

[Mr. Deputy Speaker]

date of receiving such request  
from any State Government"

The motion was negatived.

Mr. Deputy-Speaker: The question  
is:

Page 2, line 31—

omit "or have been"

The motion was negatived.

Mr. Deputy-Speaker: The question  
is:

"That clause 4 stand part of  
the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5 to 12 were added to  
the Bill.

Clause 13.—(Power to make rules)

Dr. Rama Rao: I beg to move:

Page 4, line 29—

add at the end:

"within three months after  
obtaining the President's assent"

I have already explained this  
amendment.

Mr. Deputy-Speaker: The question  
is:

Page 4, line 29—

add at the end:

"within three months after  
obtaining the President's assent".

The motion was negatived.

Mr. Deputy-Speaker: The question  
is:

"That clause 13 stand part of  
the Bill".

The motion was adopted.

Clause 13 was added to the Bill.

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

Shri Nanda: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question  
is:

"That the Bill be passed".

The motion was adopted.

#### MOTOR VEHICLES (AMENDMENT) BILL

The Deputy Minister of Railways  
and Transport (Shri Alagesan): Sir,  
I beg to move\*. "That the Bill fur-  
ther to amend the Motor Vehicles  
Act, 1939 be referred to a Joint Com-  
mittee of the Houses consisting of 45  
members; 30 from this House, name-  
ly, Shri K. L. More, Shri Fulsinhji B.  
Dabhi, Shri M. L. Dwivedi, Shri C. C.  
Shah, Shri T. N. Viswanatha Reddy,  
Shri Amarnath Vidyalankar, Shri M.  
K. Shivananjappa, Shri Rohanlal  
Chaturvedi, Shri Krishnacharya  
Joshi, Shri Suriya Prasad, Shri Ram  
Sahai Tiwari, Shri Basanta Kumar  
Das, Shri Bhupendranath Mishra,  
Shri Sitanath Brolomo-Choudhury,  
Sardar Iqbal Singh, Shri T. S. Avi-  
nashilingam Chettiar, Shri Raghunath  
Singh, Shri Shree Narayan Das,  
Shrimati Sushama Sen, Shri Ramesh-  
war Sahu, Shri R. R. Morarka, Shri  
T. B. Vittal Rao, Shri K. Anandan  
Nambiar, Shri K. S. Raghavachari,  
Shri Y. Gadilingana Gowd, Shri U.  
M. Trivedi, Shri Giriraj  
Saran Singh, Shri Bahadur Singh,  
Shri Uma Charan Patnaik and the  
Mover and 15 members from Rajya  
Sabha;

that in order to constitute a sitting  
of the Joint Committee the quorum  
shall be one-third of the total num-  
ber of members of the Joint Commit-  
tee;

that the Committee shall make a  
report to this House by the 20th Nov-  
ember, 1956;

that in other respects the Rules of  
Procedure of this House relating to  
Parliamentary Committees will apply  
with such variations and modifications  
as the Speaker may make; and

\*Moved with the recommendation of the President

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

The proposal to amend the Motor Vehicles Act of 1939 has undergone several vicissitudes and has a long history behind it. The Motor Vehicles Act, 1939, except for Chapter VIII relating to the compulsory insurance of motor vehicles against third party risks, which came into force on the 1st July, 1946, has been in force since July 1939 in Part A and C States and since 1st April, 1951 in Part B States.

As war broke out soon after the Act had come into force, it could not be given a fair trial under normal conditions. Nevertheless, it did succeed in bringing about improved standards of driving and road safety and some measure of regulation of the competitive 'small owners' of transport vehicles. Shortly after the conclusion of the war it was found necessary to amend the Act generally to remove the defects revealed in practice and, in particular, to give effect to the then agreed policy between the Centre and the Provinces which had gradually been evolved for the better co-ordination of land transport generally, and of road rail transport, in particular. An amending Bill was accordingly introduced in the Central Legislative Assembly in 1946 and it reached the stage of report by a Select Committee. Its further progress was halted for a time by the constitutional changes leading to Independence. Subsequently, other developments in the shape of the initiative taken by some State Governments in nationalising sections of road transport made it necessary to reconsider amendments to the Act. With the finalisation of the Second Five Year Plan, the trend of road transport development has become more clear and the amending has not come a day too soon.

The Bill before the House is the result of prolonged consultations and discussions with the State Govern-

ments and at meetings of the Transport Advisory Council during which it was found possible to reach a large measure of agreement on most of the proposals. The views of certain important associations of road transport operators and of users of motor vehicles, have also been taken into consideration. The present Bill also incorporates most of the provisions contained in the Bill as revised by the Select Committee of the Central Legislature in 1946 as these provisions were put in to remove the defects that were revealed in the course of working of the Act over a period of years.

The Bill has been before the House for nearly nine months. Along with the text, fairly elaborate notes on the clauses have been circulated which I hope, will be of use to the House when detailed consideration of the clauses is taken up. I would, however, like to take this opportunity to explain some of the more salient features of the Bill.

The most important feature of the Bill is Chapter IV-A which incorporates certain special provisions relating to the State Transport Undertakings. The Motor Vehicles Act, as it stands at present, contains no provisions to facilitate the introduction or expansion of nationalised transport services. Some States have amended the Act with local effect only or promoted separate legislation to implement their schemes of nationalisation of road transport. The creation of monopoly rights for their State undertakings which such legislation sought to achieve was in some cases successfully challenged by the private interests affected, on constitutional grounds. The uncertainty regarding the amount of compensation to be paid to displaced private operators together with the provision under the Constitution as it stood then which made the quantum of compensation a justiciable issue, also gave rise to difficulties and discontent. With the amendment of the constitutional provisions relating to the creation of

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State monopolies and the payment of compensation for interests acquired by the State, the way is now clear to have a uniform law throughout the country in these respects.

The broad concept of the new Chapter is as follows:—

(a) A scheme for introducing a nationalised transport service for passengers or goods should receive the approval of the State Government

(b) When a scheme has been so approved, the State undertakings shall apply to the Transport Authority concerned in the prescribed manner for a permit in respect of any route or areas or the whole of the State, as the case may be, to the exclusion of every other person. The Transport Authority shall then grant the necessary permit to the vehicles of the nationalised service and for this purpose may cancel or modify or attach conditions to the permits of the existing operators on the routes where the nationalised service is proposed to be operated.

(c) Where an existing permit is cancelled during its currency or the terms thereof are modified so as to curtail the number of vehicles or routes covered by it, it shall be obligatory on the State Transport undertakings to pay to the permit-holders compensation for cessation of business. This compensation is to be based on the unexpired period of validity of the permit and calculated as follows:

- (1) For every complete month or part of a month excluding 15 days of the unexpired period of the permit .....Rs. 100.
- (2) For part of a month not exceeding 15 days of the unexpired period of a permit. ....Rs. 50.

Provided always that the amount of compensation shall in no case be less than Rs. 200/-. No compensation will also be payable for non-renewal of a permit and this is being laid down specifically.

It will be seen that the formula that has been adopted has the advantage of simplicity as it leaves no room for any dispute or controversy regarding the quantum of compensation payable to displaced operators. I may add that the U.P. Government have already enacted legislation on these lines.

No provision is being made for the acquisition of assets by the State undertakings or the payment of compensation therefor. It was originally the intention to include in the amending Bill certain provisions laying down,

- (i) the procedure to be adopted in case the State undertakings decide to acquire the assets of a private operator,
- (ii) the manner of determining the compensation to be paid for such assets, and
- (iii) the principles on which such compensation should be based.

Government were, however, advised that while it would be in order for Parliament to legislate in regard to the form and manner in which compensation is to be given and the principles thereof, it had no power to lay down the procedure for acquisition as in such cases, the acquisition would be for the purpose of State and not the Union.

In view of this advice, it is proposed to leave the question of acquisition of assets entirely to the State Governments.

The next important amendment relates to the question of inter-State traffic. The present law provides that a permit granted in any State shall not be valid in any other State un-

ess countersigned by the State Transport Authority of that other State. Though some of the States have entered into mutual agreements permitting the operation of a specified number of vehicles on inter-State routes, the position is unsatisfactory in a number of States. The negotiations between the States have been generally of a prolonged character and have often failed to produce any agreement. Instances are not rare of transport vehicles having to stop at the border of a State in the absence of any mutual agreement and passengers and goods have to be transferred to vehicles plying within the other States.

From the point of the economy of the country as a whole, it is of the utmost importance that there should be maximum freedom of movement for traffic from one State to another. At the meeting of the Transport Advisory Council held in February 1956, the States have generally approved certain model principles on the basis of which inter-State agreements can be negotiated. The acceptance by States of these model principles will, it is hoped, facilitate the conclusion of agreements where such agreements do not exist. Nevertheless, it seems desirable (and this view has been endorsed by the Transport Advisory Council) that the Centre should have reserve powers to set up inter-State Transport Authorities for the regulation of traffic on inter-State routes. These powers are intended to be used only where a deadlock has arisen and mutual agreement is not possible. Further, it is felt that a provision of this nature will be useful as a ready means for the statutory implementation of any decisions which the Zonal Councils envisaged in the States Reorganisation Bill, which has been passed only yesterday by this House with such unanimous consent and universal acclaim, may take for the development of inter-State traffic. The relevant provisions for the setting up of inter-State Transport Authorities have been incorporated

in the Bill under clause 57. This clause also envisages the setting up of a Central Transport Authority to co-ordinate and regulate the activities of Inter-State Transport Authorities.

The Study Group on Transport Planning in their report submitted last year had drawn attention to the fact that while in the U.S.A. and the U.K. nearly four-fifths of the goods vehicles operating on the roads were private carriers, that is, owned by industry and establishments moving their own goods, in India, the proportion of private carriers to the total number of goods vehicles was only about 23 per cent. One of the factors which has led to this lopsided development is the provision under the present law which requires the owners of a private carrier to obtain the countersignature of the Regional Transport Authority of any area outside the jurisdiction of the Regional Transport Authority which has issued the permit, if he desires to extend his operations into that area. In States which are divided into several regions for the purposes of the Act, this involves obtaining countersignatures in many cases even for moving from one district to another within the State. In principle, there is not much of a justification for denying to the private lorry owner the same freedom of movement that the owner of a private motor car enjoys. But the State Governments are not in favour of giving complete freedom of movement all over the country to private carriers. As a first step, however, towards securing greater freedom of movement for private carriers it has been agreed that provision should be made in the Bill that where movement over more than one region within a State is desired, permits granted by the State Transport Authority shall be valid for such movement without the countersignature of any other Authority. The State Transport Authority will, of course, be free to screen applications for such permits before issuing them.

[Sbri Alagesan]

Representations have been repeatedly made by Associations of transport operators against the practice followed by many transport authorities in States, allegedly at the instance of the State Governments, of granting temporary permits for short periods to regular transport operators in order to avoid possible claims to compensation for loss of business in the event of nationalisation. Under these conditions, private operators are naturally reluctant to invest the capital necessary for operating road services.

To remove apprehensions and to create conditions under which private enterprise can develop on routes and areas where nationalisation is not contemplated immediately, provision has been made in the Bill to re-enact sub-section (1) of section 58 laying down the period of validity of a regular permit as not less than three and not more than five years and making it clear by an amendment to section 62 that no temporary permit should be issued under that section in respect of any route or area for regular operation except for such short periods as may be necessary for a decision to be given on a pending application for a regular permit. It is hoped that when these amendments become law, private operators will have a reasonably sufficient security of tenure to enable them to function smoothly and develop their operations.

Another important feature of the Bill is with reference to the co-ordination of all forms of transport. The present Act provides for the co-ordination of road and rail transport only. This has been expanded to include other means of transport as well as like inland waterways. Such co-ordination, I need hardly emphasise, assumes special significance in the context of the mounting transport needs of the Second Plan.

I do not propose to take up the time of the House much longer except to mention briefly that the de-

terminations in Chapter I of the Act are being recast so as to classify motor vehicles according to construction into light, medium and heavy vehicles and according to use as public service vehicles, goods vehicles, etc. A new Chapter II-A is being added to provide for a system of licensing conductors in the same way as drivers are being licensed at present. The minimum basic provisions only have been included and matters of detail have been left to be prescribed by the State Governments under their own rule-making powers. Provision is being made in Chapter VIII for State Governments to appoint Motor Accidents Claims Tribunals to determine and award damages with a view to helping persons of limited means in preferring claims on account of injury or death without the necessity of obtaining a court decree for enforcing their claims against the insurance companies. The Chapter relating to offences, penalties and procedure is being extensively revised so as to provide adequately deterrent penalties for offences against the provisions of the Act.

I think I have referred to most of the important provisions of the Bill. I have refrained from referring to the other provisions of the Bill because they relate more to matters of detail. But I would like to mention that they mark a definite improvement over the existing Act as they are intended to provide for better control and regulation and bring about greater efficiency in operation.

Now, I would like to say something about what might appear to the House as an important omission in the Bill, namely, provisions relating to hours of work, conditions of employment, etc., of workers employed in the road transport industry. The Motor Vehicles Act at present includes only one section—section 65—which restricts the hours of work of drivers. The question whether the Act should be enlarged to cover other matters relating to employment has been considered

and it was agreed that it would be more appropriate to undertake separate legislation on the subject, rather than enlarge the scope of the Act which is primarily concerned with the safety aspects of motor vehicles. I may mention here that the Labour Ministry are already seized of the matter and are having under their consideration proposals for the enactment of suitable legislation.

In conclusion, I should like to clarify the policy of Government with regard to road transport development during the Second Five Year Plan. Both Government and the Planning Commission have given a great deal of thought to this and arrived at the following conclusions which take into account the capacity of both private and public sectors to provide the necessary transport. Private interests who have been operating road motor transport were assailed by misgivings and fears with reference to the nationalisation policies of the State Governments.

I do not want to be apologetic about the nationalised road transport undertakings of the various State Governments which have played a very useful part in meeting the growing transport needs of the country. Nationalisation in the field of road transport has come to stay and nobody can wish it away. But at the same time, I do not want private interests to be scared away by this development. Government have now clearly laid down that there will be no nationalisation of goods transport services during the next five years. Even with regard to nationalisation of passenger transport services, it has been recommended to the State Governments that they should suitably phase their programmes for expansion and simultaneously a very liberal policy should be pursued with respect to licensing of goods vehicles and also of passenger vehicles in areas lying outside the proposed nationalisation schemes. The State Governments have also been informed that their

schemes for nationalised road transport have been approved on the understanding that Corporations under the Road Transport Corporation Act, 1950, wherein the Railways and, if possible, private operators could participate, should be set up for running the nationalised undertakings. Further, the expansion of the nationalised sector in road transport is limited by the funds made available in the Second Plan. With this clarification of Governments' position, I hope all uncertainties and doubts would be removed and the private operators who even now provide almost the entire goods transport services and about three-fourths of the passenger services would expand further with confidence and enthusiasm.

**Mr. Deputy-Speaker:** Motion moved;

"That the Bill further to amend the Motor Vehicles Act, 1939 be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely; Shri K. L. More, Shri Fulsinhji B. Dabhi, Shri M. L. Dwivedi, Shri C. C. Shah, Shri T. N. Vishwanatha Reddy, Shri Amarnath Vidyalkar, Shri M. K. Shivananjappa, Shri Rohanlal Chaturvedi, Shri Krishnacharya Joshi, Shri Suriya Prasad, Shri Ram Sahai Tiwari, Shri Basanta Kumar Das, Shri Bhupendranath Mishra, Sardar Iqbal Singh, Shri Sitanath Brahmoo Chaudhary, Shri T. S. Avinashilingam Chettiar, Shri Raghunath Singh, Shri Sree Narayan Das, Shrimati Sushama Sen, Shri Rameshwar Sahu, Shri R. R. Morarka, Shri T. B. Vittal Rao, Shri K. Ananda Nambiar, Shri K. S. Raghavachari, Shri Y. Gadilingana Gowd, Shri U. M. Trivedi, Shri Giriraj Saran Singh, Shri Bahadur Singh, and Shri Uma Charan Patnaik and the Mover, and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

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that the Committee shall make a report to this House by the 20th November, 1956;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

**Shri V. P. Nayyar:** (Chirayinkil): I must confess that, after going through the various provisions of the Bill and hearing the hon. Mover, who repeated most of what is written in the Statement of Objects and Reasons, I am unable to decide whether I should support the Bill or oppose it. It has certain provisions which are welcome, but, on the other hand, I find that the Bill, as a whole, has not taken stock of the situation of the motor transport industry in our country. We know and we have been told now also, that this Bill is a revival, with certain modifications, of a Bill which lapsed as early as 1946. In 1946, the then Government made an attempt to pass a legislation and make the Motor Vehicles Act more current and in doing so, the Government had some objectives and reasons. Today the perspective has very much changed. It is not in the 1946 perspective that this Bill has to be revised. In 1946, we were not thinking about our Plans. Today the context is different. Transport has a definitely better-understood role in the economy of our country—a factor which, I am afraid, has not been taken into consideration in drafting this Bill. We cannot understand if a revision like this would take eight or ten years. If the revision had

affected the provisions fundamentally, then we could have understood it. But, here and there, certain provisions are modified or changed and the law is according to the Government—made up-to-date.

In so far as the day-to-day operation of the motor vehicles are concerned, may be, some more conditions have been laid down in the matter of licences or checking up or in the matter of determining the laden weight. Some of these provisions are desirable. But, the Bill overlooks the fact that in a planned economy, planning for transport must be sufficient well ahead; it should be thought out and executed before the economic planning takes shape. When we are on the Second Plan, planning for transport should have been completed for the third and fourth Plans.

India has several problems of transport. The Rs. 1125 crores which we may be investing in the development of railways under the Second Plan, will still leave much room for motor transport. What is our difficulty? How are we to deliver the goods? Has the Government planned or thought of a law which will very effectively serve the needs of the transport industry in the context of its necessary development. On going through the provisions of this Bill, I submit that I am very much disappointed in this regard.

The Ministers may acknowledge in private conversations that the transport development is a necessary prerequisite of economic development. If that is understood by the Government I do not see why this Bill should be presented in the form in which we have it before us. However, I am glad that the Government had at last opened its eyes now. The Motor Vehicles Taxation Enquiry Commission's recommendations were made in 1950. What was the Government doing all these days?

I was really surprised when I went through the Statement of Objects and Reasons. It may be argued that it contains some objects and some reasons. I do not find any object which can be called an object. Everything there is a reason for bringing this law in its present form. I submit that the revision of the Motor Vehicles Act, as contemplated in this Bill, has absolutely no relevance to the development of the road transport industry.

The hon. Minister was heard saying that even in the road transport industry, the development had been "lop-sided." It is very correct. It is terribly lop-sided. But the major factors are not taken into consideration by the Government. It may be said that it is not a matter for the Transport Ministry but that it is a matter for the Commerce Ministry or some other Ministry or the Defence Ministry. But, it is not so.

2.49 P.M.

[PANDIT THAKUR DAS BRARCAVA in the Chair]

If we have a plan, it must be brought before this House. It must have some bearing and relation to the Plan and it must be thought of in terms of the Second Plan which we have. I submit that even after passing this Bill, the evils which prevent the growth of the motor transport industry, whether in the private sector or in the public sector, will still remain. We have many problems to face and we have to solve them. The hon. Minister's contention may be that it is not within the scope of this Bill. What I am submitting to the House is, when revision of the law is contemplated, these basic aspects ought to have been taken into consideration.

Sir, you know, our country is probably the only country, where in the operation costs of motor vehicles the Government has no real control. In factors which determine the operational cost of motor vehicles the Government do not have much of a say. Let us take the case of fuel on which

motor vehicles run. Yesterday, we heard from the hon. Minister for Works, Housing and Supply that even in the matter of fixation of prices of oil distilled or refined in this country the Government of India has no voice and it is all in the hands of the foreign enterprises which are doing the work. Today the price of petroleum or Diesel oil is to be determined not by the Government of India but according to the dictates of foreign firms. The price position of oil is very much dependent on the caprice of certain British firms in our country.

That is not the only point. In the operational cost, you know, Sir, perhaps, the Second highest incidence is that of tyres. What is the position of tyres today? We know that the foreign firms which monopolise the manufacture of tyres in this country get perhaps the cheapest raw rubber and, undoubtedly, the world's cheapest labour, and yet they sell the tyres at the highest cost in the world. It is not my view, but the Tariff Commission has reported so. Can't we do something about it? These Dunlops, Fire Stones and Iridia Rubber companies between them control, not 99 but cent per cent. of the tyres which we require. We also know, when on the one side the Government allows the tyre companies to purchase raw rubber at rock bottom prices, denying the rubber cultivators their legitimate due, and give the workers the lowest wages compared to other rubber factory workers in the whole world, the tyres are allowed to be sold in India at the highest prices. Is it not a factor which has to be looked into when we know that in every public transport within 5,000 to 10,000 miles a set of tyres costing not less than Rs. 700-800, will have to be changed? So, one of the factors which has one of the highest incidence in the cost of operation of these vehicles is again in the monopolistic grip of the foreigners.

Then Sir, take the case of spare parts. I happen to know something about spare parts manufacture in this

[Shri V. P. Nayyar]

country. Several thousands of vehicles in use in this country had been manufactured in foreign countries. We have got them in private use and in public use. The ancillary industries to the automobile industry in India are not developed to such an extent that we can provide the spare parts from our own factories. I shall come to that a little later, but now let us see how spare parts are sold. You will be surprised to know, Sir, that if you want to change a "genuine" condenser for a Ford, you will have to pay five times more than the price at which you will get a condenser from a local manufacturer. But, unfortunately, the condenser of local manufacturer will not fit into a Ford-V8. This applies to all spare parts we require. Therefore, the supply of spare parts for the vehicles in operation and which have been made in other countries is still in the control of foreigners. So it comes to this. The cost of petrol on which the motor transport has to operate, the cost of tyres and the cost and supply of spare parts, all these three major factors, are in the octopus grip of the foreign capitalists. Have we done anything about it? Are we at least trying to do something about it? Without trying to do anything in these respects, what is the meaning of revising the Bill and making it up-to-date saying that a particular driver must pay Rs. 5 for taking a licence? These are all, Sir, important matters, studiously over-looked by this Government.

Then again, Sir, there is another question which has not been considered in its proper perspective. In no country can road transport industry develop unless prior to that development the automobile industry has developed well. We cannot go on importing diesel trucks and improve the road transport of our country in the way in which we want it to be done, much less when we say we are going towards a socialist pattern of society. Even the manufacturing units in

India are in the iron grip of foreigners. Maybe, the hon. Minister may say it is necessary owing to the lack of technical know-how. I agree, for the time being some help may be necessary. But what I am saying is, as far as I have studied the development of automobile industry, I do not know of any country where automobile industry has developed within four walls of one manufacturing unit. You know, Sir, for an ordinary automobile about 1200 parts are required. Normally, 400 to 500 parts will be made under one roof and the rest will be distributed to hundreds of outside units. Even in capitalist countries the development has been like that. In India that is not the position. Why? This is a very fundamental issue which the Government ought to have considered.

In India the craze of the manufacturers, who are, all of them without exception, in partnership with foreign manufacturers or with whom they are in collaboration, is always to go on changing models after models. This is to get sure sales and profits. If today you buy a Hindustan which may be of 14 H.P., or you buy a Studebaker truck which may have a particular wheel-base, say 197, next year you will find that a new model has been introduced. They will change the H.P., they will change the wheel-base, they will change the steering assembly Gear Box, knee action and what not. The result is that along with the development of automobile assembling industry, it is not a manufacturing industry as yet, the simultaneous development of ancillary industries has become impossible in our country just because we have not laid down certain standards which will hold good for a period of years. Sir, is there a factory in India which can manufacture all the king pins or spindle bushes that may be necessary for all the variety of cars we have? If we have got 7 or 8 manufacturers in this country, they manufacture 15, 18, or

25 types of vehicles. We do not know what particular make there will be after two years. It was only in 1954 that we had the "New Look Hindustan" and now the new Landmaster with a different H.P. has come. How can a man who sets up a factory for manufacturing an electrical equipment or a dynamo for 14 H.P. Hindustan immediately switch over without knowing the thing that is required when the manufacturer himself changes to a different pattern next year? That has been, Sir, one of our curses. We have not been able to lay down a definite policy regarding our automobiles. The result is that we are still able to manufacture or assemble—or both—only 20,000 automobiles a year.

I submit, Sir, if in this context we have to think in terms of developing the automobile industry, we have no reason to keep this question unsettled any longer. We must take some action. It is also necessary to lay down the automobile policy before we think of developing the industry to meet the requirements of additional production and consumption under the Second Five Year Plan. It is also necessary to have certain standards. We are prepared to wait for our luxury cars, and we must. It is not as if we should continue to improve upon the Dynaflovs luxury convertibles or stream-lined cars, or make further improvements on our baby cars to accommodate five people. There is no question of that at all in an under-developed economy like ours. Certain comforts will have to be sacrificed by the few, for the time being, in order to help other industries on which the development of automobile industry and the development of road transport industry necessarily depend.

Therefore, Sir, I submit, that the lack of a policy well in advance, and determining for a number of years what should be the specification of automobiles, or the standards for various component parts which go into the manufacture of automobiles, is the cause of all troubles. Unless

these matters have been decided upon, there is no question of amending the legislation telling us that they want to keep the legislation up-to-date!

There is again the question of spare parts industry. This has been completely neglected. The Government has done nothing about it. The Government has not encouraged anybody in this line and there is, as I said before, no specifications laid down for that also. We know the Indian Standards Institution can do something in this. Sir, in other under-developed countries the position is not like this. When they think of economic planning, they give priority for development of transport undertakings. They plan for that well ahead, for three or four plan periods. They decide as to what must be done in respect of this most fundamental requirement. They lay down that until a target is reached, until the economy is so well developed, they will have only a standard 4 tons or 5 tons truck or a standard type of passenger car. Without doing so, just to come and say, because a driver has to obtain a licence we are adopting this procedure now, or that this section has to be slightly changed in order to enable people to have a better understanding of the problem, etc., I submit, will not touch the fringe of the problem.

I must now tell the hon. Minister through you, Sir, that I certainly welcome some of the provisions of the Bill. For example, in regard to the provision relating to inter-State transport, I would very much wish to have a more liberalised provision but still, as it is, it is good. There are other provisions also which are not bad. But when the hon. Minister was saying that the hon. Members doubt as to why even a provision relating to the workers has not been included he was not able to give us a guarantee that by the time this Bill becomes law, the Labour Minister will also bring forward a legislation. He could not give us a guarantee, Sir, he is laughing now. I can understand

[Shri V. P. Nayar]

the significance of his laughter also, and I can well appreciate his helplessness. I would like to ask him one question. If this law is made up-to-date without a provision relating to labour, as you know, under the present Motor Vehicles Act, the drivers and the conductors and other crew can be exploited to the extent of nine hours per day and 54 hours per week. Is it not inhuman exploitation? The Government must understand that the driver's job today is not the job which it used to be in 1939 nor is the conductor's. The hon. Minister knows that in 1939, when the Motor Vehicles Act was framed, there were no public vehicles above three or four tons each. It is common knowledge that a driver will have to expend more energy in driving a ten-ton vehicle than what he has to, in driving a three-ton vehicle. It is also common knowledge that a diesel vehicle of the type that we have in the Delhi Road Transport Service—Leyland, Guy, Mercedes and others—carries 60 to 70 passengers. Is it not common knowledge that a driver who drives a vehicle with 60 to 70 passengers will have to use more of his strength more of his energy and have more anxiety in safely carrying these passengers than when he is carrying only 30 or 35 passengers in a three-ton bus? It is a question of physical and mental exertion. So, I submit that in 1939, for driving three-ton and one and a half ton trucks and buses, the Government laid down only nine hours per day or 54 hours per week; but today, the job is something very different, because, the work of the driver as well as that of the conductor has increased. The conductor, in 1939, had to give tickets only for 23 persons. Today, he has to give tickets for 50 persons or more. The attendant work will also be heavier. So, the work affects both the drivers and the conductors.

There is also another question about which the Government have not so far made a serious study at all. The

use of diesel oil in public transport is increasing. I have some information with me which says that diesel oil, especially to the drivers driving vehicles of the type where we find the engines mounted near the Driver's seat is injurious. Protection in these bonnetless type of vehicles is very little and the escape of diesel gas is very common in such vehicles. I do not know whether you, Sir, had any occasion to travel in Delhi's buses. Even the exhaust smoke of diesel is supposed to have more harmful effects than the smoke from burning petrol. I am not a scientist. I have not done any research into this matter, but the opinion seems to be that this is a matter worth investigation. I know that several people who drive diesel trucks get occasional chest pains and some of them get tuberculosis. This may not be the precise reason for their infection but then the fact remains that many drivers get T.B. This gas is possibly injurious.

In Government-owned factories, this is not the case. For example, we had been to the Hindustan Aircraft factory, and Shri T. N. Singh was also with me then. We found that in the spray-painting section which handles some noxious gas, the workers were given some protection. They were given two or three tablets of vitamin B and an extra glass of milk every day at the cost of Government. I submit that the driver's job in a diesel truck is even more hazardous and even more dangerous. This question has not been studied. Apart from the fact that the labour of the driver has increased, that his workload has increased and apart from the fact that the Government have chosen to revise the entire provision relating to licences, punishment, this, that and the other—as my friend Shri Gadgil would put it—the Government have no mind to reconsider this case. The hon. Minister is not in a position to give us an assurance that by the time this Bill becomes law they will also change the other aspect relating to labour. Unless we have the other provision relating to labour also

modified by the time we get this law passed by Parliament, the result will be that the Government would have conscientiously increased the workload of the transport workers in this country. They have no excuse to do so. I will not deal with all the provisions in detail. I would refer only to some of the aspects. The hon. Minister said that punishment is sought to be made more deterrent. But does he contemplate any punishment to the owner by whose fault a spare-part has not been replaced in time and because of which a crash happens? Is there any provision regarding this? Very often we know that the owners of public transport will not even purchase a tyre unless the tyre bursts. When a vehicle runs at 30 miles per hour, and when the tyre bursts, no driver can possibly save the bus from a crash. What is the penalty that will be imposed on the owner? There are many other instances which I can quote like this. Unless a spare-part is supplied at a particular time, it is very likely that the vehicle will not be within control of the driver. After all, it is a mechanical contrivance and the control will depend upon the mechanical efficiency of the vehicle. So, in that case, have the Government thought of punishing the owner whose responsibility it is to replace the worn out part in the vehicle in time?

Then, Sir, I find from my own experience in the Travancore-Cochin State that the drivers today have to undergo three types of punishment in the State-owned transport department of the Travancore-Cochin State. It is surprising. You, Sir, know the principles of jurisprudence better. A poor driver has to stand three punishments. The moment there is an accident, the department can place him under suspension. Then the police can take away his licence. When he has undergone these two punishments, he is sent to a court of law and the court has ample powers to convict him also. But the Department which may be responsible for the accident is absolutely free. This is frequently happening and this posi-

tion also has to change, if the Government mean to do something good to the transport workers.

I find a very peculiar provision relating to weightment. There is some alteration sought by an amendment by which the existing provision relating to weightment of the buses will change. I read the provision and I could not understand what was being contemplated by the Government. According to the law, a police officer can stop a vehicle if he suspects that the vehicle carries a load, say, of four tons while it is allowed to carry only three tons. But how can he weigh it? According to the law — I am subject to correction by the hon. Minister — when a policeman stops a vehicle on suspicion that there is a greater weight than what is allowed to be carried in that vehicle, he can take the vehicle either one mile forward, to a checking post, get it weighed in a machine and then let the vehicle go, or, he can take the vehicle about five miles or so back in the direction from in which the lorry came. This is unworkable, absolutely. I have been to various traffic offices, but I have not so far seen any weighing machine on which the truck could be put and the load weighed. For doing this, one has to do two things. Firstly, the lorry must be weighed, and secondly, the entire load also should be weighed. Of course, there may be changes as to the disposal of the load and its being kept at a particular place, etc., but that is not the point here. I submit that the present provision relating to the checking of the load to be carried in a lorry is a provision which leads to the extreme form of corruption. We know that certain bridges have a carrying capacity of only three tons. But one can find that every lorry which carries five to ten tons passes through the bridge with impunity, provided that before entering the bridge, the driver has bribed somebody. It happens so. We know it from our own experience. I do not blame the drivers or the conductors. At

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every checking post, and more so when the checking posts are far away from the town, there is a regular rate of distribution of bribes. The traffic A.S.P. will get 3 annas in the rupee; the D.S.P. will get 2 annas and the traffic head constable will get 4 annas in the rupee and so on. It is very easy, because under the law, if there is an excess weight, very stern action can be taken. At night a lorry starts carrying a load of vegetables to a market 50 miles away; there is a policeman, an inspector or an A.S.P. and a surprise check takes place. We know that there are no contrivances or contraptions in those places by which you can weigh the load without removing it from the lorry. At dead of night, if I am a driver, I would rather pay any amount to the policeman than having the weight checked by removing the load from the lorry. So, these provisions require a complete revision and some arrangement must be evolved. I cannot suggest off-hand how it can be improved. Maybe it has to be tackled at a different level; but the sort of thing I have explained exists throughout from Cape Comorin to Kashmir, namely that when a lorry has a higher load than what is allowed by law, you can certainly escape without fear of any further checks, provided you give some bribe.

Cancellation of licences also should be reconsidered. I cannot say it for certain, but I remember that the driver will have an opportunity to be heard. If a licence is suspended or cancelled, I submit that the driver has a right to be heard; if that is lacking in the Bill, that provision should also be incorporated. It is not very clear as it is. In the case of a driver, he shall be heard, but not his representative. You will understand. Mr. Chairman, that the representative of the licensing authority may be a person who can argue the case. But, if a driver is allowed to appear by

himself, he cannot make an effective plea, because the others would have been talking in English, since the Acts are more popular in English. So, he may also be permitted, if he feels it necessary, to engage somebody else to argue his case. It is a very important matter for the drivers. I understand till now the provision has been that when the licensing authority's order had to be appealed against, the licensing authority or his representative had the right of hearing; but the driver was left alone. What I submit is, according to the present law, if the driver gets the right of hearing, he must also get the right to be represented by an advocate, by his Union Secretary or by whomsoever he thinks proper. Otherwise, the driver may find it very difficult to argue his case.

I would once again request the hon. Minister to think of revising the law on the lines which I have suggested. I find that speed limits are also being enhanced. As you know, speed limits are observed only on days on which there are police checks. All of us find, when we have a stroll along the India Gate, that some of the top officials drive at 60 or 70 miles per hour, when we know that the speed limit is much lower. If you are a member of some of these organisations, you know well in advance that there is going to be a police check, say, on the 27th of next month. These may not have relevant provisions in law, but these are facts, which the hon. Minister approves by his laughter.

**Shri Alagesan:** There need not be a remark for physical gestures.

**Shri V. P. Nayar:** If you make so many physical gestures, I cannot help making a few observations.

You, Mr. Chairman, certainly have much more experience than me; from your memory, can you tell us if you have heard of any big man having

been punished severely for the violation of this law? I can give details of what has happened in the hon. Minister's city—big men having been involved in accidents which resulted in the death of pedestrians, but being allowed to go free. I only point out that according to the law as it stands today, big men have ample chances of escape. They can telephone to the A.S.P. or the D.S.P., have the case written off as an accident and see that it does not go to the law court. I agree with the hon. Minister that the punishment should be stricter; but, when you think of revising the law, you must also think of preventing escape from such provisions. It is not the question of drivers alone. As I said earlier, the owners' responsibility for the accidents, by not attending to the repairs in proper time, should also be taken into consideration.

I shall close by once again requesting the hon. Minister not to think of revising the Bill by itself, but also to think of the position of the automobile industry. The transport industry, which has a great task before it—the fulfilment of the future plan—must be considered to be an industry which can develop only if certain other industries are also developed. A co-ordinated plan by the entire Government—not by this Ministry or that Ministry alone—should be thought of, before modifications of legislations are considered like this.

**Shri N. M. Lingam (Coimbatore):** I got up because the debate was about to collapse. Anyway, I give my whole-hearted support to the Bill before the House. The previous speaker has pointed out the several deficiencies that he has noticed in the interests of the development of the motor and transport industry. He has said that the Bill does not take into consideration the question of the development of the automobile industry and ancillary industries and the development of roads. But, these are obviously beyond the scope of this measure. The scope of this Bill is

limited to the regulations of motor vehicle traffic; and, within this scope, the provisions are as up-to-date and as salutary as they can be.

The Principal provisions of the Bill are those relating to the nationalisation of road transport by the State Governments. We have accepted a mixed economy in the country and it is no wonder that State Governments have taken to the nationalisation of road transport increasingly. At the same time, having the over-all picture of the country in mind, with a view to giving a fillip to the private enterprise in this direction, the Planning Commission has cautioned the State Governments against tendencies to nationalise road transport completely. They have stated that goods traffic should be left to the private enterprise and it is the passenger traffic that should be nationalised according to the capacity of the State Government. But how far the State Governments are going to implement these recommendations of the Planning Commission remains to be seen. As far as this Bill is concerned, it is satisfactory to note that the policy with regard to the development of motor transport in the private sector is clearly stated. As the hon. Minister pointed out, the question of compensation payable to the industry taken over by States has been settled finally by the Constitution. This also helps the development of the industry unhampered.

One of the provisions which I must welcome is that relating to the constitution of the inter-State transport authority. The absence of such an authority has caused great hardship in the transport field. It must be within the knowledge of every member here that great inconvenience is caused to passengers as well as great dislocation of traffic for goods at borders of different States. This is analogous to the provision which we discussed a little while ago with regard to the Inter-State Water Disputes Bill. This transport authority like the authority or the tribunal in the other Bill, will be able to contact

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the State Governments and settle the disputes arising between the State Governments. Here also the provision says:

"On a request received in this behalf from a State Government or otherwise, the Central Government may, after consultation with the Governments interested, by notification in the Official Gazette, constitute an Inter-State Transport Authority for the purpose of regulating the operation of transport vehicles in respect of such area or route common to two or more States....."

In the South the traffic between Mysore and the Nilgiris has been greatly affected by the want of an inter-State authority. Mysore is contiguous to the Madras State and my constituency happens to be at the border. That also happens to be a centre of tourist traffic. I have seen visitors both Indian and foreign, at the border being put to considerable inconvenience because the two Governments among themselves have not been able to settle this question. So, I particularly welcome this provision which will remove this great difficulty throughout the country.

The Bill also takes power for the co-ordination of traffic; not only co-ordination between road and rail traffic but also inland traffic. The motor car taxation enquiry committee said that there is not much competition by road transport with rail transport. If there is any competition, its scope is extremely limited. Their only recommendation related to the restriction of road transport over long distances. Although competition did not exist in a serious form, they did make a recommendation. If we envisage the development of road transport industry within the next decade it is necessary to co-ordinate transport between road and rail way and also inland traffic because we are developing all the three prongs of the transport industry in India.

This brings me to the question of roads. My hon. friend who spoke before me referred to the automobile industry as an essential adjunct to the development of road transport. He also referred to the availability of spare parts and the cost of propulsion for the healthy development of road transport. But he omitted to mention about road communication. Unless we have a good system of communication according to plan, it will not be easy to develop road transport. A good system of road communication is necessary not only to accelerate road transport but to have road-rail and inland transport co-ordination.

Our road system is based on the Nagpur Plan. After the Nagpur Plan several plans have been prepared by States. Although the Centre has been responsible for the plans for the national highways, State Governments have largely taken upon themselves the plans, the problems relating to development of State communications. In this connection it is necessary to realise that such plans for the development of roads have to be integrated with the plans that we have for the whole country for the co-ordination of rail and road transport. Also, this road system has to be related to the development of industry. We do not know if the road system is designed to serve the interior of the country where raw materials are available and where industries could be developed. So, this important matter of the development of communications has a vital bearing not only on the road transport, but also on the industrial development of the country itself. Although that is not within the scope of this Bill, I make these observations so that in the appropriate context Government may bring forward necessary legislation or take other measures necessary because, as I said, it is closely linked with the development of road transport.

The hon. Minister went out of the way to allay the fears or apprehensions that may be felt here with regard to

the conditions of workers. It is true that there is no mention about the conditions of workers, but we can take it that the Ministry is keenly aware of the need to improve the condition of motor transport workers so that this important link of the industry, the human material behind the industry, is made efficient.

The previous speaker referred to one matter, regarding the punishment of owners for accidents caused by want of spare parts or worn out spare parts. It seems that he has not seen the amendment incorporated in clause 33 of the Bill. It reads:

"Subject to the provisions of subsection (3), a certificate of fitness shall remain effective for such period, not being in any case more than one year or less than three months, as may be specified in the certificate by the prescribed authority under subsection (1)"

The conditions of licence have been made more stringent and it is not possible to escape the provisions of these rigorous measures. That should obviate his fears about people getting into trouble for no fault of theirs.

I also welcome the provision relating to the constitution of a central road transport authority. Such an authority will be able to co-ordinate the activities of the regional transport authorities, the State transport authorities and the inter-State transport authorities. The provision with regard to the licensing of conductors is also welcome because the role of the conductor is becoming as important as that of the driver. The other provisions of the Bill are of a minor nature and I shall reserve my remarks on them for the clause by clause consideration stage.

**Shri S. C. Samanta (Tamiluk):** I welcome the amending Bill that has been brought forward by the hon. Minister

We all know that improvement of the transport system is most urgent

for the development of the country. The First Five Year Plan is over and we are on the Second Plan. During the First Five Year Plan we found that the railways could not provide that much transport facility as was required by the country, and especially by the industrialists. Being a member of an enquiry committee on the railways, I came to know that in the near future it is impossible for the railways to cope with the transport needs of our industrialists. The railways are trying hard to supply wagons, supply trains for passengers, but it has become almost impossible as industrial development is running ahead. So, we are very glad that at this moment the hon. Minister has brought forward this amending Bill by which he is going to provide for the transport of passengers and goods by another means, namely road. Inland waterways and sea transport have also to be co-ordinated with road and railway transport, so that passengers and goods can easily be carried and industrialisation may proceed as we envisage it.

At present we find that a vehicle carrying either passengers or goods from one State cannot enter another State. There are so many restrictions. My hon. friend Shri Lingam was referring to a small thing, that is about tourists. Tourism is not a small thing to us at present. We have taken up tourism since 1950. We all know how tourism has developed in other countries. You will be glad to know that several crores of rupees of foreign exchange is going to come this year only through tourism in India. In 1950 it was a very small amount. It was only about a crore of rupees, but now it has been increasing to several crores

The foreign tourist who comes to Delhi wants to go to Agra, Hardwar and other places. He would like to cover this small distance by car rather than by train. A good car is hired by him and he proceeds towards Agra. On the U.P. border it is stopped. There is a check post. He cannot go

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further. It has come to our notice that some cars have been detained for hours together. Can we expect such tourists who are detained in such a way on the inter-State border to come again to India? When they go back to their country, will they not describe India as a country where no transport arrangement exists?

This kind of thing can be avoided by this inter-State transport arrangement. The hon. Minister has proposed an inter-State transport authority and a central road transport authority which go a long way to provide facilities both to passengers and goods to be carried.

When the railways in spite of best efforts are not able to carry the amount of goods required to be carried, we have to take to road transport. I respectfully submit that if goods are allowed freely to be transported for 200 to 500 miles by road by the side of the railway from one place to another, the congestion on the railways will decrease to some extent. We have come to know that there is no competition at present between the railways and road transport. The hon. Minister has therefore brought this Bill in good time and we will to some extent be relieved of the congestion in the railways. During the Second Five Year Plan period, so many industries are going to be established in our country. If we look at the Calcutta port, or the Madras port, or the Bombay port, or the newly built Kandla port, what do we see? We see there is terrible congestion in these places, either because the goods cannot be removed from the ports by the railways or because the goods transported to these ports lie idle there because they could not be exported in time. The ships are lying at the harbour for two or three days, sometimes even five days, because of transport difficulties. So, I would request Government, to make rules, after the passing of this Bill, to see that there

is no hindrance in the passage of goods through public carriers etc.

Roads generally belong to the States. The Central Government have jurisdiction only over the national highways. Just as national highways are going to increase in their mileage, likewise, village roads and State roads also are going to be increased in mileage. We are glad to see that the Central Government have come forward with the proposal for forming a Central Transport Authority, which will have some jurisdiction over the State and village roads.

Ours is a vast country, where there are a number of States. In other countries, if a person were to travel, he does not find much of a difficulty. If, however, a person travels from Calcutta to Bombay, or from Delhi to Madras, he finds that there is difficulty with regard to the transport system. If you go to Europe and traverse a distance of thousand miles, you will cover three or four or five States, whereas, in India, you have to cover a distance of more than thousand miles all within the same country. Here, there are difficulties and difficulties, owing to which the carriage of goods has become impossible in India. At such a critical moment as this, I tender my sincere thanks to Government for having come forward with measures to relieve the congestion so as to make the Second Five Year Plan a success.

You know we discussed the Second Five Year Plan after dividing ourselves into committees. When we discussed transport and industries in the committees, what did we find? We were absolutely without any hopes. But I am glad that at last, hope against hope has come to us. If Government sincerely implement the provisions of this Bill, there will be no room for despondency. If there is industrial development in the country, a number of things will be manufactured, which will be used either within the country

or exported abroad. How can that be done, unless we have a sound transport system? So, I am very happy that this Bill has been brought forward. I wholeheartedly support the Bill.

**Shri Matthen (Thiruvellah):** I rise to support the Bill. Nevertheless, I cannot help joining my hon. friend, Shri V. P. Nayar, with whom I do not generally like to join, in several of his observations. I am sorry he is not present here.

He said that this Bill, is, of course, a very good Bill, but unfortunately, it has been presented not in the 1956 perspective, but in the 1946 perspective. The Statement of Objects and Reasons would clearly indicate the climate at that time. But today, the greatest problem is the transport problem. And as my hon. friend Shri S. C. Samanta, as member of the committee on the Second Five Year Plan said, it is impossible for the railways to lift the goods or to transport the passengers completely. They want something else to complement their efforts.

One thing that can complement their efforts is the surface transport industry. But unfortunately, I am afraid, the provisions of this Bill are not adequate enough to give that fillip to surface transport which will enable it to fill up the gap which the railways feel unable to cope with. I admit that inter-State transport complications will be reduced by the provisions of this Bill, but they are only permissive provisions. There is a Central Transport Authority contemplated. But knowing as we do how the permissive clauses are prevailing on the States, I feel that the provisions here will not be sufficient to meet the difficulties of restrictive transport between one State and another.

I admit that the railways are the backbone of the country's economy. I have no quarrel with the development of the railways. But I have a feeling that the development of road transport has been getting a step-motherly treatment from the Ministry. It is true, as the Deputy Minister said

the other day at Bombay that the two systems of transport are not competitive but complementary. But the fact remains that enough has not been done to develop road transport. I am not an expert on transport, but Mr. Neogy, Member of the Planning Commission, has stated, supporting the observation of the Transportation Member of the Railway Board, that the cost of transporting one million tons by rail is Rs. 4 crores, while by road, it is Rs. 11-6 crores. The cost of transport of some raw material and commodities by rail is about 1-3/4 and 3-1/2 annas per ton mile, while that by road is 6 annas. I happened to read an article by the President of the Indian Roads and Transport Development Association, one Mr. Wagb, recently. In the context of the Second Five Year Plan, as he has worked it out—I am no authority on this; I am only mentioning this to get clarification from the hon. Deputy Minister—and he says that the figures given by the Transportation Member of the Railway Board confirmed by Shri Neogy of the Planning Commission, are not correct. According to him, the cost of transport of one million tons by railway is Rs. 11-1/2 crores and not Rs. 4 crores. Slight difference between Rs. 4 crores and Rs. 11-1/2 crores! He has worked out the figures from the Second Five Year Plan, according to the Railway Budget, which I have not with me now, nor do I have time to go into that. He says that the transport of one million tons by road costs Rs. 4-1/2 crores. This was given as Rs. 11-6 crores by the Transportation Member of the Railway Board. He says that the 6 annas per mile, which the Railway Board member referred to as the cost of transport by rail, refers to nationalised transport. Private transport according to the Study Group's report, costs only 3 annas per mile. According to the President of the Indian Roads and Transport Development Association, with truck-trailer combination it can be reduced still further from 3 annas. He says that if, within the limits of laden weight, that is, 18,000 lbs. per vehicle, agreed to

[Shri Matthen]

by the Indian Roads Congress, the track-trailer combinations are permitted to work on a large scale on the National Highways and important State Highways, the problem of the shortage in the railway's capacity to meet the estimated shortage in the Second Plan seems to be capable of solution.

Therefore, I would humbly submit to the Planning Commission as well as to the Transport and Railway Ministries not to decide to raise the allotment for the railways before they go into this aspect thoroughly and study and satisfy themselves—they have got efficient members to study it—about the efficiency and cost of surface transport. We have got good highway roads now. State Highway roads have improved considerably since 1950-51 and we expect to implement the Nagpur Plan by the end of the Second Plan period. We have also got automobile factories in the country capable of producing the required number of truck-trailer combinations.

In this connection, I beg to add that the laden weight now is about 14,500 lbs. per vehicle. I am not quite sure of it; but I happened to read somewhere. In some committee's recommendation that it can be raised up to an optimum of 32,000 lbs. All that I want is that the Ministry should make a thorough study of the possibilities of surface transport in the light of the observations made by surface transport organisations and others.

I was just reading that in America, the development of road transport, in the matter of goods traffic, from 1939 to 1953 was about 283 per cent while that of the railway was only 66 per cent. Even now there is a very large amount—I forget the figure—which America has allotted for the development of its highways for linking up the whole place, as they believe that this can be more efficiently done by surface transport than by rail transport. My information is that one or two railway units have been scrapped.

My main object in speaking today is to urge that the subject of surface transport should be given greater attention by the Transport Ministry than has been given to it, and sufficient encouragement should be given to the private sector in developing surface transport. I say this because the problem now is want of sufficient finance for the implementation of the Plan. The railways need much more than they have asked for, and have been provided for, but the difficulty comes in view of the fact that we have to import a lot of cement, a lot of steel and a lot of rice. In addition, we have to develop our own agriculture. It is a very large expenditure—about Rs. 100 crores. We cannot find more money for starting transport in the public sector. So my humble submission is that this may be given to the private sector. Let no more nationalisation be attempted in this respect.

Of course, I am glad that the Planning Commission has stated that transport of goods by road should not be nationalised. But we have to create a climate. The fear of nationalisation is preventing people from investing money in this field—it means a large investment in these days. So it must be made very clear to them that it will not be nationalised. Not only that. We have to provide them facilities in other ways as well.

It is now admitted by all the concerned Ministries—the Ministry of Commerce and Industry, the Ministry of Transport as also the Planning Commission—that the problem of the Second Plan is transport. They have laid emphasis on the development of surface transport. The estimate of the Transport Ministry is that we need per annum about 15,000 trucks. I think the Planning Commission and the Commerce and Industry Ministry think that this is a modest figure and it must be 40,000 vehicles. The Tata Locomotives put the figure at 21,000 per annum, to keep up the tempo and

All the gap in the railways' capacity to transport goods. Asok Leyland puts it at 15,000 per annum and Automobile Products of India estimate it at 30,000 vehicles per annum. In an expanding economy as ours, it is very very necessary that our Plan is properly implemented and no bottle-neck comes in between.

4 P.M.

In this connection, excuse my saying that it is the stagnant economy of the countries of Asia and the countries of Africa that has been responsible for all the fissiparous troubles we have been seeing here. Fortunately for us we have now a dynamic economy today as a result of the First Plan and on account of the future Plans we are going to implement. Then, all these petty problems would be solved and people would interest themselves in the development of the economy. Once the material standard of living is developed, they will think of higher things than creating mischief on the basis of linguism and so on. So, it is a very important factor that we must implement our Plans and in that nothing shall stand in our way.

In the Second Plan there is an estimated increase of 30 to 35 per cent of our production over 1950-51. Even though the Railways did expand their goods carrying capacity by 34 per cent by 1955-56, it was not possible for them to lift more than 75 per cent of the increase. This shows that the estimate was defective by about 5 to 10 per cent. The Second Plan estimates an increase of 110 per cent over 1950-51 in all commodities; it may go up to even 120 per cent, I am told. The Railways provide only 75 per cent of the capacity for lifting the goods. That means it is short by more than 35 per cent. From the look of things it is not likely that the Railways will get more funds than they have already got though I wish they could get more. My point is that surface transport can easily take up 9 per cent of this volume. To put it short, I was reading in Transport that we need for normal

feeder traffic about 100,000 vehicles for supplementing the sector of the bullock cart, and if the bullock cart is not able to supplement, we may need about 30,000 more. There is 9 per cent of the gap already mentioned by me and altogether it comes to 130,000 vehicles. When we take passenger vehicles including replacement, it would come to 170,000 making a total of 300,000. Against this, the production capacity in the country today is about 1.7 lakhs. There is a possibility of releasing some vehicles from the disposals. Even then the total will not exceed 2 lakhs. So, the likely gap will be more than a lakh of vehicles. That means our production targets have to be put up. If it is not possible for our factories to produce them, I beg to submit that facilities should be given for the import of heavy trucks lest it might block the transport of goods.

I am not raising any controversial issue of rail versus surface transport. I want to make it very clear. My only object in saying this is how to solve the problem.

In this connection, let me invite the attention of the Deputy-Minister to a delegation that met him on behalf of the Indian Road Transport Association, Bombay, recently, in which they asked for certain facilities to be given to surface transport. One was in the matter of inter-State transport restrictions about which my friend Sri Samanta gave a very vivid picture here. As I said before the provision in this Bill is not adequate.

The second is to put a ceiling on State tax. There again, from the look of things, it will take a long time before we get the States to agree to these proposals. But there is another proposal which the deputation raised when they met the Deputy Minister and that was a reduction of 20 per cent in the Motor Vehicles tax by the Centre. At present 68 per cent of the total tax on motor vehicles, directly or indirectly, is Central. If the Central Government can give a reduction of 20 per cent of this tax, it will be a great

[Sbri Matthen]

incentive even for the States to come up and offer reductions. It appears that the hon. Deputy Minister said that they cannot do it because this is the time that the Second Five Year Plan needs a lot of funds.

In the first place, I submit that this would not reduce the revenue because the production and import of vehicles will be 4 or 5 times. Therefore the total revenue earned by the Centre will not be less than what they have though they make a reduction of 20 per cent. That will show the *bona fides* of the Ministry and the Central Government. That will give a momentum for creating a climate for the development of surface transport.

Another thing they suggested was to provide credit to viable units of operators for buying their vehicles. You know the price of vehicles is very high. That is one of the stumbling blocks, one of the retarding factors for the development of road transport. When we are giving credit by Financial Corporations for every other activity, it is only fair that we provide some Financial Corporation to give them credit at reasonable terms.

[MR. DEPUTY-SPEAKER in the Chair]

4.08 P.M.

The third suggestion was the grant of development rebate to the buyers of motor vehicles. I recommend all these suggestions to the hon. Minister for his serious consideration if he is really earnest about developing road transport.

Shri V. P. Nayyar: That is the question.

Shri Matthen: Another suggestion is the suspension of the Code of Principles and Practice during the Second Five Year Plan. I believe the Ministry is inclined to consider it provided the

States suggest it. That is the difficult part of the proposition. This is something that is created by the Centre. They want the States to take the initiative. Already they have not been co-operating in the matter. Therefore, it is only reasonable and appropriate for the Central Government to suspend these for the duration of the Second Plan. That means that it will help to increase the production of trucks that will be manufactured by the Indian factories.

Another suggestion made was for the removal of restrictions proposed by chapter IV of the Motor Vehicles Act, 1939. Several States are even now trying to extend their nationalisation work, and I think there is a good provision in the Plan to help the States to nationalise road transport. Why cannot this money meant for the nationalisation of the transport industry be diverted for the development of roads or any other things that will help road transport because there are already private sectors who are prepared to do it if only Government would give them the encouragement and the climate?

My main object in rising to speak today is to request the Ministry to study this problem of surface transport, how far they can help implement the shortage of the railways and what they ought to do about it.

Shri Gaganath Shastri (Banaras Distt.—Central) rose—

Mr. Deputy-Speaker: I see the hon. Member getting up several times to speak, but as he knows, he is in the Joint Committee.

श्री गगनाथ शिष्ट : यदि आप द्वाबल हैं, तो मैं बोलना चाहूँगा ।

Mr. Deputy-Speaker: I now call upon Shrimati Kamalendu Mati Shah.

बीकानेर कचलेयुमति गाह (जिला गढ़वाल-पश्चिम व जिला टिहरी गढ़वाल व बिस्वा बिजनौर-उत्तर) : सब से पहले मैं आप को बन्धुवाद देती हूँ कि आप ने मुझे बोलने का अवसर प्रदान किया। यह विधेयक यातायात के सम्बन्ध में जो कि माननीय मंत्री जी ने पेश किया है इस का मैं स्वागत करती हूँ। इस के साथ ही साथ मैं आप की धात्रा से कुछ सुझाव माननीय मंत्री जी की सेवा में भी प्रस्तुत करना चाहती हूँ और मुझे पूर्ण आशा है कि वह उन पर ध्यान देंगे।

पहला मेरा सुझाव यह है कि जिन्होंने भी मोटरें तथा बसें चलती हैं उन सब का हर साल चैकिंग होना चाहिये। इस का कारण यह है कि जो मोटर वाले प्राइवेट लोग होते हैं वे मोटरों की बुरी हालत होने पर भी उस को चलाते रहते हैं और कोई परवाह नहीं करते हैं। जब वे उन मोटरों को पास करवाने के लिये जाते हैं तो जो चैक करने वाला होता है उस का हाथ में वे कुछ रख देते हैं और अपनी मोटर को पास करवा लेते हैं। मैंने देखा है कि इसी कारण से गढ़वाल की तरफ, जो कि एक पहाड़ी इलाका है, कितने ही एक्सीडेंट (घटनायें) पिछले कुछ ही समय में हुए हैं। इन एक्सीडेंट्स का एक मुख्य कारण यही रहा है कि मोटरों की बहुत बुरी हालत होती हुए भी उन को वे चलाते रहते हैं। एक और जो कारण इन एक्सीडेंट्स के होने का है वह घोबर नॉडिंग (अधिक भार नादना) है। घोबर नॉडिंग होने की वजह से जब मोटर किसी मोड़ पर टर्न करती है तो वह गड़े में जा कर गिर जाती है। इस वास्ते मैं प्रार्थना करती हूँ कि इस चीज को देखने के लिये कि मोटर अच्छी हालत में है या नहीं, कुछ अच्छी व्यवस्था होनी चाहिये।

दूसरी बात जो मैं कहना चाहती हूँ वह यह है कि पहाड़ों पर जो सड़कें बनती हैं वे मैदानों में बनी हुई सड़कों की तरह की नहीं होती हैं। उन सड़कों के किनारे पर एक दो फुट ऊंची दीवारों का होना अत्यन्त आवश्यक है। यह कहा जाता है कि इन दीवारों

का बनाया जाना कुछ कठिन है लेकिन मैं समझती हूँ कि इस में कोई भी कठिनाई नहीं होगी। और इस काम को तो इंजीनियर लोग कर सकते हैं परन्तु मैं इसे आप के ध्यान में लाना चाहती थी। अगर आप ने दीवारें बनाने की स्वीकृति दे दी तो इस से दो फायदे होंगे। एक तो जो मसबा होता है उस को आप सड़क के नीचे कुछ दूरी पर न फेंक कर, उस दीवार को लड़ा करने के लिये इस्तेमाल कर सकेंगे और दूसरी जो पत्थर होते हैं उन्हें भी आप को किसी दूर के स्थान पर फेंकने की जरूरत नहीं पड़ेगी। इन दोनों चीजों का उपयोग दीवार लड़ी करने में किया जा सकता है। इन दीवारों के बनने से मोटरों के लिये एक बचाव का साधन उपलब्ध हो जायगा।

मोटरों में घोबर-नॉडिंग न हो इस के लिये आप को प्रान्तीय सरकारों को कड़े आदेश जारी करने चाहिये क्योंकि घोबर-नॉडिंग होने के कारण बहुत से एक्सीडेंट हो जाया करते हैं।

ध्यान के जो स्थान होते हैं वे भी खोदने चाहिये और इस के लिये यहां से कोई आदेश प्रान्तीय सरकारों को जाने चाहिये। मैं जानती हूँ यह इंजीनियरों का काम है और वे इसे कर सकते हैं। परन्तु यदि यहाँ से कोई आदेश प्रान्तीय सरकारों को भेजा जाय तो वे उन पर जल्दी अमल करेंगे। हमारी बात को तो वे सुनती ही नहीं हैं।

जो प्राइवेट मोटरों वाले होते हैं उन को इसी बात की फिक्र रहती है कि किस तरह से जल्दा रुपया कमाया जा सकता है। जो मोटर ड्राइवर होते हैं उन को भी यही फिक्र रहती है कि कुछ रुपया उन को जब मैं बना जाय। यह रुपया वे लोग घोबर-नॉडिंग कर के कमा लेते हैं और अपनी जेब में डाल लेते हैं। इस की रोकथाम करने का भी कोई प्रबन्ध होना चाहिये।

अब एक विशेष अनुरोध मैं माननीय मंत्री जी से करना चाहती हूँ। पहले भी मैंने उन से इस के बारे में प्रार्थना की थी और ध्यान फिर करती हूँ। मुझे बड़ी खूबी है कि आप

**[श्रीमती कमलेश्वरमति शाह]**

अल्मोड़ा में रेल की लाइन दे रहे हैं जो कि ४२ मील लम्बी होगी और साथ ही साथ एक रोपवे भी दे रहे हैं। तत्पश्चात् आठ महीने पहले मैं ने उन से प्रार्थना की थी कि हरिद्वार से रुद्रप्रयाग तक ८२ मील का रास्ता है, उसके लिये आप हमें रेल दें। इस का उत्तर उन्होंने यह दिया था कि इस में बहुत खर्चा आयेगा। अल्मोड़ा भी तो एक पहाड़ी स्थान है और उसके लिये आप ४२ मील रेल सड़क दे रहे हैं और इस पर भी तो काफी खर्चा आयेगा। यदि यह ८२ मील की सड़क नहीं दे सकते थे तो कम से कम ३० मील की सड़क तो दे देते—

**उपाध्यक्ष महोदय :** माननीय सदस्या सड़क चाहती हैं या मोटर वीहिकल्स (मोटर गाड़ियां) ?

**श्रीमती कमलेश्वरमति शाह :** मोटर भी चाहती हूँ और सड़क भी। चूँकि कई माननीय सदस्यों ने सड़कों का भी जिक्र किया है इस बातसे मैं ने भी जिक्र कर दिया है। इस में मैं समझती हूँ रेल की भी मांग की जा सकती है।

तो मैं माननीय मंत्री जी को याद दिलाना चाहती थी कि मैं ने एक रेल की सड़क की भी मांग की थी और वह इस लिये कि जब यह दूसरे स्थानों पर दे रहे हैं तो हम को क्यों इससे वंचित कर रहे हैं।

**उपाध्यक्ष महोदय :** एयरफील्ड (हवाई अड्डा) भी मिलना चाहिये।

**श्रीमती कमलेश्वरमति शाह :** यह भी मिलना चाहिये—

**उपाध्यक्ष महोदय :** सब कुछ मोटर वीहिकल्स एक्ट (मोटर गाड़ियां अधिनियम) में ?

**श्रीमती कमलेश्वरमति शाह :** अब मैं एक और बात की तरफ माननीय मंत्री जी

का ध्यान दिलाना चाहती हूँ। जौनसारबाबर में हजारों मन आलू पैदा होते हैं और लाखों रुपये की उनसे आमदनी होती है। उस के बगल में ही पंजा यमुना है। दूसरी तरफ जानपुर खाई में दो पैसे सेर आलू बिकते हैं और आंधकोषा तो सड़ कर ही जाया हो जाते हैं। वहाँ से आलू बड़ी आसानी से मसूरी की तरफ ला कर बेंचे जा सकते हैं लेकिन सड़क इत्यादि का कोई प्रबन्ध न होने के कारण ऐसा नहीं किया जा सकता है। इस के बारे में पहले भी मैं ने कई बार मांग की है और अब भी करती हूँ। मैं चाहती हूँ कि माननीय मंत्री जी इस पर भी सोच विचार करें और उदार हो कर यदि हमें भी उभर से सड़क देने की कृपा करें तो बहुत अच्छा होगा।

**श्री रघुनाथ सिंह :** जिन बातों को ध्यान में रखते हुए इस बिल को उपस्थित किया गया है, उनका मैं स्वागत करता हूँ। इस बिल में चार बातें मुख्य हैं। पहली बात तो यह है कि आज तक जो कंक्ट्रक्टर लोग होते थे उन का कोई स्टेटस नहीं होता था। यदि उन के ऊपर कोई अस्पष्टि आ जाती थी तो किसी भी तरह से उन का उपकार नहीं किया जा सकता था। लेकिन अब इस बिल के द्वारा उन को कुछ उपकार करने की कोशिश की गई है। दूसरी बात जो इस बिल में रखी गई है वह यह है कि अंतर्राष्ट्रीय यातायात को भी एकसुगमित रूप दिया गया है : जो तीसरी बात है और जो सब से अच्छी है वह है कम्पेन्सेशन (क्षतिपूर्ति) देने के बारे में। आज तक तो वह होता था कि एम्प्लॉयर्स (दुर्घटनायें) में यदि कोई घायल हुआ जाता था तो उस को कम्पेन्सेशन (क्षतिपूर्ति) देते देते तीन तीन और चार चार बरस जगा दिये जाते थे और कई कई बार तो उसे कोर्ट की शरण लेनी पड़ती थी। जितनी परेशानी इस तरह आ होती थी उस को हम लोग जो कि वकील हैं, अच्छी तरह से जानते हैं। साथ ही साथ उन को कोर्ट में जा कर इस चीज को साबित करना

पड़ता था और तब कहीं उसे हरजाना मिल पाता था। इस में कम्पैन्सेशन देने की जो विधि रखी गई है उस से जो लोग एक्सिडेंट्स (दुर्घटनाओं) में हलाहल या घायल होंगे, उन का बहुत उपकार होगा। इन चीजों को जो इस में स्थान दिया गया है उस के कारण इस बिल का सर्वत्र स्वागत ही किया जायेगा।

श्री दी० चं० शर्मा (होशियारपुर) :  
चौथी बात कौन सी है ?

श्री रघुनाथ सिंह : चौथी बात जो है उस को मैं कहना तो नहीं चाहता था-लेकिन क्योंकि आप ने पूछा है इस वास्ते कहे देता हूँ। चौथी चीज जो रखी गई है वह पैनलटी (अर्थ दंड) के बारे में है। अब तक जो मोटर चलाने वाले होते थे उन को सौ रुपये से लेकर दो सौ रुपये तक फाइन (जुर्माना) हुआ करता था। और इस से ज्यादा फाइन करने का अधिकार या कुछ महीने से ज्यादा जेल भेजने का अधिकार अदालतों के पास नहीं था। यदि एक ड्राइवर रेश ड्राइविंग (तेज गाड़ी चलाना) करता है और कोई एक्सीडेंट ही जाता है तो उस को इस से ज्यादा सजा नहीं दी जा सकती थी। परन्तु अब उस को इस से ज्यादा दंड भी दिया जा सकेगा। लिहाजा ये चार चीजें अच्छी हैं और चूँकि इन को इस बिल में स्थान दिया गया है इस लिये मैं इस बिल का स्वागत करता हूँ।

इस के साथ ही साथ मैं आप का ध्यान इस ओर भी खींचना चाहता हूँ कि जहाँ तक मोटर यातायात का सम्बन्ध है यह प्राइवेट सेक्टर (गैर सरकारी उद्योग क्षेत्र) में आता है। जहाँ तक रेलवे लाइन का सवाल है हमारे हिन्दुस्तान में ३४,७०५ मील रेलवे फाइव है और इस के विपरीत पीने तीन लाख मील लम्बी सड़कें हैं। लोगों का जिद्द के साथ ज्यादा सम्बन्ध है वह है सड़कों के साथ। इस के साथ ही साथ अगर आप देखें तो आप को पता चलेगा कि रेलों में तकरीबन १० लाख लोगों को काम मिला हुआ है जब कि मोटर वीहीकल्स

(मोटरगाड़ियाँ) करीब करीब २३ लाख आदमी काम पर लगे हुए हैं। इस तरह से एम्पलायमेंट (रोजगार) की दृष्टि से भी रोड ट्रांसपोर्ट (सड़क परिवहन) का बड़ा महत्व है। एक वीहीकल के पीछे कम से कम सात आर्दामियों की जीविका चलती है। एम्पलायमेंट की दृष्टि से यह हमारे देश की बहुत बड़ी इंडस्ट्री है और उस को एक नवीन और व्यवस्थित रूप देने के लिये जो बिल प्रस्तुत किया गया है, उस का स्वागत होता ही चाहिये।

हमारे जहाँ लोकोमोटिव्ज (इंजन) वेगन्स (माल के डिब्बे) और कोचिज (सवारी डिब्बे) कुल मिला कर करीब ३,४६,००० हैं, जब कि १९५४ के आरम्भ में मोटर वीहीकल्स की संख्या ३,५३,००० थी, इस का मतलब यह है कि लोकोमोटिव्ज, वेगन्स और कोचिज की कुल तादाद से ज्यादा तादाद मोटर ट्रांसपोर्ट की है। इस की उपयोगिता इस दृष्टि से भी है कि एक बस में एक कैरियर-में-इंजन और वेगन दोनों कम्बाइन्ड होते हैं। इसलिये अगर कोई सागान कहीं भेजना हुआ, तो उस को एक सड़क से दूसरी सड़क पर भेज सकते हैं, लेकिन रेलवे में जब ८० गाड़ी होंगी, तो एक इंजिन लीचेगा। इसलिये जहाँ तक उपयोगिता का सवाल है, रोड ट्रांसपोर्ट हमारे लिये अधिक उपयोगी है, लेकिन इस के लिये फाइव इयर प्लान (पांच वर्षीय योजना) में जो रकम रखी गई है, उन को देख कर आश्चर्य होता है। फर्स्ट फाइव इयर प्लान में रेलवे के लिये ४०० करोड़ रुपये रखे गये थे और रोड ट्रांसपोर्ट के लिये सिर्फ २०० करोड़ रुपये दिये गये थे। सैकंड फाइव इयर प्लान में, जो कि हमारे सम्मुख है, रेलवे को ६०० करोड़ रुपये दिये गये हैं, जब कि रोड ट्रांसपोर्ट के लिये स्टेट्स (राज्य) और सेक्टर (केन्द्र) दोनों मिल कर, सिर्फ २४६ करोड़ रुपये देंगे और २५ करोड़ रुपये सेन्ट्रल बोर्ड (केन्द्रीय बोर्ड) देगा, अर्थात् कुल मिला कर केवल २७१ करोड़ रुपये रोड ट्रांसपोर्ट के लिये रखे गये हैं।

[श्री रघुनाथ सिंह]

इस के साम ही आप यह भा देखिये कि फर्स्ट फाइव इयर प्लेन में रेलवे लाइन सिर्फ ८१० मील पहले की अपेक्षा ज्यादा बन सकी, अर्थात् ४३० मील तो यह बनाई गई, जो कि वार (युद्ध) के समय में हटा दी गई थी और ३८० मील नई रेलवे लाइन बनाई गई। इस के मुकाबले में रोडज को देखिये। फर्स्ट फाइव इयर प्लान से पहले ६७,००० मील लम्बी मैटल्ड रोड हमारे यहां थी और नॉन-मैटल्ड रोड १,४७,००० मील थी। प्रथम पंचवर्षीय योजना में ३०,००० मील नई रोड बनी थी, जब कि रेलवे लाइन सिर्फ ३८० मील बन सकी।

हम सब को ज्ञात है कि हमारी प्राइव्जन (उत्पादन) बढ़ रही है। फर्ज कीजिये कि कि एक गांव किसी रेलवे स्टेशन से ४० मील दूर है जहां पर ५०० टन गेहूं या चावल पैदा कर लिया गया, लेकिन जब तक उस के ट्रांसपोर्टेशन (परिवहन) का इन्तजाम नहीं होगा, तब तक उस उत्पादन से कोई विशेष फायदा नहीं हो सकता है। इस विषय में कहना यह है कि जिस तरह से आपने यह एक्ट बताया है, उसी तरह आप को द्वितीय पंचवर्षीय योजना में रोडज (सड़कों) के लिये ज्यादा से ज्यादा प्रावोजन (उपबंध) करना चाहिये। अभी तक आप ने इस के लिये ८७१ करोड़ रुपये रखे हैं। मैं समझता हूँ कि इस रकम को बढ़ा कर कम से कम ४०० करोड़ रुपये कर देना चाहिये।

जैसा कि मैं ने अभी बताया है, प्रथम पंच वर्षीय योजना काल में केवल ३८० मील रेलवे लाइन तैयार की जा सकी, जिस के मुकाबले में उसी काल में ३०,००० मील रोड तैयार की गई। उस के बनाने में अथवादान का भी भाग है। और स्टेट गवर्नमेंट्स (राज्य सरकारों) और म्युनिसिपल कमेटियों (नगर-पालिकाओं) का भी हिस्सा है। अगर आप इस को प्रोत्साहित करेंगे, तो इससे हमारे देश का साम होगा।

इसी सम्बन्ध में मैं यह भी कहना चाहता हूँ कि हम को प्राइवेट सेक्टर (गैर-सरकारी उद्योग क्षेत्र) और पब्लिक सेक्टर (सरकारी उद्योग क्षेत्र) के विवाद में नहीं पड़ना चाहिये। यह हम को मानना पड़ेगा कि इस समय ६० प्रतिशत मोटर व्हीकल ट्रांसपोर्ट प्राइवेट सेक्टर के हाथ में है। प्राइवेट लोगों ने इस में रुपया लगाया हुआ है। एक आदमी २०, २५ हजार रुपया लगा कर एक कार (मोटर) खरीदता है और बनाता है और वह अपने काम में दख होता है—एक्सपोर्ट होता है। हम को यह बात भी ध्यान में रखनी चाहिये कि आपसिकाल में यह इंडस्ट्री हमारे काम में आ सकती है। आप को मालूम होगा कि पिछले युद्ध में हिलर ने पौलंड को आठ दिन के अन्दर अन्दर जीत लिया था। वह कैसे जीत लिया था। उस ने अपने सैनिकों और सामग्री का ट्रांसपोर्टेशन रेलवे के द्वारा नहीं किया था। जर्मनी में इतनी चौड़ी सड़कें बनाई गई थीं, इतने ड्वीकल क्वे हुए थे कि एक रात के अन्दर ही अन्दर उस ने पचास हजार सेना पौलंड के बोर्डर पर खड़ी कर दी थी। मैं आप से यह पूछना चाहता हूँ कि अगर आप ने रोड ट्रांसपोर्ट को डेवेलप (विकास) नहीं किया और आप के पास ट्रांसपोर्टेशन के दूसरे साधन न हुए, तो पश्चिमो सीमा पर पाकिस्तान द्वारा हमला होने पर आप राजपूताना में सेना और सामग्री को कैसे भेजेंगे ?

एक माननीय सदस्य : हवाई जहाजों से।

श्री रघुनाथ सिंह : मैं जानता हूँ कि हवाई जहाजों से इतनी फीज और सामग्री नहीं भेजी जा सकती है। हवाई जहाजों से आप दूसरी सहायता कर सकते हैं, बम्बार्ड (बम फेंकना) कर सकते हैं, लेकिन दो हजार मील लम्बे पश्चिमो बोर्डर पर मोटर ट्रांसपोर्ट के बिना सेना नहीं पहुँचाई जा सकती है। युद्ध के बादस हमारे बहुत नजदीक आ गये हैं, गोक हमारा विश्वास है कि युद्ध नहीं होगा। लेकिन फिर भी हम को इस इंडस्ट्री में प्राइवेट सेक्टर को

ईश्वर बना है—इस को पब्लिक सेक्टर नहीं बनाना है। जहाँ तक यात्रियों का सम्बन्ध है, उन के लिये रोडवेज ठीक है, लेकिन चिपिया और मोटर व्हीकल्स जब जब तक प्राइवेट सेक्टर में रहे हैं। और उन को वहाँ ही रहने देना चाहिये। अगर सैकंड वर्ल्ड वार (द्वितीय विश्व युद्ध) के वकत पी. एंड. मो. कम्पनी न होती, तो प्राग इंग्लैंड कहाँ होता? वह एक प्राइवेट कम्पनी है और उस के प्राइवेट जहाज हैं। वार के जमाने में उस के पचास करोड़ से भी ज्यादा तागत के जहाज डूबा दिए गए थे, लेकिन फिर भी उस ने अपने देश के लिये बहुत कार्य किया और उस की रक्षा की। इसलिये जनता की सुविधा को दृष्टि से भी, एम्प्लायमेंट की दृष्टि से भी और देश की सुरक्षा की दृष्टि से भी इस इंडस्ट्री का विकास किया जाना चाहिये। मैं श्री फ्लगेसन से प्रार्थना करूँगा कि वह इस बात का प्रयास करें कि बोर्डर स्टेट्स (सीमांत राज्य) में रोड ट्रांसपोर्ट का अधिक से अधिक विकास हो, उस को अधिक प्रोत्साहित किया जाय और प्राइवेट सेक्टर को दिया जाय ताकि किसी इमरजेंसी (आपात) के टाइम (समय) में वे अपने व्हीकल्स को प्रारक करें और देश की सुरक्षा में सहयोग दें।

इन शब्दों के साथ मैं इस बिल का स्वागत करता हूँ और साथ ही साथ यह भी प्रार्थना करता हूँ कि रोड ट्रांसपोर्ट (सड़क यातायात) के लिये दूसरी पंचवर्षीय योजना में कम से कम ४०० करोड़ रुपये रखे जायें। हमने तीस हजार बील लम्बी सड़क भ्रमदान के द्वारा और दूसरे उपायों से तैयार कर के दी है। प्रायः का भी कर्तव्य है कि प्रायः इस सम्बन्ध में प्राइवेट सेक्टर को सहायता करें और उस को इस इंडस्ट्री को विकसित करने में सहायता दें। प्रायः हम को रोडज दें, ताकि यातायात में अधिक सुविधा हो सके।

Shri T. B. Vittal Rao (Khammam) rose—

Mr. Deputy-Speaker: The hon. Member did not stand up before. All right.

Shri Alagunan: I think the hon. Member is also a member of the Joint Committee.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Generally, the convention has been that Members of the Select Committees do not speak at this stage.

Mr Deputy-Speaker: Unless something is very important, they are not allowed to take part. The Chair occasionally allows it.

Pandit C. N. Malviya (Raisen) rose—

Mr. Deputy-Speaker: I have been looking to the hon. Members to speak but then he did not stand up.

Pandit C. N. Malviya: One after the other, Sir.

Mr. Deputy-Speaker: Certainly.

Shri T. B. Vittal Rao: Sir, This Bill tries to regulate our road transport system in the various States. For a long time after the Planning Commission has turned down the high allocation asked for by the railways, this question of moving the goods has been exercising our attention. In the circumstances placed as they were with the financial resources that were available, we had been content with the allocation made for the Railways, but we were thinking of alternative modes of transport for carrying the industrial and agricultural goods during the Second Five Year Plan.

Sir, I welcome some of the provisions that have been made in this Bill with regard to nationalisation. Regarding the quantum of compensation that has to be paid, we shall discuss it in the Joint Committee. It has been contended in some quarters that nationalisation has been responsible for impeding the growth of this industry. It is not so. Today nationalisation has taken place in something like 22 States. In some States even freight transport has been nationalised. If I remember correctly, even the transport of freight has

[Shri T. B. Vittal Rao]

been nationalised fully in Himachal Pradesh, Bombay and other places—probably, in Bombay it is a little more. With all that, if you take the road transport industry as a whole, today there are 47,000 operators. We could not develop to the extent we wanted, because of the fact that we had to depend mostly on foreign countries for running this industry. For petrol we have to depend on foreign countries. Even the prices, as it was stated here yesterday, are manipulated by some foreign monopolists. It is not sold at the production cost. Secondly, we are importing nearly Rs. 200 crores worth of crude oil for our requirements. These facts clearly go to show that it is not nationalisation that has been standing in the way of development of road transport, but it is due to our dependence on foreign countries for our requirements. Even for the accessories, which were so clearly enumerated by my friend Shri V. P. Nayar, we have to depend on them and that has also been responsible for the delay in the growth of this industry.

When we are trying to develop the road transport system, the Government should also pay some attention to the development of automobile industry as such. Even to this day we have not got an automobile factory in the public sector. All the four factories are in the private sector and these firms are doing the job in collaboration with some foreign concerns. Therefore, unless and until the Government pays proper attention to the development of automobile industry, I am afraid there would not be a corresponding growth in the transport system as a whole.

The other question which has been agitating in the minds of the people has been about the recommendations made by the Motor Vehicles Taxation Enquiry Committee. I do not know how far the recommendations will be accepted by the Government, but this question has been agitating in the minds of the operators; not only the owners but also those who want the

development of our road transport industry.

The incidence of taxation on motor vehicles is very high. In order that the number of vehicles in this country may increase, it is necessary to decrease this taxation which, as I said, is very high. The first point to be considered in this connection is, if the amount of tax is decreased then how to make up for the amount that we will be lost by this reduction and by which the prices of motor vehicles will be brought down? The question raised is, when, in the context of the Second Five Year Plan, we have to get about Rs. 1,000 crores from additional taxation and revenue, whether it is wise to embark upon any decrease in this taxation. Those who have been demanding a decrease in taxation have also given some alternative suggestions like imposition of fuel tax on petrol. That is on the principle "you pay as you use". I cannot give a firm opinion on this, but this has been the suggestion put forward by those who think in terms of developing the automobile industry.

Now I come to the next point about the provision made with regard to inter-State transport. This provision is most welcome. For want of permits today it is estimated that the idle capacity of motor vehicles in some places run up to 20 per cent. to 25 per cent. Because the operators do not get permits from the neighbouring States, the time for which the vehicles remain unused works up to 20 per cent. to 25 per cent. By this provision I hope that difficulty will be overcome and the vehicles will be used to their full capacity.

Regarding the conditions of work for the drivers, I would say, whenever you increase the work-load for the drivers you should correspondingly make some provision for the welfare of the workers in the industry. Unfortunately, though this industry is well organised today, there is no statutory provision governing the conditions of work of the workers.

In some nationalised undertakings there are some executive orders but there are no statutory provisions in respect of the private operators.

If you view it from this context, the enhancement of punishment for drivers involved in accidents does not stand to reason. We all say that whosoever is responsible for the accident should be punished. I would suggest that there should be a division of responsibility. If any spare parts are missing, or some damaged or old spare parts are used, then the owner must be made responsible for the accident. If there is proof of rash driving or negligent driving on the part of the driver, then the driver should be held responsible. There should be some sort of a division like that; otherwise the drivers only will be held responsible, because if he says that he would not drive a vehicle with a defective brake or some other defective part, he stands to be discharged. That is why I say that there should be some sort of division of liabilities, both on the owner as well as the driver.

In this connection, I would like to point out one important aspect which is generally talked about in our country. While granting the permits, there is always a large amount of expenditure that has to be spent by the party. The party which wants a permit has to incur large amounts for getting a permit. After all, for the process of getting a permit, the party has to spend nearly Rs. 1,000. Sometimes, a couple of thousands is also spent for a small permit. Whether it is in the form of a bribe or any other thing, large amounts have to be spent for getting a permit. This should be guarded against in the grant of permits in the future. There should not be any abuse of the provision, and the people who do not deserve a permit should not be enabled to get a permit by unfair means.

Finally, I would suggest that we should go ahead with nationalisation of at least the passenger services. I come from a State where we under-

took nationalisation nearly 24 years ago. We have done it without hurting any interest.—neither the owners nor the drivers or any other category of workers. All the workers who were displaced on account of nationalisation were taken over to the nationalised industries. The operators were given some sort of compensation wherever possible.

With these words, I commend my suggestions to the acceptance of the House.

**Shri Feroze Gandhi** (Pratapgarh Distt.—West cum Rae Bareilly Distt.—East): There is no quorum.

**Mr. Deputy-Speaker:** Let the bell be rung—Yes; now there is quorum. The hon. Minister may reply.

**The Deputy Minister of Railways and Transport (Shri Atgeman):** I should thank the hon. Member who drew the attention of the Chair to the want of quorum, and for having got me at least the hon. Members who spoke on this Bill to hear my reply.

I am happy to note that the principles underlying this Bill have been heartily endorsed by the hon. Members who took part in the debate. My hon. friend Shri V. P. Nayar had something interesting to say about the development of the automobile industry, etc., on which subject I am aware, he is an expert. But whatever he had to criticise, I am sorry to say, fell outside the scope of the Bill, and whatever he approved fell within the scope of the Bill. I should again thank the hon. Member, Shri V. P. Nayar, and other hon. Members also who endorsed the principles behind this Bill.

Much was made of the fact that this Bill was held over from 1946 and that we are doing a thing now quite behind time, and because we do it now, in 1956, it looked to some hon. Members as though we are behind time. A right thing, whether it was proposed in 1946 or earlier, does not cease to be a right thing in 1956. Today, we have incorporated several provisions which are of a more detailed nature and which, as I remark-

[Shri Alagesan]

ed in my earlier speech, go towards better operation of road transport in this country. If some old provisions have been taken in and incorporated here, they do not cease to be relevant because some ten years have elapsed in the meanwhile.

Shri Matthen also urged and pleaded for a 1956 perspective and not for a 1946 perspective. The mere mention of 1946, I believe, confused my friends. They were so confused as to say that we are lagging behind and that we are having a perspective which does not suit the present day. I shall presently show that it is not so.

The need has arisen to fulfil the intentions which we had, through this Bill. In the past few years, various State Governments rightly decided to nationalise portions of road transport. I do not want to go into the merit of it. The State Governments are sovereign in the field and they have got every right to decide, and they know what they should do. But the action of the State Governments in having decided to nationalise road transport created a certain fear among the private interests who have been running road transport services and serving the country in this field. They felt diffident to proceed further. They thought that the Democles' sword of nationalisation was hanging over their heads and as such they could not proceed further and fulfil the role expected of them. It is at this juncture that this Bill has been placed before the House. It provides a remedy and shows a way out of this morass and puts faith in the people who have been doubting and questioning the course that the State Governments have been adopting. Wherever nationalisation is undertaken, it has been made clear beyond doubt that compensation will be paid. The 1946 report of the Select Committee certainly did not provide for it, because it did not face such a situation as the present one. These circumstances were not present when the 1946 Bill was considered. This Bill answers a current need and

supplies the remedy to a situation which was otherwise getting bad.

The other important aspect of the Bill is with reference to the free flow of inter-State movement of road transport. That is a very important provision. My friend, Shri Samanta, described the harassments which people have to undergo while going from one State to another. It is a pity that the State Governments could not by mutual negotiation come to a satisfactory settlement in this regard. Some State Governments have come to such a settlement, but others are not able to come to such smooth-working agreements. So, we have to step in. It is not our intention to intrude upon the constitutional sphere that belongs to the States; but, wherever it is a matter of Inter State movement, naturally we have to step in to fulfil the needs that are demanded by the situation. This is an important provision which will also encourage the tourist industry in this country. I am glad to announce that our income from this source, as calculated by the Reserve Bank, has increased. The latest position is, in 1954 we were able to earn more than Rs. 7 crores by means of foreign tourists who came into the country. That apart, the real need, which is a domestic one, is to supplement rail transport by sufficient road transport. For that the machinery that we have envisaged is in the form of Inter-State Authorities and we have also envisaged a Central Transport Authority. This, I should think, has come not a day too soon.

**Shri Matthen:** Is it adequate?

**Shri Alagesan:** Look at the other aspect also, to which I draw attention being established and one of the subjects which fall within the purview of the zonal councils is Inter-State transport. Here we are effect to the decisions that may be taken by the zonal councils. I am pointing this out simply to show that we are not suffering from any 1946 perspective; we are well ahead and we

try to meet the problems of the times

A point was made that we should remove the obstacles in the way of the development of road transport by reducing taxation—Central, State and so on. At the same time, my hon. friend, Shri Mattben, pleaded that we should extend financial aid and credit to viable units of road transport. The study group of the Planning Commission went into this question and they came to the conclusion that the element of taxation was not a really oppressive thing in the way of development of road transport. But still, they wanted to produce a psychological effect by way of reduction in taxation. Already something has been done in this field. In fact, we wanted to bring in legislation which will lay down the principles of motor vehicle taxation and which will also lay down a ceiling. But, we were advised that according to our present Constitution, no principle of taxation can by any means embrace laying down a ceiling. So, we had to fall back on the machinery of the Transport Advisory Council. We have taken up this question and are discussing this with the various State Governments. It is true that it is not a matter which can be decided very quickly. We have to deal with a number of State Governments, which are perhaps more zealous of their rights than the Centre of this Parliament can ever be, to push through any measure. When you have to arrive at compromises, delays are inevitable. We have taken up this question in the forum of the Transport Advisory Council and the State Governments naturally—I do not blame them—have asked for some time to consider this question. Our intention is that the level of motor vehicle taxation should be well within 75 per cent. of the present Madras taxation. That is the recommendation of the Motor Vehicles Taxation Enquiry Committee and we are working towards that. If the State Governments can agree to this voluntarily without our having to undertake any legislation—because, we just cannot—

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certainly it will go a long way in lightening the load of ~~taxation~~ on motor transport. These are some of the things which we have already taken in hand and are pursuing

On the question of prices of motor vehicles, Mr. Nayar had something very relevant to say. It is not only the maintenance cost, but the initial capital cost also which is involved. This question has been referred to the Tariff Commission. They are seized of the matter and are enquiring into it. If as a result of their finding we are able to bring about a reduction.....

Shri V. P. Nayar: It is a very big "if".

Shri Alagesan:.....even by a small percentage in the price of motor vehicles, we would have reduced the capital cost straightaway. These are some of the means by which we want to remove the obstacles in the way of further development of road transport.

I think this Bill, as has been placed before the House, shows the green light to the private sector to go ahead with the development in the field of surface transport, as my friend Shri Mattben was emphasising. One other point made by Mr. Nayar and Mr. Vittal Rao refers to the legislation regarding the labour employed in this very important field. One cannot minimise the urgency of a proper legislation for those who are engaged in this very important sector of our economy. But Mr. Nayar wanted an assurance from me that that Bill also would become law by the time this Bill became law. I am only sorry that I am unable to give such an assurance. He will realise that it is well-nigh impossible to hold out any assurance that that Bill also will become law. I have been standing in the queue for such a long time, and, happily or unhappily, when I come before this House, even the time that was allotted for this measure has not been consumed by the House. We had to stand in the queue for a long time. I have

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got a number of Bills to push through and I very much doubt whether I would be able to do it during the life of this Parliament. So, it is too much to expect that this also should become law. But I can assure the hon. Members that the Labour Ministry is already considering this matter and in good time they will bring forward suitable legislation. I missed the point of Mr. Vittal Rao. I heard him saying that the compensation proposed is not sufficient or some such thing.

**Mr. Deputy-Speaker:** He said that he will discuss it in the Joint Committee.

**Shri Alagesan:** We welcome that. In this matter we are having an open mind. We are prepared to hear the members on the Select Committee for this is an important matter and the representations made in this behalf by the private interests will also be taken into consideration and I hope when the Bill emerges from the Select Committee there will be a satisfactory solution found to this matter. I have nothing more to say except to express my gratitude to the hon. Members who have heartily endorsed the principles of this Bill.

**Shri V. P. Nayar:** With your permission, may I ask a question? The hon. Deputy Minister was pleased to answer some points relating to the initial cost in purchasing or acquiring the vehicles. Could we have the reaction of Government on the points which we raised about the operational costs, especially the cost of petrol, tyres and spare parts?

**Shri Alagesan:** All these things can surely be gone into. The hon. Member mentioned about spare parts.

**Shri V. P. Nayar:** Petrol, tyres and spare parts.

**Shri Alagesan:** You are too ambitious; that is all what I can say. Regarding spare parts, the duty, as per the recommendation of the Tariff Commission, was brought down from

60 per cent. ad valorem to 40 per cent. in May 1953 and this accords with the recommendation made by the Motor Vehicles Transport Enquiry Committee also. This is one of the matters which relate to running cost.

**Mr. Deputy-Speaker:** The question is:

“That the Bill further to amend the Motor Vehicles Act, 1939 be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely, Shri K. L. More, Shri Fulsinhji B. Dabhi, Shri M. L. Dwivedi, Shri C. C. Shah, Shri T. N. Viswanatha Reddy, Shri Amarnath Vidyalankar, Shri M. K. Shivananjappa, Shri Rohanlal Chaturvedi, Shri Krishnacharya Joshi, Shri Suriya Prashad, Shri Ram Sahai Tiwari, Shri Basant Kumar Das, Shri Bhupendranath Mishra, Shri Sitnath Brohmo-Chowdhry, Sardar Iqbal Singh, Shri T. S. Avinashilingam Chettiar, Shri Raghunath Singh, Shri Shree Narayan Das, Shrimati Sushama Sen, Shri Rameshwar Sahu, Shri R. R. Morarka, Shri T. B. Vittal Rao, Shri K. Ananda Nambiar, Shri K. S. Raghavachari, Shri Y. Gadilingana Gowd, Shri U. M. Trivedi, Shri Giriraj Saran Singh, Shri Bahadur Singh, Shri Uma Charan Patnaik and the Mover;

and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the 20th November, 1956;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

*The motion was adopted.*

5-3 P.M.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, the 13th August, 1956.*

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