

[The Deputy Chairman] Minister to make his statement, I have to make an announcement that Shri Natwar Singh, the Minister of State in the Ministry of External Affairs, will make a statement in the House today regarding Tibet;

#### STATEMENTS BY MINISTERS

##### **TIT Removal of difficulties in implementation\* of Motor Vehicles Act, 1988 and Motor Vehicles Rules, 1989**

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI RAJESH PILOT) : Madam Deputy Chairman,

Hon'ble Members will recall that the Motor Vehicles Act, 1988, and the Rules framed under it came into effect from 1-7-89. The new Act replaced the Motor Vehicles Act, 1939. The formulation of the new Act and Rules were preceded by detailed examination of the needed changes not only by Central Government and State Governments but also by representatives of the transport industry, trade and commerce. Since the enactment of old Motor Vehicles Act in 1939, a sea change has taken place in the transport scenario and in response to these changes, it was considered necessary to make substantial modifications to the provisions of the M.V. Act, 1939 with a view to promoting road safety, improving the qualification of drivers, prescribing standards for construction of vehicles, controlling pollution and removing some major constraints on the healthy development of the transport industry and new Motor Vehicles Act received the overwhelming support of this House.

During the course of the implementation of the Act and the Rules, Government have received from affected interests suggestions for effecting certain modifications. The Act and Rules have been for-

mulated to subserve the interests of the citizens of this country and, therefore, Government have given the most urgent consideration to the suggestions received and the difficulties pointed out.

Of and on, whenever points were raised in the House, I had already said that the Government's mind is open because it is a major change in the statute. We have made nearly 400 Amendments in this Motor Vehicles Act. So, any time we feel any hardship in any clause to our brothers and sisters, Government's mind is open to react to that and we see that that hardship is removed.

I have considered carefully the suggestions received from hon. Members of this House. I have also held wideranging discussions with representatives of States and Union Territories and also considered various representations received by Government. Two or three days back, a meeting of the Transport Secretaries of all the States and Union Territories took place and we had a very detailed discussion about what practical difficulties the Authorities felt, what observations were given by the citizens to the authorities and what could be done to remove those hardships and problems.

In the light of these, it has been decided that certain modifications to the Rules framed under Motor Vehicles Act, 1988 would be desirable. The important changes that Government have decided to bring about are briefly listed below :—

Rule 5 of Central Motor Vehicles Rules, 1989 prescribe the Form of medical certificate which is to accompany the application for learner's licence. It has been decided to simplify the application Form. State Governments have also been requested to authorise all registered medical practitioners possessing the qualifications of MBBS to issue the

medical certificates and also to fix a reasonable fee payable for obtaining the medical certificate.

Rule 8 of Central Motor Vehicles Rules specify that all those applying for a licence to drive a transport vehicle other than a tractor-cum-trailer after 1-7-89 should have a minimum qualification of IV standard; The basic objective was that the driver should be able to read and understand signals, signs and directions on the roads. This provision is being modified to the effect that the ability to read and write would suffice. I would also like to clarify that it is already provided in the Rules that all driving licences issued prior to 1-7-1989 will continue to be valid and will be eligible for renewal without any reference to the educational qualification of the driver.

Rule 9 of the Motor Vehicles Rules, 1989 stipulate that the driver of a transport vehicle carrying hazardous cargo should possess a minimum educational qualification of X standard. As Hon'ble Members are aware, transport of hazardous cargo poses risks to the citizens and the driver should be able to follow the written instructions on the packages as well as on the literature available on the subject. In response to genuine difficulties that has been brought to the notice of Government on account of this provision, and recognising the need for a period of transition before such a qualification can be insisted upon, it has been decided that this provision will be brought into effect only from a future date to be notified later.

Rule 61 of the Central Motor Vehicles Rules, 1989 specify that the validity of fitness certificate of a transport vehicle will initially be for a period of 2 years, thereafter, fitness certificates have to be obtained at intervals of one year upto the 10th year and thereafter, at intervals of 6 months, it

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has been decided that the validity of the fitness certificate for transport vehicle would be one year after the initial period of two years.

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

Section 9(4) of the Motor Vehicles Act, 1988 require an applicant for a licence to drive a transport vehicle to undergo training in a recognised drivers' training school. The difficulties caused by the paucity of sufficient driver training schools in certain areas as well as the difficulties faced by drivers of certain categories of motor vehicles desiring to obtain a licence to drive a transport vehicle have been brought to the notice of the Government and suitable steps will be taken to overcome these difficulties.

Section 58(1) of Motor Vehicles Act, 1988 empowers the Central Government to notify the maximum safe laden weight and maximum safe axle weight of transport vehicle.' Although the Central Government have issued a fresh notification on 8-6-89 on this subject and have not made any change in the maximum safe axle laden weight as notified under the provisions of erstwhile Motor Vehicles Act, 1939, an impression has gone in some quarters that the maximum safe axle/laden weight has been reduced in the new Motor Vehicles Act 1988. However difficulties have been brought to the notice of Central Government that due to heavy penalties prescribed in the M. V. Act.1988 for overloading and

[Shri Rajesh Pilot]

also provision of off-loading the excess load before the vehicle is allowed to proceed, the effective capacity of the transport vehicle to carry goods has been reduced. It is brought to notice that due to heavy structure of the body of some of the existing vehicle, the unladen weight, of the vehicle has gone up thereby reducing the carrying capacity of the vehicles when compared to lighter bodied vehicles. In order to remove such difficulties of such existing transport vehicle, it is proposed to permit maximum laden/axle weight of transport vehicles upto 15% In excess of the prescribed maximum laden/axle weight for a maximum period of 9 months from 1-7-89 so as to facilitate transition of these existing vehicles to lighter bodied vehicles and increased use of multi-axle vehicles.

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

Act, 1988, fines which were not in existence in the Motor Vehicles Act, 1939, have been prescribed.

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

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THE DEPUTY CHAIRMAN;

Mr. Deshmukh. You made the Special Mention and the hon. Minister has come back with the changes.

SHRI SHANKARRAO NARAYANRAO DESHMUKH (Maharashtra): Madam Deputy Chairman, there are some seven or eight items about which the Government is considering seriously. But Madam, the Act has come into force from 1st July, 1989. Therefore, if the Government has decided to think over these items seriously, why is not the Government prepared to issue an order under section 216 of this Act,

which will remove all the difficulties which are experienced by the public? This is one thing. In regard to all these items, the statement says that the Government is thinking, the Government is considering, the Government will consider the matter seriously, etc. This is the nature of the statement made. But whatever has been mentioned in the statement will not be known to the public. It does not have the force of law. Therefore, as I asked earlier, I would like to know whether the Government will decide to issue an order under section 216 of this very Act which empowers the " Central Government to issue such an order. It says: "If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty." That is one query. Secondly, Madam, under "section 47 it is stated that where a motor vehicle is intended to be in another State for a period extending 12 months, the owner of such vehicle may have to make an application at any time within the said period of 12 months. What will happen if a motor vehicle is registered in one State, road tax in respect of the said vehicle has been paid for the life, that is 10 years, and the vehicle is brought to the other State? Is it compulsory on the part of the owner of the vehicle to apply for a new registration number, or can he run the vehicle in that State with the registration number of the State in which it was registered? This is not clear under section 47. I would like to seek these two clarifications.

SHRI SANTOSH BAGRODIA (Rajasthan): Madam Deputy Chairman, I thank the hon. Minister to have conceded to the fact the entire country had been worried about this particular Act and he has rightly proposed at least a few changes. I would, however, like to make the following points.

In sub-para (i) of para 2, it is said that it has been decided to simplify the application forms. This is a very vague statement because I do not know what is the significance of this medical certificate? Such medical certificates are easily available. How is it going to help the general public? I would like the Minister to explain the situation.

In another item it is said: " that all driving licences issued prior to 1-7-1989 will continue to be valid". But, for the licences which are to be issued after this date the drivers will have to be literate. Does he think that the literacy level in our country has gone up to 40 per cent, 50 per cent, or 60"per cent? What about those who are not literate? Madam, in the labour sector driving is one of the jobs which is easily learnt by general public. I know hundreds of thousands of domestic servants, they have learnt driving although they are not educated. If they are not allowed to learn driving, I am sure their level of income will never increase.

In the latter sub-paragraph (iii) he says about vehicles carrying hazardous cargo. I can understand this, this is good because this is for specific items. I have no objection to that, but for general driving we have got colours, we have got signs. Signs and colours have been specified-only for the reason because education is not required. In fact, internationally, if you go to a Spanish country and you do not know the language of that country, do you mean to say that I cannot have international licence unless I know the language of that country. So, if you can identify signs, that is enough. I do not find any reason for prescribing qualification of IV standard or so.

In sub-para (iv) it is stated:.. that. the validity of the fitness certificate for transport vehicle would be one year after the initial period of two years." This is the last part of this paragraph. That is a very good thing, we are happy about it. At least Tor

(Shri Santosh Bagrodia) one year we will have no problem, under item no. (vi) he says that the difficulties caused by the paucity of sufficient driver trainin schools etc. have been brought to the notice of the Government and suitable steps will be taken to overcome these diffculiies. I Would like to know what are these "suitable steps" specifically, because these kinds of vague statements are not going to clear our minds and if om minds are not clear, I do not think we can explain to the general public what is the intension of the Government on the subject.

Coming to item No. (vii), he has said: In order to remove such difficulties of such existing transport vehicles, it is proposed to permit maximum laden/axle weight of transport vehicles upto 15% in excess of the prescribed such weight. It sounds as if 15% relief has been given. I do not know whether it is going to help us in any way. Corruption will increase because transporters will go on carrying more weight and go on trying to satisfy the people who will be catching them on the road. But I insist and I would like the hon. Minister to explain if he is prepared to assure the House that the freight charges will not be increased anywhere in the country due to changes in the Motor Vehicle Act, because I strongly maintain that all the cairiers in the country have already declared that all kinds of transportation charges are going to increase which will affect essential commodities also and we will be entirely responsible for this increase. So I request the hon. Minister to delete this clause completely at least for some time. Thank you.

SHRI VITHALRAO MADHAV-RAO JADHAV (Maharashtra) :Madam Deputy Chairman, I am thankful to you for giving me the opportunity to ask clarifications on the statement of the Minister. Actually I am thankful tp the hpn. Minister for haaving announced meny reforms in his statement, Recently, you know Madam,

j that in Bombay and other parts of Maharashtra, there was a strike of transport workers and for three days national life was paralysed. Due to the intervention of our Chief Minister, hon. Shri Sharad Pawar, and other leaders who have taken the initiative to come to an understanding with the transport workers and to inform the Transport Minister about their grievances, the hon. Minister has made this staiement. I would like to ask some clarifications from him.

The hon. Minister has made the statement that for controlling pollution and removing some major constraints on the healthy development of the transport industry, the new Motor Vehicles Act received the overwhelming support of this House". Madam, you know better than I do that in Bombay the vehiclt pollution is up to a very large extent and it has just become impossible for a human being to live in Bombay. So we must take very strict measures about vehicle pollution.

SHRI BHASKAR ANNAJI MASODKAR (Maharashtra): That is why Madam has come to Delhi.

THE DEPUTY CHAIRMAN:

That is why we have come to Delhi.

SHRI VITHALRAO MADHAV-RAO JADHAV: You are in Delhi but your family members are in Bombay. You must take care of them.

The other thing is that the hon. Minister has made a statement that a medical practitioner possessing the qualification of MBBS can issue the medical certificate and also the State Governments should fix a reasonable fee payable for obtaining such a certificate. I would like to suggest through you, Madam, that some guidelines must be issued to have uniform medical fees throughout the country because in Bombay if you charge hundred rupees, in my village people will not

theyWill charge fifty Rupees of same-thing like that from a driver or a trans-

port worker who is from a poorer segment of the society. We must have a uniform fee of Rs. 10 or Rs. 15 or so, it should not be a burden on him.

Another important thing is that the fitness certificate of a transport vehicle will be for one year after the initial period of two years: I would like to suggest to the hon. Minister that obtaining such a certificate after two years running of the vehicle would provide an avenue for corruption and therefore I suggest that unless there is some accident or damage to the vehicle, this period should be extended by more than two years.

Secondly, I welcome item No. (v) Where the fees have been decreased considerably—from Rs. 200 to Rs. 100 from Rs. 100 to Rs. 50 and from Rs. 300 to Rs. 150. This is the most welcome step that the hon. Minister has taken. Another important thing, Madam, is about discipline in the transport system and lessening of corruption therein. Madam, you might be aware of the fact that Police Constables and Police Inspectors are very much eager to be posted to the State Traffic Branch (STB) because they can collect money from truck drivers and owners and drivers of other vehicles. It has become a big avenue of corruption. I would request the honourable Minister, through you, to have some uniform law to lessen the corruption which has been in existence for years together. A man who is posted to the STB earns thousands of rupees every day, ten thousand rupees per day... (Interruptions)... Yes, in [Maharashtra](#) it is a very serious crime. A Sub-Inspector or Inspector earns a lot of money from this. So, you should make the rules very easy and close the avenues of corruption in the transport system.

Madam, I have one most important suggestion, and that is with regard to road accidents. Most of the accidents take place due to drunken driving. The drivers consume wine and drive the vehicles.

श्री अनन्द शर्मा (हिमाचल प्रदेश) :  
वाइन नहीं, ठर्रा पीते हैं। वाइन तो बहुत  
महंगी है।... (व्यवधान)...

SHRI VITHALRAO MADHAV-  
RAO JADHAV : Well, some  
alcohol... (Interruptions)

THE DEPUTY CHAIRMAN:  
You might be knowing better !

SHRI VITHALRAO MA-  
DHAVRAO JADHAV : Madam, I  
don't know the difference between  
wine and *tharra* because I don't  
drink. These drivers drink and  
drive and that is how most of the  
accidents take place. Of course,  
there are some rules about that, but  
you should be very strict about the  
implementation of those rules and  
you should see that drunken driving  
is not indulged in so that these  
accidents could be avoided.

SHRI ANAND SHARMA :  
The Home Ministry comes into the  
picture here because those who have  
to implement the law, the police peo-  
ple are also drunk during the night.

SHRI VITHALRAO MA-  
DHAVRAO JADHAV : That is right,  
I fully agree with my honourable  
friend's suggestion. Madam, this  
is a very serious matter and we  
must seriously consider these  
things and see that drunken driving  
is not indulged in so that these  
accidents could be avoided. Thank  
you, Madam.

SHRI DIPEN GHOSH (West  
Bengal) : Madam Deputy Chairman,  
I am very glad that the honourable  
Minister of Surface Transport  
has at last come out with a 4-page  
statement, suggesting certain mo-  
difications to the Rules which were  
already framed in terms of the Act  
recently passed by Parliament. The  
very statement justifies what we  
had suggested the other day : We  
had suggested then that such a law,  
Instead of being passed in haste,

[Shri Dipen Ghosh]

should have been referred to a Select Committee for further in-depth study and reporting back to Parliament. But at that time the Minister as well my friends on the other side, by virtue of their party decision, were insistent on passing the Bill and it was passed post-haste. Today, after so many strikes and agitations by the transport operators throughout the country against certain pernicious effects of the Act, the Government has come back to senses and suggest certain modifications. Though I appreciate these modifications—I feel this is only a cosmetic touch—still there are areas which need to be improved further. Some of my colleagues have also suggested them.

I want to seek certain clarifications from the honourable Minister. First of all, in paragraph 2 the honourable Minister has stated, "During the course of the implementation of the Act and the Rules, Government have received from affected interests suggestions for effecting certain modifications." Again he has mentioned, "I have considered carefully the suggestions received from Hon'ble Members of this House." There after, he or, for that matter, his Ministry, has taken note of the suggestions and come up with these modifications in the Rules. I would like to know what exactly are the specific suggestions which he has received from various sources, from the transport operators, from the transport workers, from the State Governments, from the Members of Parliament, what are those suggestions which the Government could act on and what are those which it could not accept and why. In that case, we could understand really to what extent you had interacted with these people and to what extent you have accepted their suggestions. And where you have not found them fit to be considered or accepted, that also we could understand. So, I would like to know from the hon.

Minister the specific suggestions which you have received from various sources, what are those which you have taken into consideration and what are the other suggestions which you could not accept and why.

Secondly, I do not understand why the minimum educational qualification of class 10 standard was sought to be stipulated to a driver of a transport vehicle carrying hazardous cargo. The modification suggested by the Minister will be effective prospectively, not retrospectively. That means in Future. Whoever has already got the licence, even though he does not possess the minimum prescribed educational qualification, will continue to drive such a transport vehicle. But in future no one will be given the licence for driving such a transport vehicle if one does not possess the minimum qualification of class 10. Why this minimum qualification of class 10 ? Why not minimum qualification of class 8, why not minimum qualification of class 4 ? There may be a dispute or debate. But, if it is the case that one must understand the road rules or the signs, or the signals while driving, then, I do not think that the possession of the minimum qualification of the standard of class 10 is essential. In that case, what will happen in our country, in a big country like ours, where the rate of literacy is very poor and the driver's job is mainly a poor man's job? Naturally, if we insist on having a particular educational qualification, possession of a certificate of the standard of class 10 or like that, then, I think, it will debar a section of a particular community or a large number of communities from getting that job. If you could suggest certain training or attainment of a certain experience or some expertise, then, I think, it would be better.

Another thing. I am going to conclude.

THE DEPUTY CHAIRMAN:

Yes, please conclude because we are going to have another statement.

SHRI DIPEN GHOSH : That is about paragraph 7 wherein you have allowed 15 per cent or so, in excess of the prescribed maximum laden or axle weight. How could the people or the Inspector, the Police Inspector Or the Traffic Constable ascertain whether the overloading is more than 15 per cent of the total loading capacity or not? So, if you prescribe by percentage, then, it leads to scope for being misused or, as Mr. Bagrodia has stated rightly, the people who will be on duty to check that, may be prone to accept, some monetary gains and in lieu thereof allow the transport operators with overburdened vehicles to pass on. So, I think, this also needs to be reconsidered.

Thank you.

**उपसभापति :** आप संक्षेप में क्लेरिफिकेशन पूछिए । बहुत से बोलने वाले हैं ।

**श्री धर्मपाल (जम्मू और कश्मीर) :** उपसभापति महोदया, मुझे खुशी है कि सरफेस ट्रांसपोर्ट मिनिस्टर साहब ने इस एक्ट को जो जुलाई, 1989 में अमल में आया और इसका रिफ्रेशन जो ट्रांसपोर्ट्स पर, ड्राइवर्स पर और आम जनता पर हुआ और इसके ऊपर इस हाउस में स्पेशल सेशन के जरिए अपने खालात जाहिर किए और इसके अलावा कांग्रेस लीडरशिप में भी मिनिस्टर साहब को कहा कि इसमें तरमीम की जाए ताकि लोगों के लिए जो एक्ट बना है उनका ज्यादा से ज्यादा भला ही और जो उनकी मुश्किलें हैं वह दूर हो सकें, यह ठीक है कि 1939 में जो मोटर व्हीकल एक्ट बनाया था उसके बाद काफी तबदीलियां रोड ट्रांसपोर्ट में आयीं । नए-नए किस्म के व्हीकल आये, नयी-नयी सड़कें बनीं । जरूरी हो गया था कि इस एक्ट में तबदीली लाइ जाए । कुछ दिक्कतें जनता ने रखी थी । मुझे खुशी है कि मिनिस्टर

साहब ने उन पर गौर किया और इस बारे में काफी तरमीमें यहाँ लाए । एक तो पहले जो हरेक व्हीकल के लिए अक्षर मुकरर की गयी थी उसको क्लियर किया । ऐसा उन्होंने पहले भी पार्लियामेंट में कहा और आज यहाँ फिर क्लियर किया कि ऐसी कोई बात एक्ट में नहीं है ।

**उपसभापति :** जो उन्होंने कहा आप उस पर मत बोलिए । जो आपने क्लेरिफिकेशन पूछनी है वह पूछिए ।

**श्री धर्मपाल :** एक तो ड्राइविंग लाइसेंस लेने के लिए उन्होंने ट्रेनिंग स्कूल की बात कही है तो मैं जानना चाहता हूँ कि आप इस पर किस ढंग से विचार करेंगे । क्या हर स्टेट में काफी तादाद में ट्रेनिंग स्कूल खोलेंगे ताकि वहाँ ट्रेनिंग ली जा सके ? क्योंकि अनप्लाइमेंट का मसला है । अनपढ़ लोग ट्रांसपोर्टर के काम में काफी लगे हुए हैं । क्या हर रियासत में ट्रेनिंग स्कूल खोलेंगे ? क्योंकि हमारे पहाड़ी रियासत में कोई ट्रेनिंग स्कूल नहीं है । दिल्ली में या बड़े शहरों में हो सकते हैं । उन्होंने यह जिक्र नहीं किया कि इस मुश्किल को दूर करने के लिए वह क्या करने जा रहे हैं ।

दूसरे, पहाड़ी रियासतें जितनी हैं जहाँ रेलें नहीं जाती या पानी के जरिए ट्रांसपोर्ट नहीं है जैसे जम्मू-कश्मीर और हिमाचल प्रदेश या दूसरी रियासतें हैं, इस्टर्न एरियाज हैं, असम है, मिजोरम है तो मैं जानना चाहूँगा वहाँ पर जो लोगों की लिमिट रखी है क्या उस लिमिट को बढ़ायेंगे ? जिन व्हीकल का वजन बहुत ज्यादा है उसमें लोड कम आता है । जो लाइट वाडी वाली व्हीकल हैं उन्होंने कहा कि उसमें इससे कम वजन आता है इसलिए 15 परसेंट रखा है । मैं जानना चाहता हूँ जो हमारा तुजुर्वा है फ्रंट श्रीनगर से आता है लाखों टन । रेलवे सिर्फ जम्मू तक है बाकी रोड से आता है काफी दिक्कत जम्मू-कश्मीर रियासत को होती है । लाखों टन फ्रंट पहुंच सके, यह पैरीबोवल आइटम है इसमें आपने मुकरर किया है । मेरा कहना है स्टेट गवर्नमेंट खुद एलाऊ करती है । 200 पेटियांस

[श्री धमपाल।

की आती है हम लादते हैं, 400 क्योंकि किराया काफी है। इस एक्ट से यह हो गया कि 140 मन था तो आपने 100 मन कर दिया। इससे रेट बढ गए, प्राइसेज बढ गए। मैं कहना चाहता हूँ कि जो पहाड़ी रियासतें हैं जहां सिर्फ रोड ट्रांसपोर्ट है, ट्रकों से माल जाता है, वहां ऐसा करने से कीमतें बढ गयीं इन रियासतों के लिए खसूसीतोर पर कश्मीर में 15 परसेंट के बाय ज्यादा वजन ट्रकों पर लादे जाने की इजाजत देंगे? क्योंकि आवर लोड पर फाइन काफी है। क्या यह सहूलियत देंगे उन रियासतों को क्योंकि कोई और तरीका नहीं है। न कोई दरिया ट्रांसपोर्ट है और न रेलवे है इसलिए खर्चा बढ जाता है। दिल्ली से, पंजाब की म.फि.ट में जम्मू कश्मीर में सब चीजें जाती हैं। इस के लिए आप क्या करने जा रहे हैं यह मैं जानना चाहता हूँ।

दुबरी मैडिकल मर्टीफिकेट के बारे में आपने कहा रजिस्टर्ड मैडिकल प्रकटीशनर के लिए मिनिमम फीज मुकरर करेगी। रियासतें और दुबरे आपने मेट्रिक की क्वालिफिकेशन को भी हटा दिया लोगों के रिप्रजेन्टेशन के जाने पर या लोगों की भांग पर तो इसके लिए आपको बधाई देना चाहता हूँ।

SHRI RAOOF VALIULLAH (Gujarat) : The motor transport is the backbone of the Indian economy, Eighty per cent of goods transport in this country is through road. Therefore, when the motor transport operators gave a call for strike the movement of the essential commodities was hard hit. Therefore, to that extent the Minister's statement today will come as a welcome relief. Madam the affected parties are not only the transport operators and others who use the motor transport but the State Governments also because this Act was formulated as a result of long consultations with the State Governments. May I know from the Minister whether- the State Go-

vernments have also written to him with regard to certain amendments in this Act? May I also know whether the Minister intends to call a State Transport Ministers' conference to thrash out all the difficulties which are still there in the Motor Vehicles Act?

The second point on which I would like to seek clarification from the Minister is that he has stated that there were some misunderstandings persisting; why those misunderstandings were allowed to persist? May I know from the Minister whether his Ministry took advice and support of the media to thrash out these misunderstandings? Why those misunderstandings persisted for such a long time? If these misunderstandings were thrashed out earlier this All India strike could have been averted. In order to make the people of the country understand, will his Ministry give out the full dimensions of the Motor Vehicles Act so that misunderstandings in any sector do not persist.

The third point the hon. Minister mentioned was about the safety and discipline in the road transport. I think it is not only the Motor Vehicles Act but there are certain other factors which will lead to safety and discipline in the motor transport for instance, the condition of the National Highways. May I know from the Minister whether his Ministry has taken an overall view of safety measures and security on the road? May I know from the Minister whether the Motor Vehicles Act along with some other measures will also be reviewed by his Ministry to ease and to defuse the situation?

SHRI P. N. SUKUL (Uttar Pradesh): Madam at first I would like to congratulate the Minister for Surface Transport for being considered enough to bring about these amendments in the interest of the motor vehicle owners as well as the drivers.

As regards my clarification, I refer to para 2 (i) of the Minister's statement. I quote:

"It has been decided to simplify the application form. State Governments have also been requested to authorise all registered medical practitioners possessing the qualifications of MBBS to issue the medical certificates and also to fix a reasonable fee payable for obtaining the medical certificate."

Now, it means each State Government can fix its own fee and this fee will obviously differ from State to State. I only want to know: can't the Central Government ensure that one and the same fee is charged throughout the country?

Number two, I would like to know whether these amendments will be with retrospective effect. What will happen to the offences registered since July 1, last? That's all, Madam.

**श्री राम चन्द्र विकल (उत्तर प्रदेश) :**  
उपभ्रष्टापति महोदया, जैसा कि माननीय मंत्री जी ने अपने वक्तव्य में कहा कि इस अधिनियम और इन नियमों के कार्यान्वयन के दौरान सरकार को प्रभावित लोगों से कतिपय संशोधन करने के लिए सुझाव प्राप्त हुए हैं। उन्होंने माना है कि देश के नागरिकों के हितों को सामने रखते हुए यह अधिनियम और नियम बनाए गए हैं। इसलिए सरकार ने प्राप्त सुझावों और आपत्तियों और कठिनाइयों पर अधिक तत्परता से विचार किया है। मैं मंत्री महोदय को यह संशोधन विधेयक लाने के लिए धन्यवाद देता हूँ लेकिन यह जानना चाहता हूँ कि इतनी अदूरदर्शिता से काम क्यों लिया गया जिसे की देशव्यापी हड़तालें हुईं या आन्दोलन हुए और उनका कुप्रभाव पड़ा। इस संबंध में पहले क्यों नहीं सोचा गया, यह मैं जानकारी चाहता हूँ।

दूसरी बात में यह कहना चाहत हूँ कि इस वक्तव्य को मैंने पढ़ा है और ध्यान से सुना है।

अभी भी यह शंकाओं से भरा हुआ है। इस पर जो विवाद है उससे हम इस पर शंकाये जाहिर कर सकते हैं। क्या भविष्य में मंत्री महोदय यह सोचेंगे कि इसको संयुक्त प्रवर समिति में दे या सदन के सदस्यों की एक सर्वदलीय समिति बनायें जो इस पर विचार करे ताकि इसका जो प्रभाव हो चुका है देश की जनता पर उससे बचा जा सके। तो मैं मंत्री महोदय जानना चाहूंगा कि इसको संयुक्त प्रवर समिति या दोनों सदनों की सर्वदलीय समिति बनाने का विचार करेंगे ?

दूसरी बात यह कि जो हड़ताल बम्बई में हुई है उससे व्यापक कुप्रभाव पड़ा है। चीनी 20 रुपये किलो बिकी है, सन्जी मिली नहीं और मिट्टी का तेल 20 रुपये लिटर बिका है। यह जो कुप्रभाव हो गया है यह भविष्य में न हो इसके लिये क्या बहुत सोच-समझकर इस विधेयक को दुबारा लायेंगे ? कहीं यह विधेयक लिखवा करके, खैर वापस लेने पर मैंने बघाई दी, पर गंभीरता से ऐसे कदम उठाएँ जिससे दुबारा ऐसी बातें न उठें। भले ही इसमें देरी लगे, कितना ही समय लगे। लेकिन सब लोगों की सलाह से यह हो। मैं यह भी जानना चाहता हूँ कि जिन सुझावों की चर्चा उन्होंने की है विभिन्न वर्गों, विभिन्न लोगों से सुझाव मिले तब मैं लौटा तो ये सुझाव क्या हैं, अगर मंत्री महोदय इसको संक्षेप में बता सकें तो अच्छा होगा।

**THE DEPUTY CHAIRMAN:**  
Please confine yourself to questions only.

**SHRI CHITTA BASU (West Bengal):** Madam Deputy Chairman from the statement of the Minister it appears that eight items of the rules under the Motor Vehicles Act have been modified in response to the grievances which were placed before the Minister. But I feel like many Members on this

[Shri Chitta Basu]

side feel that there are also areas in the Act itself which need farther amendments or further -modification. There is no hint in this statement that the Government also contemplates to bring about certain changes or amendments in certain provisions of the Ac\*. I want to know from the hon. Minister whether it is the Government's position that the Motor Vehicles Act is a foolproof one and there is no necessity of changing any provision of the Ac; itself. I feel there is a need for change of certain provisions of the Act. I would like to know whether the Government would give thought to this aspect and have some discussions with the Transport Ministers of the States. My second point is, in the matter of modification of the rules, whether the transport operators were consulted and transport unions were consulted, because these two associations have, given a call for All India bandh on a certain date. Therefore, they must be intereted in the matter of modification of the rules. Have they been consulted and have all their grievances been, looked into properly and have they been taken care of?

SHRI PAWAN KUMAR BANSAL (Punjab): Madam Deputy Chairman, this statement is an eloquent example of the Government's response to the people's views...( *Interruptions* )

SOME HONBLE MEMBERS :

This is an admission of their first mistake.

SHRI PAWAN KUMAR BANSAL: If only you were to have the patience to listen to me, I suppose, I can pat the things better in my own way. Madam, this should be the Government response to various issues in a democracy. But I do want to take this opportunity to add that what has been conceded or amended by the hon. Minister may not be really enough

and may still continue to cause harassment to the people. I would like to make references to one or two things very briefly. Before that I again put it to the hon. Minister to know whether he would decide to send the rules *suo motu* to the Subordinate Legislation Committee of Rajya Sabha. I know the Act cannot be gone into now. But the Subordinate Legislation Commtttee, as such, is entitled to look into the rules. But in this case, I would wish that the Government take the initiative in sending the rules to the Subordinate Legislation Commtttee and let the Subordinate Legislation Committee go into the provisions of this Act and make suggestions for amendment wherever they deem necessary and let the Government then act favourably to those suggestions.

Coming to the statement, Madam, I find that since we are not going to amend the Act, the hon. Minister says that may be, some fees would be fixed under the rules which would be payable for the grant of medical certificate. I do not think the Government may be actually competent to do that. I would only want the hon. Minister to go into this question -because it may cause some complications as I perceive it.

The other point may be a slight repetition. But for the sake of emphasis, I want to add that even the condition of reading and writing the capacity to read and write, should not be prescribed for grant of licence because that would lead to harassment of the people. Who would be the person who would take that test ? And then the question of language would arise. Not that in a particular State only one language would be enough. Then a person may say, "I can -speak in English. I can read English, but I cannot read Punjabi or Hindi." Not to talk of other countries which Mr. Bagrodia re

ferred to, problems would arise from State to State and for that precise reason, "we have the international road signs. The knoweldge of the international road signs should be enough.

Madam. I Want to refer to the training schools'. The basic concept of having a condition that a person should have had prescribed training in a recognised training school may seem to be sound. But it would Casus complications, firstly, because there will be a lot of malpractices in the recognition of suoh training schools'. And then, I want to just state an example. For instance a lady wants a drive ver's licence. She gets training from anybody in the family. Would you expect her to go to any drivers, training school ? And we know the stuff drivers' training sohools consist of. Would you expect a lady to go to a training school somewhere and seek training from schools which the Government recognises as such?

Finally, Madam, I want to refer to the fines. Maybe no fines have been raised as such. But, Madam, an impression has been created that after the promulgation of the new Act and the rules thereunder, the enforcement staff, the police etc., can do anything and I would like to give one intance to just point out the amount of harassment that people may be subjected to. A few days back, about 10, 12 people from Chandigarh came in a Matador here. All employees, they wanted to meet a Minister to put forth their grievances. I want to add that all of them were employees, most of them class IV. They were intercepted while they were jsut about to enter Delhi and the on-the-spot fine assessed for over crowding was Rs. 1500/- which they could muster with a great deal of difficulty and pay there. And there was nothing left with them for food.or for their stay here and they had to return

home. Madam, I wish the hon. Minister to take note of this and the harassment that would be caused to th? people even in cases of inspection of vehicles'. If you have a Maruti car—I would take the example of Maruti car because that is a Government product and sup-<sup>\*</sup>posedly a very good car—and if you were to be told that after two years you must have a fitness certificate for it, I suppose that it would be just unnecessary. -

With these observations, I do once again appreciate the initiative of the Minister in responding to the people's views.

SHRI BIR BHADRA PRATAP SINGH (Uttar Pradesh) : Madam Deputy Chairman, this is a Central law where more power is extended to the executive of the State Governments to amend the law. And because the intentions of the Central laws are misconstrued by the State machinery most of the problems arise. I quite agree with Mr. Chitta Basu when he opines that the Act should have been amended instead of making law by amending the rule itelf.

SHRI CHITTA BASU: Madam I want to make myself clear. There are areas in the Bill itself, in the Act itself, to be modified. Instead of doing that, they have only taken recourse to modifying certain rules. I want the amendment of the Act.

SHRI BIR BHADRA PRATAP SINGH: Over and above that, it is a not a very happy parctice to make law by making rules when you require the law to change. Now the biggest problem P.M. 6 00 with the Motor Vehicles Act faced in this country has been the lighter punishment. What is the punishment in the case of a murder in -he Indian Penal Code and what is the punishment in the case of a murder through a vehicle? See the difference. That is why drivers

[Shri Bir Bhadra Pratap Singh]

become fearless. When a murder takes place under their vehicle, they get a very light punishment. That basic problem should be considered and the Indian Penal Code should be amended for that purpose if you want to impose discipline. Now, the third question is certain types of vehicles are introduced in the market, as, for instance, Chetak in Lucknow, which emit a lot of diesel; the newest vehicle of Chetak emits so much of diesel that the whole life of the city is disturbed. By the very manufacturing process in which it is produced, it emits so much diesel that life becomes a hell in the city. Why don't you ban such vehicles by legislation? Again I say the Government buses, UP Roadways buses, Delhi buses, Bombay buses, emit so much diesel. What is the core for that? They are your own Government department's vehicles. Another problem is with the vehicle bodies. For example, the jeep bodies that have come in eastern UP. There I find the jeeps are loaded with 20 to 30 people whereas they are meant to carry not more than 10 or 12. You are permitting those jeeps to have extended bodies with the result they are tempted to carry 20 to 30 people. Why don't you restrict these extended bodies so that the lives of 20 to 30 people are not endangered? What is the capacity of a matador? Ten to fifteen. In its place they load 30 people. In Bihar I have seen they put 20 people inside the matador and another 20 people occupy the upper portion, the deck of the vehicle. Instead of his hazard, why don't you think of alternative modes of transport? (interruptions) Not only Azamgarh, everywhere; even in Punjab I find the upper portion of the bus occupied by an equal number of passengers as are loaded inside. That is the anomaly when you make laws and State Governments implement them where your intentions are defeated.

1 DR. NARREDDY THULAS.I

I REDDY (Andhra Pradesh): Better late than never. Anyhow, I congratulate the honourable Minister for coming with some modifications. Although it is somewhat late, I request him to make some modifications. (1) It is intended to fix a reasonable fee payable for obtaining a medical certificate. I think a uniform maximum fee should be fixed. (2) The driver of a transport vehicle carrying hazardous cargo must possess a minimum educational qualification of 10th. Keeping in view the dropouts in education and the illiteracy in our country, as has been rightly said by Mr. Bansal, and keeping in view the multilanguage system in our country, it is better to stress on signals, signs and directions than on educational qualifications. (3) It is mentioned that the validity of the fitness certificate for a transport vehicle would be one year after the initial period of two years. I think this initial period of two years may be made three years unless there is an accident to the vehicle. (4) The difficulties experienced by the paucity of a sufficient number of driving training schools as well as the difficulties faced by certain categories of motor vehicles, generally speaking, to obtain a driving licence to drive a transport vehicle have been brought to the notice of the Government. It is mentioned that suitable steps would be taken to overcome these difficulties. I want to know what these suitable steps are.

SHRI GHULAM RASOOL MATTOO (Jammu and Kashmir) : I would like to draw the attention of the Minister that a truck load from Bombay to Srinagar used to cost Rs. 8000 to Rs. 8500. Now the present quotation is Rs. 15,000. I would like to know from the Minister whether, consequent upon the modifications he has made, he will ensure that the rates will be the same as have been prevailing hitherto.

SHRI RAJESH PILOT :  
Madam, I have said very often

in the House, when discussions came up at the time when we introduced the Bill, when we moved for amendment, that on the question of road safety, on every question of road accident, suggestions from the hon. Member and the Government have been projected. And I must share the Government's concern with the House on the increase in fatal accidents which is touching 40,000 per year today in this country and which is one of the highest in the world. Therefore, the Government has to give priority to that particular sector and has to take sometimes may be even unpopular measures. Government must take care of it. I am sure the House will agree with me that the sentiments of any family which has lost any one of its near and dear ones on the road cannot be ignored. Such sentiments cannot be ignored by the Government which is in a responsible position today. But I do share the feelings of the Members or some of the clauses which have caused hardship to the people in this country. A few days back when we had a meeting of Transport Secretaries' and Transport Commissioners I said that Government's mind is always open, at any time of the day, at any time of the night. Where we see that the policy has not been for the welfare of the people, not in the interest of the people, we will take it back and amend it or rectify it to suit the people's requirement. Madam. When this Act was amended, there were in total 400 amendments.

In 1939 the Act was made. From 1939 to 1989 fifty years have passed. At that time we had 3 lakhs vehicles in the country. Today how many vehicles do we have? Nearly 45 or 50 times more. So we have to see the scenario of how traffic is increasing on the roads of our country.

Considering all these points we tried our best to accommodate all the views. Before it was brought to the House, Madam, for almost four years or to be precise—for three and a half years—working groups from all over the country working on

it—from Andhra Pradesh, from Karnataka from Maharashtra; States had their representative. I personally hold four Transport Ministers' conferences during the last three years and discussed everything with them and took their views. The voluntary organisations also were included in the discussion. We tried to accommodate everyone's views, to the best degree, keeping road safety and discipline on the road as top priority.

After the implementation of this Act, when it became effective from 1st July this year, that day also we had asked all the State Governments to please see if there are any problems and how we can sort them out. We told them to bring it back to us after one month. We gave them one month's time, to see the reaction of the people, how they react, how they feel—and then to come back to us. That is why a team was selected to monitor every week in each State.

Now a point has been made about all India strike and in Maharashtra. Madam, in Maharashtra the main points for strike were two. One was octroi abolition and another insurance premium which has been increased. These are still under discussion with the Finance Ministry. But I am not in any way running away from the suggestions the hon. Member's and colleagues have given here.

As far as medical facilities are concerned, which my young friend Thulasi referred to, we wanted to have uniformity in the whole country. As far as the proforma of medical certificate is concerned, I accept in this House it is very complicated. It has caused harassment to the people. One of the journalists who is very well qualified person, went to Delhi, He said; "I went a driving licence. They asked; Have you brought your x-ray? Have you brought your Mood group, have yes

[Shri Rajesh Pilot] brought your blood test, have you had TB sometime or heart trouble?" All these problems were focussed. And we do appreciate that. The complications were so much that anybody could question. If it is written "Were you a heart patient?", the doctor would say, "I will have to check up and tell you whether you are a heart patient or not."

So, we are simplifying it and we are bringing it to that degree where it will be simply said that so and so is physically fit to drive. But we certainly want two factors to continue. For a personal vehicle driving licence you don't have to go in for any training. Earlier there was no medical test. We thought that when you get your driving licence, you have to have medical test at that time and then up to the age of 40 years or up to 20 years, there is no medical test. You will agree with me that after 40 years your eye-sight goes down. It is a basic fact that after 40 years or 42 years, your eye-sight does get weakened and then it is time when once again you get yourself medically checked up. There is no medical check-up for another five years. There has been a medical test from the beginning for transport vehicle. It is not that we have changed it now. It was there in the old days also. The impression has round that since the new Motor Act has come, so this strictness has followed. What was a happening earlier. You go to the S.T.A. There will be somebody sitting under the tree. He will put all the stamps and give you everything. You did not have to go anywhere. Now, strictness has started. We want genuine certificates to be issued. But we are following it very seriously with all the States. We will see that no inconvenience is caused to our citizens for getting these certificates.

The second point is regarding educational qualifications. I do agree that we really cannot impose it in this country. There are many

sections of society in the rural areas where education is not there. This is also a fact that the drivers are normally from poorer sections or categories of society! They are from poor families. We thought initially that we would give them fourth class pass so that they read the boards. Sometimes it so happens that they will stop trucks on the main road. There will be a traffic jam. They will walk down to a *dhaba* or somewhere and they will ask.

“भाई, यह रोड किधर जा रही है ? इधर को मुझे जाना है, किधर से होकर मैं जाऊंगा;”

We thought that much. But it is not possible and practicable at this moment. So we have taken that back and said "Read and write". I agree with what my colleague, Mr. Bansal has said. He said that signals and signs, are more important. So, we will insist on signals and signs. If "read and write" is also available, we will certainly give that option so that he can read. If he is going to Calcutta, he will be able to read boards and reach Calcutta. But I have noted his suggestion of giving more priority to signals and signs instead of "read and write".

One more point has been made about overloading. Madam, you can see in both the Acts. I have brought them along. Not a single word have we changed. It is the same in the 1939 Act and the 1988 Act. It is the same load which is being permitted. We have not touched the load factor at all. What we have said is that if you overload, we will punish you. Now the problem starts. As per the 1939 Act, you are supposed to carry 16,200 kgs. as laden weight. Madam, if you get a chance to travel from Delhi to Jaipur—I go to my constituency in that area—you will find every day some 10 trucks overturned on the road and there are 5 to 6 fatal accidents everyday. They are so badly overloaded and packed. More and

more accidents have been taking place because of overloading. This was the suggestion from both the Houses. Everybody agreed that trucks are overloaded badly and majority of the accidents are caused because of overloading. We thought we will take strict action against overloading. In order to stop the practice, the best thing would be that anytime if your load is more, we will off-load it on the road so that you don't overload again. We thought that the person who is sending his truck or load will get worried. He will think that since the extra load will be taken away by the authorities, this problem of overloading will stop. But we also agree that people are misusing it and the cost of essential commodities has gone high. There is no doubt about it. The Chief Minister of Jammu and Kashmir mentioned it. The Chief Minister of Himachal Pradesh has mentioned it. Fruit prices have gone up. Last time, the Chief Minister of Maharashtra also mentioned it. Nobody was following it seriously. They can carry more than 16,200 kgs. There are some States which have given instructions that they can even carry upto 18,000 kgs. like U.P. I think Maharashtra also allowed it to some degree. But in the South it was being maintained very strictly. Now the impression has already gone that you cannot overload. We have taken a decision that according to the manufacturer's instructions you can allow 25 per cent more from the prescribed weight or the load given in the manual. We thought that 25 per cent is the highest they have permitted for. So, at the moment, we will permit 15 per cent extra of what has been prescribed earlier. So, this will get to a truck-owner or a truck driver 12 to 12 and a half tonnes as a payload or as a carry-weight. So, that was the requirement from most of the operators. Let me tell you, Madam, for the last one month, I am talking to some of the hon. Members—Shri Ahluwalia is there, Shri

Bhim Raj is there. I have been talking to them to please tell us what the operators want. We have been meeting the operators, we have been meeting the associations. First time they came and said, 'you permit us 10 tonnes payload and we are very happy.' Then they came again and said, 'you permit us 12 and a half tonnes; we are very happy.' Last week they came and said, 'Please do not increase our weight because we are saving in the tyre cost, we are saving in the fuel cost, and our turn-round has gone up, the time is reduced, and we are very happy.' But it is a fact that the consumer has got affected. The cost of the essential commodities has gone up. - Since, we are more concerned about the consumer and our common man who has got affected by this. That is why we have taken a decision today by enhancing it by 15 per cent—so that they may normally carry 12 and a half tonnes—so that the cost of essential commodities do not go up, and remain where it was.

Another point made is about driving training schools. Madam, for a personal vehicle, you do not require a certificate from a driving training school. The hon. Member said whether a lady has got to go and take training. For that as I have stated already for a personal licence. But, for a transport vehicle licence, if suppose a lady wants to become a driver in a bus or if she wants to drive a taxi, then she has got to follow all the procedure which is required for driving a transport vehicle, **and** that is essential because you are carrying 50 people in the bus or five people in a taxi, and you have to be responsible enough to see that they are safe in your vehicle. *(Interruptions)* Madam, we have written to the State Governments. And that is why today in my statement I have said that we are getting in touch with the State Governments "because some

[Shri Rajesh Pilot]

of the States do not have Drivers Training Schools but some do have. I have just got the information. Andhra Pradesh has got around 800 training schools, Kerala has got around 400 training schools. So, we will see that some more time is given to the State Governments so that all these training schools are available in the States and this problem is phased out.

Another point mentioned by Dipenji is about hazardous cargo. Madam, in Maharashtra, in Poona, one tanker carrying gas had burst and 40 people died, and there was a chaos in the Assembly. The driver did not know how to operate a fire extinguisher. He did not know the instructions. He has parked his tanker near a 'dhaba' next to the 'chula' and he was eating very happily, when the accident occurred and he could do nothing. So, we thought that for dangerous cargo, for hazardous cargo, matriculates should be there. But, at that time, we did not realise that it may not be possible to produce matriculates trained on these tankers so early because we made it effective from 1st July. So, we talked to all the State Governments. They said that essential items, specially kerosene oil, petrol, LPG will get affected, and the common man will in turn get affected. So, we have informed them that this should not be applicable till they make arrangements. We have all the intentions to see that safety is on the top priority. But till we really cannot produce them, we should not force also. Today as I have said in my statement this will not be effective from 1st July but after one year or two years, when we will be able to give training to our drivers, and the matriculates are available to drive these tankers and these LPG carriers.

Madam, Raoofji said about safety on roads. He is very right that it is not only the Motor Vehicles Act

which can give you safety, but you have to have good roads you have got to have traffic sense also in our people. Efforts are being made on both the fronts. We have set up a National Highways Authority mainly with the purpose to see that our national highways are in perfect shape. We had also formed Safety Councils in each State. We are going up to the district level and road safety councils are being formed. And in different ways, by taking classes, by showing slides in the cinema halls, and by inculcating the culture of safety, we are trying our best on both the fronts. Sukulji has said about the doctor's fee. I do agree with him, and I will take his suggestion into consideration and do something today itself so that the fee should be either uniform or we will leave it to the individuals and there should not be much of a difference in the fee from one place to another place. Vikalji has said why this could not be thought over. Because you will agree with me that we are all human beings. We do our best. When you make 400 odd amendments, there could be some points which must not have come to our mind at that time- We have had so much discussion but we can not say today that the whole Act is totally perfect. There could be some more good suggestions or something good which could not have been thought of by the House at that moment. We tried our best. But there were some things which we thought will produce good results but they could not be taken in that spirit. That is why we have come with this amendment.

Then about fitness certificate for a Maruti car, Madam, one Member has mentioned that there is no fitness certificate for a personalised vehicle for 15 years. Madam, I have another problem. The other day we were discussing and one of my colleagues was asking, you have fixed the age of vehicles. I have gone so many times on television, BO many times given big advertise\*

ments in newspapers, that no age is fixed for any vehicles in this country. But still the impression is that age of vehicles has been fixed.

THE DEPUTY CHAIRMAN: Why ?

SHRI RAJESH PILOT : The impression is there, because, Madam, there are vested interests in the country. You will appreciate that in any good thing that you do there is always some reaction so that this could be stalled.

AN HON. MEMBER : There is an enabling provision.

SHRI RAJESH PILOT : Yes, there is En enabling provision. The Government can fix the age, that provision is there. It is there because the Act has been made row. Acs are not made every day. Maybe, after 50 years there is a necessity of that the economic condition of the country have gone so good that you would itke to fix the age of v-iiicLs. No harm keeping a provision in the Act. But at the moment there is no fitness required for personalised vehicles and it is only, I think after 10 years. An v.hcn. Member has given a good suggestion about ' getting it checked up with the subordinate Legislation Committee. Yes, they are free to check every clause of it. And they are free to guide us whichever way they would like to tell us. There are a few ether points which the hOn. Members have ment'bned. I have tried to cover all of them.

But let me assure once again, Madam, that our intention is to serve the people, to see that everything is done in the best interests of the people, and wherever we have found that these are causing hardships to our brothers and sisters, we have readily come out, from day one, from 1st July onwards, and I have said that the Government has an open mind for any

suggestions, for any amendments, for anything which we feel will be good in the interests of the people, will be good in the interests of the country. This has been cur attitude from the beginning and I am once again thankful to all the hon. member who have contributed their suggestions, who have supported the Bill. But let me assure you once again, I had a very frank meeting with all the transport commissioners, transport secretaries of all States, and everybody has appreciated that this has been done all over the country and have said that now at kast we have taken steps to have improved road safety in the country.

With this, I hope that all my friends and colleagues will continue cooperating? will continue helping US because of the very revolutionary step we have, taken on the transport front, to bring discipline in the transport sector and bring road safety in the country. Thank you very much.

THE DEPUTY CHAIRMAN : In spite of my doctorate, still I cannot read road signs in so many ' pans of the country.

SHRI RAJESH PILOT : You cannot read ?

THE DEPUTY CHAIRMAN : Yes, I cannot read, because I do not know all the languages.

#### **IV. International Convention on Tibet and Peace in South Asia**

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI K. NATWAR SINGH) : Madam, We understand that ar "Internrcinal Cenvention on Tibet and Peace in South Asia" is to be held in New Delhi shortly.

2. The Government of India have consistently regrded Tibet as an autonomous region of China There are close nligicus and cultural ties between the people of