 in the Motor Vehicles Act did not envisage the power of the Government to call for permits. I think, this is a very important lacuna which should be removed.

I was under the impression that this Bill has taken this aspect also into account because there was some work done already in this regard. In fact, I had sent series of letters to the hon. Minister wherein I had pointed out some amendments which were necessary in Section 71, 72 and 80 of the Motor Vehicles Act to provide some power for the Government to call for permits. As it is, there is absolutely no power for the Government to say that an advertisement can be given by the State Transport Authority or by the Regional Transport Authority to call for a permit in a particular route. This is a very important handicap.

As far as we know, the roads are improving in the rural areas. With the changes which have been brought about, with the *yojanas* that have been introduced and with so much plans that have been made with regard to the development of the rural areas, so many roads have been developed. But, those roads are not provided with proper facilities for transport buses. We should have some provisions by way of which the public interest can be taken into account.

I think the operators who are coming forward, are coming forward for profit making; and we cannot find fault with that. They will not come forward to run a bus through a rural area or for that matter, if they find that a bus which runs through a rural area is not as profitable as another route which they can try, they will stop that permit or disown that permit and they will try for a new permit.

As the law stands today, Section 80 says that any person who applies for a permit shall be given the permit and it shall not be refused normally.

Here, I think one aspect should be there; and I had suggested this by way of a Private Member's Bill. That Bill was almost at the stage of introduction in 1983. But, at that time, the hon. Minister was very kind enough to say that the Bill need not be introduced because a new amendment is to come for the whole Act and that provision will also be brought forward. I brought forward an amendment to Section 70 which was for the purpose of including one Section 80(a)(i) which says:

"Notwithstanding anything contained in this Chapter, the Regional Transport Authority may invite applications for grant of stage carriage permits to provide services in public interest on certain routes."

Some allied sections are also given there. But, at the time of introduction, the hon. Minister got up and said that this was one thing which was being planned already by the Government and this was a very important amendment which should be there; and therefore, the Private Member's Bill need not be pressed. So, I did not press for the introduction of the Bill.

The proceedings are also there. I will just bring that also to the notice of the hon. Minister so that by way of another amendment this can be incorporated soon, if not done now. It reads as:

"The question is:

"That leave be granted to introduce a Bill to amend the Motor Vehicles Act, 1988".

Then, the Minister said:

"Sir, I would like to mention this here. I would like to request the hon. Member to withdraw the Bill because I am bringing the amendment which the hon. Member is wanting."

"So, I would request him to withdraw it."

Thereafter I withdraw the Bill by saying these words:

"Sir, in view of the statement of the hon. Minister, I do not press for introduction of this Bill. Of course, if the Government has felt the need for this Bill and if the Government is bringing forward this Bill, I feel that it would be better...."

That was the basis on which the Bill was withdrawn or it was not introduced.

Now, I think that this is something which should be taken into consideration. Though section 17(i) says about the category of persons who can come forward to apply for permit, yet the Department has included one amendment

[Shri P.C. Thomas]

which goes on to say that any class of persons, which the State Government can specifically provide, can also come forward and apply. But that will not take into consideration the other aspect of it which is the most important aspect, that is, to consider public interest as a criterion to be considered for grant of permit. So, what I suggest is that for the purpose of giving stage carriage buses to the rural areas, I think, an amendment should come to the Motor Vehicles Act. If it cannot be done now, it could be in the near future.

I would also suggest that it can be taken up, if possible, today itself. An amendment should come incorporating a provision to the effect that the Government can call for the permit if it is in the public interest. On that basis, if a person comes forward, a permit can be given. I think that should also be included in this.

I once again applaud the efforts which have been made by the Ministry to bring forward this Bill. It will go a long way in the interest of the vehicles, the public as well as the society.

DR. VISWANATHAM KANITHI (Srikakulam): Mr. Chairman, Sir, I thank you for giving me this opportunity to speak on the Motor Vehicles (Amendment) Bill. The Bill was passed in 1988. But in six years' time, we are getting the amendments. I would like to suggest that instead of taking up the amendments casually and offhand, we could have a comprehensive Bill once again to deal with the entire gamut of the situation. The accidents, the training and roads are included in this Bill. A person dealing with the people, for instance, a doctor, gets training for more than five years whereas a person carrying the people gets a

licence to take them without even getting a training. There are people who have never touched a steering wheel but got licences. So, there must be some stringent rules before permitting them to drive vehicles.

In an accident, there is a loss of property and lives. For that, the human element is there in every respect — whether it is the vehicle, the driver or the road. The persons who are responsible for maintenance of these things are liable for punishment. But usually it is the driver who is held responsible. No driver does an accident willingly. Still he becomes the victim both in the eyes of the people at the spot and also in the court and under the law. So, there must be a coordinated approach to reduce these accidents and loss of lives and property to the minimum. There are countries which have evolved certain rules and regulations.

Enacting laws and framing rules and regulations alone will not make things straight. Efforts should be made to see that each and every person inculcates values such as accountability, moral responsibility and so on. Efforts should also be made to spread awareness among the public. What the Ministry is doing towards achieving this goal is a moot question. The public as well as the concerned officials should be made aware of the importance of these aspects.

Prevention is better than cure. National Highways are financed and built by the Central Government whereas, they are looked after by the respective State Governments. When it comes to the aspect of maintenance, road condition differs from State to State. When the national highways are entirely financed by the Centre, why should the condition of the roads be different from one State

to the other? My suggestion is that all the national highways must be maintained by the Central Government, that is the Ministry of Surface Transport itself. In this way, we can improve the condition of the roads and reduce the rate of accidents to a great extent. There are countries where if a pothole is spotted, it is repaired within 24 or at the most 48 hours. But in our country, it is not so. We have seen roads where there are one-foot or two-feet deep potholes unattended to for months together. This sort of poor maintenance and negligence is the main reason for the accidents.

Here I would like to cite the case of a motorcyclist in Trivandrum. While driving, he fell into a hole and got his leg fractured. He made a complaint against the Municipality and the Court awarded compensation. If each and every accident case is referred to a court of law, I don't think the Government will have any money for construction and maintenance of roads at all and we end up with no national highways. To avoid such a situation, the Central Government should have more responsibility as far as the maintenance of national highways is concerned. Here, I am thankful to the Government for declaring the national highways between major cities as free ways with one-way traffic. I hope this will be a reality in the near future.

We have the traffic increasing day by day. Though the length of the national highways is shorter than the length of roads of various States, traffic is more on the national highways. Therefore, the national highways must be given the highest priority. One-way traffic roads and construction of bypass roads can go a long way in improving the situation. Especially, bypass roads around towns and cities are a must. After crossing the

city or town area, there can again be a three-lane or four-lane road.

Speed limit norms must be implemented strictly with the help of highway patrolling force. Fitness certificates of the vehicles must be checked regularly at periodic intervals and the law should be enforced stringently. Those who cross the speed limit must be stopped and deterrent punishment should be awarded to the offenders. Safety gadgets can be used to minimise the rate of accidents. With the help of gadgets such as walkie-talkies, you can intersperse a speeding vehicle and bring the offender to book.

Surface coating of the roads must be renewed regularly to make the national highways fit for travel in all the seasons.

Now I come to pollution devices. Government has decided to introduce pollution devices for all the new vehicles from next year onwards. I congratulate the Government and the Ministry of Surface Transport. But if the vehicle do not adhere to the safety norms of the Pollution Control Act and are guilty of violating the norms twice in a year, it should be ensured that those vehicles are equipped with the pollution control devices immediately.

In this connection I would like to say that the National Highways in certain States are longer than the highways in some other States. Andhra Pradesh is one such State where the length of the National Highways is less as compared to some other States. This discrepancy must be corrected.

I would also urge upon the Government to take up the proposed construction of a parallel road for about 1400 kilometers along the East Coast for Tada

[Dr. Viswanatham Kanithi]

to Ichapuram and translate it into a reality.

Sir, there are seven railway crossings on the national highways which needs over-bridges, however, I am thankful to the Ministry of Surface Transport and the hon. Minister for having at least sanctioned three over-bridges. I would request them to speedily complete the rest. Thank you.

SHRI R. NAIDU RAMASAMY (Periyakulam): Sir, thank you very much for giving me this opportunity to participate in this discussion on behalf of the AIMDK.

The Motor Vehicles Act as well as the present Bill mostly deal with various ways of reducing the possibilities of road accidents. In this regard the first thing that needs to be taken note of the Licensing authorities. The licensing authorities should strictly follow the procedure of issuing licenses. This is because, there are no special schools or colleges for each and every person for training and obtaining licenses. that is why these licensing authorities have to follow the procedure very strictly.

Secondly, there should be certain standards for fitness of the drivers. Their health standards should be comparable to that of the army and police personnel. If a driver is found to be involved in a large number of accidents, the licensing authority from where that concerned driver had received his licence, should be punished by way of demotion. If such provision are made, then only the licensing authorities will carefully follow the procedure of issuing licenses. In most of cases, the erring driver after an accident, will escape just by paying the penalty. Provisions for severe punishment to such drivers should be made.

There should be a stipulation in the Act for the number of accidents for each driver. If a driver is involved in more accidents than the number stipulated in the Act, severe punishment, including cancellation of the licence should be made.

Drinking of liquor should be avoided by the drivers. It should be carefully monitored. In that case, most of the accidents that takes place due to poor condition of the roads can be avoided. One-way traffic and divide bridges should be introduced.

Poor maintenance of roads is the fault of the Government. If the Government is not able to maintain the roads, then frankly, the roads should be leased to the private parties. It would be helpful.

Now, I would come to the question of compensation. Depending on the status of the person, his age and his earning capacity and depending on the extent of injury, the tribunal decides about the amount to be paid as compensation to the victim. In a petition the insurance companies are included as respondents. I would suggest that the Government should also be included as one of the respondents because the accidents on the roads take place due to inadequate road facilities.

Foot-broad travelling or standing in buses and other vehicles should be strictly avoided. If a private bus owner runs his bus on a particular route without any accident, he should be encouraged by extending his route or by reducing the taxes which he is supposed to pay. If such an encouragement is given to the private bus owners they will definitely take care of their routes.

In these motor vehicles accident cases the advocates are pleading for the deceased or the injured persons. Because many of the poor people involved in these accidents are not conduct the case, I suggest that such cases should be entrusted to the Government lawyer or the public prosecutor.

A mass insurance system should be introduced. There are a number of insurance companies. I would suggest that only one insurance company should be there. In most of the accident cases the police is not able to identify the vehicle. In such a situation if mass insurance system is there, in routine course the insurance company will give the compensation amount to the family of the deceased. The insurance company should not take the entire liability. The owner of the vehicle should also be made heavily liable in this case.

The tribunal should be formed to enquire into accident cases alone.

The owners, the Government, the driver, these three sectors should be carefully corrected. Only by way of giving severe punishment this can be rectified. They must realise that liberty means responsibility. Now-a-days, that is impossible. Only by force we can rectify this.

MR. CHAIRMAN: Thank you, Mr. Ramasamy. Names of some of the hon. Members were called during their absence. Kindly bear with the Chair. Now the hon. Minister will reply.

SHRI JAGDISH TYTLER: Thank you very much, Sir. I am really very grateful to the hon. Members who have participated in the discussion on amendment of Motor Vehicles Act. Hon. Members are aware that any change in the

Motor Vehicles Act will have a far-reaching effect on every citizen of this country as he is either an owner of a motor vehicle or he performs various journeys in the motor vehicles. This Act is to watch the interest of the road-users, to regulate the operation of motor vehicles and issue of driving licences etc.

With the changes in the environment and the working atmosphere in the country, certain amount of evolution and development is bound to take place. Our Ministry, therefore, has been trying to keep pace with these changes which take place in the modernisation, development and liberalisation of our economy. We, therefore, have suggested these changes.

I am very very happy that most of the suggestions were very very practical. Of course, 90 per cent of the suggestions deal with the State Governments. I think, a very clear message will go from the Parliament that this is the opinion, this is the wish of the Members of Parliament. When the next Transport Development Council meeting takes place, and before that also I will write personally to the Chief Minister of each State keeping all the suggestions of the hon. Members in telling them that this is within their power and then they should do it because this is the wish of the hon. Members and not only the wish, but these are the right decisions, right suggestions the hon. Members have given.

One thing which has again come out very clearly is, most of the Members have blamed, rightly so to some extent, that the accidents had taken place because of poor condition of the roads. I think, we have been trying our level best with the Planning Commission, with the Finance Minister, to increase our Annual

[Shri Jagdish Tytler]

Plan funds for the road works. Wherever I am able to get the money from, I make it sure that wherever there is urgent requirement money is sent there so that the roads are repaired, built, or made into two-lane or four-lane ones.

There are quite a number of members of Parliament who had asked for the bypasses. In the course of my answering individually to the Members of Parliament who have raised certain queries, I will be answering them, Sir.

I would like to start with Mr. Chetan Chauhan who has made very valuable suggestions with regard to overloading, irregularities in carrying out fitness of vehicles, grant of driving licences, and provisions of a book giving theoretical knowledge of road signs. He has also pointed out that contract carriage permits granted to carry passengers on point to point basis are being misused.

In this connection, I would like to mention that the Government is taking all possible measures to check overloading. We have been writing to the Chief Ministers of the States from time to time and our efforts have yielded results. It is with this end in view that an amendment has been proposed in Clause 57 of this Bill dealing with Section 194 to provide that whosoever contravenes the provision of the loan ceiling shall be punishable with a minimum fine of Rs. 2000 and an additional Rs. 1000 per tonnage excess load together with the liability to pay charges for off-loading of the excess load.

We have also provided some Portable Weighing Machines to some States to strengthen their infrastructure.

So far as fitness of vehicles and driving licenses are concerned, we do

agree that there is some sickness on the part of the Transport Department of different States in this regard but, all out efforts are being made to check these mal-practices. I am going to write, as I said earlier, to the State Government to carry out special raids in the Offices of the Transport Departments and punish the guilty.

As regards the suggestion of Shri Chauhan to provide books giving theoretical knowledge, I would like to clarify that while granting a learner's licence, it is obligatory on the part of the licensing authority to ascertain the theoretical knowledge of the applicant. His other suggestion regarding notice for the revalidation of the registration certificates has been noted and will be communicated to the State Governments for implementation.

However, keeping in view the large number of vehicles and limited staff with the Transport Departments, I am not sure whether they would be able to carry out this enormous work. Shri Chauhan also desires that compensation in respect of hit and run cases should be raised to Rs. 50,000 as in other cases. I would like to point out that this is not possible here, as the compensation is given on the basis of accident only.

Shri Chauhan, Shri Krishnasami, Shri S.P. Yadav and other hon. Members have welcomed the simplified structured compensation schemes in view of the large number of claims pending with the Motor Vehicles Claims Tribunals. This will definitely lead to quicker settlement of claims once these Tribunals are set up.

It is a good thing that the old cases can also be settled now on the basis of the new scheme, if it is accepted by the claimants. That means, the people

whose cases have been registered with the police and who have been waiting for their compensation can now withdraw their cases by just applying to the Tribunal. After doing so, they can get their compensation.

A minimum amount of Rs. 50,000 has been fixed as compensation in cases where the vehicle has been identified. Higher amounts will also be made available based on the income and age of the victim. Shri Chauhan, Shri Ramashray Prasad Singh, Shri Sultanpuri and Shri Meena have also mentioned about the need for giving better training to the drivers. I wish to inform the hon. Members that the State Governments have been advised to encourage motor driving training schools. Our Minister had also given motor driving simulators to some States in order to upgrade their training facilities.

Shri Patel has desired that there should be proper patrolling of National Highways; duty should be cast on doctors to treat the victims; and minimum educational qualification of tenth standard be prescribed for the drivers. I would like to mention that so far as the Highway-patrolling Scheme is concerned, we have already started this scheme on a very limited basis and under this scheme, pick-and-carry cranes and ambulances have been provided to the States to remove the accident vehicles and other road accident victims. I hope that you can also encourage or involve even the private people in this. If it is acceptable, then I think we will be able to patrol more highways.

As regards casting of duty of drivers, the hon. Member might have noted that an amendment has been incorporated under Clause 41 of Section 134 of this

Bill. It should not only cast duty on the owner of the vehicle but also every medical practitioner or doctor on duty in the hospital immediately to attend to the injured person and render medical aid or treatment without waiting for any procedural formalities. By this amendment, it is legally the duty of all registered medical practitioners to give him treatment. I think this is one of the concerns quite a number of hon. Members of Parliament were having.

As far as prescribing qualification is concerned, most of the hon. Member had suggested that the minimum qualification should be tenth pass. He did not feel that this should be implemented because it is an easy way for these young boys who are in the rural areas to get employment. Otherwise, quite a number of young boys will be there who may not get employment.

SHRI NIRMAL KANTI CHATTERJEE: A minimum can be fixed.

SHRI JAGDISH TYTLER: Before you came, I had answered quite a number of things and I have taken a note of them. These are the things which the hon. Members have said. Practically, they can be solved by the State Governments. It is a State subject. I said, "A very clear message has gone from this Parliament, from the hon. Members of this House; this is what the hon. Members feel about it." I will write personally to all the Chief Ministers and the Transport Minister. In the next Transport Development Council's meeting, we will make this as one of our agenda items of the things which all the hon. Members have mentioned. I feel that whatever you have mentioned are right things and we will look into them.

[Shri Jagdish Tytler]

As per the provisions of the seat belt and scrapping of the old vehicles, I would like to say that it has already been compulsory that all vehicles from 1st April, 1994, will have the safety seat belts. So far as scrapping of vehicles is concerned, the Government Departments can scrap their vehicles within their powers. However, the need has been felt that the older vehicles should be totally taken off the roads. Though such provisions do exist in the Motor Vehicles Act under Section 59, these powers have not been invoked keeping in view the various economic considerations. The Government is, however, seriously considering to invoke these powers, particularly with reference to commercial vehicles.

Shri Patel has also pointed out that there should be uniform road signs based on international standards. I would like to clarify that the Motor Vehicles Act is based on the international standard.

The hon. Members also wanted to know whether the helmet should be made compulsory for two-wheelers. I am happy to inform the hon. Members that this is being done in this amendment.

Shri Shraavan Kumar Patel, Shri P.S. Chetan Chauhan, Shri Bheru Lal Meena, Shri Chadresh Patel and Shri Amal Datta have mentioned the need to computerise issue of licences, registration and coordination among various States. This had been raised in the Transport Development Council also and all States have been advised to make use of Government of India's computer system called "NICNET" for keeping upto-date records and sharing information of driving licences issued and vehicles registered.

Shri Yadav has mentioned about the safety of the road users. As per the provisions of the Motor Vehicles Act, a National Road Safety Council has been set up in the Ministry and State Governments have also been advised to set up similar Road Safety Councils.

Of course, a mention came from Mr. Yadav about Red Line buses. It is regrettable that this scheme is being given a bad name by some irresponsible owners and drivers. We have already advised them. I would like to inform the hon. Members that somehow or other the Red Line buses are associated with our Ministry. They have nothing to do with our Ministry. It is the State Governments who are responsible for it. We have already written to the State Governments to see that this should be strictly seen that all the drivers should be properly trained and the people who are taking the law into their hands should be punished.

Shri Amal Datta has pointed out that the Bill should have gone to the Standing Committee and there seems to be no coordination between the Departments in drafting this Bill. I would like to clarify that these amendments have been brought in after due consultation with all concerned Departments of the Central Government and also after receipt of inputs from State Governments, Transport Experts, representations from Trade, Private individuals and others. As I have mentioned in my opening remarks, the amendments in the Bill are to watch the interests of the road users, to regulate operation of motor vehicles and other road safety matters. In fact, after consulting the Ministry of Environment, my Ministry has already notified Emission Standards for all types of vehicles in the country.

So far as the carriage of goods by Railways is concerned, I would like to state that the choice of sending the goods is of an individual company or an individual person. Nobody can force them to send goods either by road or by rail.

17.00 hrs.

He also mentioned the need of setting up of a metro system for Delhi. I would like to answer that the Cabinet has already cleared it and we are also working on an electric overtrain for Delhi. I think this is at the final stage and I am very soon having a meeting with the Delhi Chief Minister. I think we will be soon coming out with a proposal for an elevated light train in Delhi. This also comes under my Ministry. This does not come under the Railways. So, I think within the next week, we should be able to take some decision.

Mr. Datta has also drawn the attention to the emission caused by motor vehicles and has desired that not only lead-free petrol should be provided, but effective measures should be taken to punish the offenders. In this connection, I would like to announce that the Oil Minister had already announced that within three years, in all the metropolitan cities we will have lead-free petrol available to them. Of course, he has mentioned that more buses should be put on the roads which would reduce the use of private vehicles. Now, we are encouraging privatisation of the transport. Delhi has had a very successful experiment on privatisation and we have had three thousand buses for the investment of practically Rs. 200 crores from the private investors and we created quite a number of jobs and other related trade concerning the transport. So much so that today, a passenger does not

have to wait for 45 minutes which was previously the case. The maximum he has to wait is not more than 10 minutes.

Of course, the Bill proposes for removing ceilings on ownership of permits, both by individuals and companies. With this we hope that more and more buses would be available.

Shri Chatterjee has brought out some good points. I would like to inform the hon. Members that Shri Chatterjee was the only person — of course others did do — who actually spoke on the Motor Vehicles Act. He has mentioned that on the one hand motor vehicles have been reduced from 35 c.c. to 25 c.c. engine capacity and on the other hand a limit of 50 c.c. is now being imposed. There is no contradiction. With the advent of 25 c.c. vehicles, now they are being included in the list of motor vehicles. On the other hand, a limit of 50 c.c. is being put so that the concept of gearless motorcycles of higher capacity do not attract drivers below 18 years of age. Any vehicle above 25 c.c. will require a licence.

Restrictions in dense areas have been provided in the amendments.

Regarding giving incentives for Non-Conventional Vehicles, we have already done this last year. There is no permit fee for vehicles and they can choose their own routes. So, there is no route for them. They can charge their own fares. So, these are the few concessions. Then, any more suggestions which could come, we will encourage them to use non-conventional energy.

There is a calculation of national income. You have asked for compensation for those who have no income. For those

[Shri Jagdish Tytler]

who do not have a known income, there is a provision to calculate their notional income.

Regarding the Index of dearness allowance, I would say that this power is with the Central Government to periodically revise the rate of compensation and we would be doing this.

Of course you have mentioned as to why the limit of the vehicles should be deleted. Now, in the changed circumstances keeping in view the economic viability of operation, and then the least vehicles coming on the roads, the ceiling has been lifted mainly to benefit the Indian transport companies. I think with this, we would be able to have more companies coming, not necessarily multinational companies, but Indian companies coming because about running a vehicle, we have known in Delhi and other places that the poor people who have taken one vehicle and once the breakage comes I think quite a...*(Interruptions)*

[Translation]

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): When the multinational companies are finding favours, how can a new company come?

SHRI JAGDISH TYTLER: Why will not it come? Who said that? You come to my ministry one day and see the name of the company. Multinational is just a concerted story.

[English]

This is stick to hit us. You come and see how many Indians have actually participated in the privatisation of ports

and roads, for which now they are coming.

Mr. Thomas had mentioned that the power of State or Regional Transport Authorities to call for an advertisement for particular routes, is being taken away. It is not true. I would like to inform the House about this.

PROF. K.V. THOMAS (Ernakulam): There is no power with the Government to call a permit.

SHRI JAGDISH TYTLER: No. Under Section 68, the State or Regional Transport Authorities can now call for advertisements on prescribed public desired routes.

SHRI NIRMAL KANTI CHATTERJEE: You have not said anything about the Workers' Act.

SHRI JAGDISH TYTLER: About the working hours of the drivers, by the proposed amendments, the provisions of the Central Motor Vehicles Act are being correlated and are being brought in consonance with the Transport Workers Act. This is the part which I wanted to tell you.

There is one point which Shri Shastri has mentioned that the Appellate tribunals should have members from outside. We have mentioned that those who are qualified to become a High Court Judge can become the Members of the Tribunals.

Shri Ansari, of course, had mentioned that private agencies have been authorised to give fitness certificate. I would like to inform the hon. Member that no State has yet authorised and

private agency to issue a fitness certificate or cancel a registration.

As far as roads are concerned, I would like to inform the House that a number of Members of Parliament have raised this issue of roads being in bad conditions and that is causing a lot of hardships. To that extent that is true, but I am having a lot of difficulties in getting money out of the Planning Commission as well as from the Finance Minister or rather we have been at it.

A mention was made of a Malaysian company coming to India. I would like to inform the House that I had gone to Malaysia and we had meet some businessmen there. Quite a number of businessmen, who are in road construction, had come and met us. After we have opened our economy they have shown interest but nothing concrete has come to me as yet. I feel that in the next six months, I should have a quite number of companies who would have taken interest in this. I, probably, not have had a dream but a very practical thinking that the Asian Development Bank has done a study. I am saying this because this will interest all of you.

There is a project worth 20 million dollars which covers roads from Chandigarh to Delhi — four lanning — express ways with a toll from Chandigarh to Delhi; from Delhi it goes straight to Calcutta; from Calcutta it goes right up to Madras; from Madras it goes upto Bangalore; from Bangalore to Bombay and from Bombay back to Delhi. Then from Bombay it directly connects Calcutta; from Delhi connecting Madras and going right upto southern tip passing through Kerala and going to Tamil Nadu.

This is over 10,000 kilometres which we have planned. There are companies

which want to do the study on their own cost. I think they are working on the modalities and I hope that by next year I would be able to start this project and in the future somebody would complete this. This would be one of the biggest project this country has ever had after independence.

And I think, the credit for this goes to the Prime Minister for his liberalisation policy, whereby interest has been generated. There are 21 top world companies which have shown interest in the projects all over the world. The toll is to be charged after I have introduced this Bill in Parliament. We could not charge the toll earlier. The living example is Hoogly bridge in West Bengal, which we started. It was a great success. And that success will give us encouragement to do privatisation. You cannot even imagine how it had happened.

Finally I would like to thank everybody who has participated in this discussion. Now I request the House to pass the Bill. *(Interruptions)*

[Translation]

SHRI RATILAL VARMA (Dhandhuka): Mr. Chairman, Sir, whether the express highway between Delhi and Bombay will be extended upto Ahmedabad. *(Interruptions)*

[English]

MR. CHAIRMAN: The Minister has already replied to that. He has explained about the concrete plan. We should be satisfied with that.

(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE: China is building its express high-ways. They have a surplus in petroleum products. (*Interruptions*)

MR. CHAIRMAN: The Minister has mentioned more than what the hon. Members have wanted.

Now we shall take up the Consideration Motion of the Bill.

The question is:

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

The motion was adopted.

MR. CHAIRMAN: Now, we shall take up clause by clause consideration of the Bill.

The question is:

"That Clause 2 to 6 stand part of the Bill."

The motion was adopted.

Clause 2 to 6 were added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 7 to 64 stand part of the Bill."

The motion was adopted.

Clause 7 to 64 were added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 1, the Enacting Formula and the Long Title stand part of the Bill.

The motion was adopted.

Clause 1 the Enacting Formula and the Long Title were added to the Bill.

SHRI JAGDISH TYTLER: Sir, I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

17.15 hrs.

MOTION RE: CONSIDERATION OF
TWENTY-EIGHTH AND TWENTY-NINTH
REPORTS OF ERSTWHILE
COMMISSIONER FOR SCHEDULED
CASTES AND SCHEDULED TRIBES AND
FIFTH, SIXTH, SEVENTH AND EIGHTHS
REPORT OF NATIONAL COMMISSION
FOR SCHEDULED CASTES AND
SCHEDULED TRIBES

[*English*]

MR. CHAIRMAN: Now we will take the next item. Before we start, I would like to inform the Members that the time allotted to this Motion is six hours. Now the Minister may move the Motion.

THE MINISTER OF STATE IN THE
MINISTRY OF WELFARE (SHRI K.V.
THANGKA BALU): On behalf of Shri
Sitaram Kesari, I beg to move:

"That this House do consider the
Twenty-eighth and Twenty-ninth