

**SHRI SHIVRAJ PATIL :** Sir, I move :

"That the Bill be passed."

*The question was adopted*

**SHRI GHULAM RASOOL MATTO :**  
Sir, one sentence in the third reading.

I would request the Hon. Minister, now that the Bill is being passed, that he should have an exercise in the Ministry. For instance, if somebody does an illegal construction, the ward Officer of that particular area takes cognizance of this and then reports to the Municipal Commissioner who goes to the court. On the same lines, some exercise should be done. It should not be left only to the police to take cognizance of violation of this, but some other machinery should be there. I would request him kindly to ask his Ministry to have an exercise in this respect, and, if possible, to come out with an amendment in this Act in due course of time.

**SHRI SHIVRAJ PATIL :** To reply to this good suggestion, I should say that under the constitutional arrangement probably municipalities are under the jurisdiction of the State Governments.

**SHRI GHULAM RASOOL MATTO :** Maybe, I agree with you.

**THE VICE-CHAIRMAN (SHRI SATYA PRAKASH MALAVIYA) :** The question is :

"That the Bill be passed."

*The motion was adopted.*

#### MESSAGE FROM THE LOK SABHA

Motion regarding committee on Welfare of Scheduled Castes and Scheduled Tribes

**SECRETARY-GENERAL :** Sir, I beg to report to the House the following message received from the Lok Sabha, signed

by the Secretary-General of the Lok Sabha :

"I am directed to inform you that Lok Sabha, at its sitting held on Tuesday, the 30th August, 1988, adopted the following motion :—

"That this House do recommend to Rajya Sabha that Rajya Sabha do agree to nominate a member from Rajya Sabha to associate with the Committee on the Welfare of Scheduled Castes and Scheduled Tribes of this House for the unexpired portion of the term of the Committee Vice Prof. N. M. Kamble resigned from Rajya Sabha and do communicate to this House the name of the member so nominated by Rajya Sabha."

2. I am to request that the concurrence of Rajya Sabha in the said motion, and also the name of the member of Rajya Sabha so appointed, may be communicated to this House."

#### MOTOR VEHICLES BILL, 1988

**THE VICE-CHAIRMAN (SHRI SATYA PRAKASH MALAVIYA) :** The Motor Vehicles Bill; 88.

**डा० श्रीमती नाजमा हेयतुल्ला :** (महाराष्ट्र) : इसके लिए कितना समय है ?

**उपसभाध्यक्ष श्री सत्य प्रकाश मालवीय :** तीन घंटे ।

**श्री मीर्जा इशदिवेग (गुजरात) :** हवाई जहाज से तो यह कम गति से चलता है तो इसके लिए तो ज्यादा समय दिया जाना चाहिए ।

**श्री राम चन्द्र विकल (उत्तर प्रदेश) :** हाँ उस कब तक चलाएंगे ?

**उपसभाध्यक्ष श्री सत्य प्रकाश मालवीय :** जब तक आप चलाएँगे ।

श्री राम चन्द्र विकल : जी. वृजे के उपर नहीं बैठना चाहिए।

श्री गुलाम रसूल मट्टू (जम्मू और काश्मीर) : मेरे खयाल से यह बिल कल इंट्रोड्यूस करें तो अच्छा रहेगा।

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI RAJESH PILOT) : Mr Vice-Chirman, Sir,

I assure that I will drive fast but within limits.

The Motor Vehicles Bill, 1988 is to consolidate and amend the law relating to the motor vehicles. So far the Motor Vehicles Act, 1939 has been the main instrument for regulating the operation of motor vehicles in the country. Though this Act had been amended several times in a piecemeal way, the need had been felt for bringing out a fresh legislation replacing the old one taking into account changes in the road transport technology, pattern of passenger and freight movement, development of road network in the country and particularly the improved techniques in the transport management. Members of Parliament on numerous occasions stressed the need for such a comprehensive legislation.

Over the years, number of Committees had gone into different aspect of the road transportation who had recommended updating, simplification and rationalization of the provisions in the norms relating to motor vehicles. The Government had accordingly set up a Working Group in January, 1984 to review all the Provisions of the Motor Vehicles Act, 1939 and to submit and draft proposals for comprehensive legislation. The recommendations of this Working Group had been examined. In addition to obtaining the comments of the State Government, these recommendations were considered in a specially

convened meeting of the Transport Ministers in April, 1986. I would also like to add that the suggestions were invited from the public and various organizations connected with road transport. Based on such a country-wide dialogue on the recommendation of the Working Group, the Government had formulated the Proposals. A consolidated Bill is now for consideration of the Honourable Members.

The more important features of the Motor Vehicles Bill, 1988 are as follows :

Rationalization of definitions of certain terms, also providing for enabling provision to notify definitions of new types of vehicles in the existing classifications to take care of future types of vehicles.

Stricter procedure in the matter of grant of drawing licences providing for requirement of comprehensive test covering knowledge of rules of road and driving skill.

Validity of driving licence for personalised vehicles for 20 years or up-till the holder attains 40 years of age.

The registration of vehicle only after fulfilment of laid down standards of critical components, safety standards and pollution control standards.

Provision of issuing fitness certificates for vehicles in accordance with the uniform procedure throughout the country and enabling provision to authorise private testing stations, as may be recognised by the State Governments, for the work of fitness certificates

Enabling provisions for Central Government to notify the new system of issuing registration marks for vehicles.

[Shri Rajesh Pilot]

Empowering the Central Government to fix age limit for different types of vehicles.

Liberalized schemes for grant of permits for goods carriage, grant of stage carriage permits on non-nationalized routes to all eligible applicants, removal of quota restrictions in respect of All India Tourist Permits, etc.

Introduction of a 'Rent a Cab' system to help tourism promotion.

Automatic renewal of permits, subject to satisfactory past performance.

Provisions that it is the State Governments and not the state transport undertaking which will notify intention of nationalization of any route/area and after due exercise finalizing the same. In case such a published scheme does not get approved within a year, the scheme will lapse. This is particularly to ensure provisions of adequate transport services to people all the time.

Administrative mechanism for maintenance of National Registers for driving licences and for registered motor vehicles, implementation of road safety schemes etc.

Attempt has been made to see that the rules and regulations in respect of important aspects of transportation are uniform throughout the country and hence the rule making power is being vested in certain cases on the Central Government. All the matters in respect of which rules are to be made and the notifications are to be issued relate to administrative detail and procedure and delegation of legislative powers is of generally acceptable norms.

This legislation would be basically implemented by the State Government and UT Administrations. The existing infrastructure available for the same would be utilised in this behalf. The additional expenditure required for the implementation

of the proposed legislation would be only marginal.

As I mentioned earlier the comprehensive revision to the existing Motor Vehicles Act, 1939 for replacement of the same by the Motor Vehicles Bill, 1988 is designed to meet modern day requirement and for meeting the future needs. As can be seen it is nearly after half a century, 49 years to be exact, that the earlier Act is being replaced by the new one. During this period, dimensions of the road transport operations in the country have undergone a tremendous change. As against a vehicle population of about 3 lakhs in 1951, it has already crossed the limit of 100 lakhs. Vehicles of new types and designs are used. Regulating the operations of a variety of vehicles meeting variety of needs and operating on different types of terrains call for a new approach. While formulating the provisions of the Bill, care has been taken to keep in view socio-economic, technological and administrative factors. Special attention has also given to the road safety aspects, pollution control and regulation of movement of hazardous equipment. In short, the attempt has been to provide a proper framework of legislation to meet the present and future requirements. I have no doubt that the Hon'ble Members would consider the provisions of the Bill in this background.

Sir, I, therefore move :

"That the Bill to consolidate and amend the law relating to motor vehicles, be taken into consideration."

THE VICE-CHAIRMAN (SHRI SATYA PRAKASH MALAVIYA) : There is one amendment by Shri Yashwant Sinha.

SHRI YASHWANT SINHA (Bihar) : Mr. Vice-Chairman, Sir, I move :

"That the Bill to consolidate and amend the laws relating to motor vehicles, be referred to a Select Committee of the Rajya Sabha consisting of the following Members, namely :—

1. Shri M. S. Gurupadaswamy

2. Shri Chitta Basu

3. Shri Jagesh Desai
4. Shri Murlidhar Chandrakant Bhandare
5. Shri P. N. Sukul
6. Shri Samar Mukherjee
7. Shri Paavathaneni Upendra
8. Shri Atal Bihari Vajpayee
9. Shri Virendra Verma
10. Shri N. E. Balaram
11. Shri Murasoli Maran
12. Shri Suresh Pachouri
13. Shri Suresh Kalmadi
14. Shri N. K. P. Salve
15. Shri Yashwant Sinha

with instructions to report by the end of the Hundred and fiftieth Session."

*The questions were proposed.*

THE VICE-CHAIRMAN (SHRI SATYA PRAKASH MALVIYA) : The motion for consideration of the Bill and the amendment thereto are now open for discussion.

SHRI YASHWANT SINHA : Mr. Vice-Chairman, Sir, I compliment the hon. Minister for Surface Transport for finally

bringing this Bill comprehensively amending the Motor Vehicles Act, 1939 before the Parliament. But the first point, Sir, which I would like to raise is a very basic...

श्रीरामचन्द्र विकल : उपसभाध्यक्ष महोदय, अब सवा छः बजे चुके हैं, सदन को उठना चाहिए ऐसी क्या इमरजेंसी है कि आप लंच भी बन्द कर देते हैं और देर तक भी बैठते हैं ?

उपसभाध्यक्ष श्री सत्य प्रकाश मालवीय : जैसी सदन को इच्छा है।

श्री राम चन्द्र विकल : सदन की इच्छा है कि 6 बजे बन्द कर दिया जाए।

श्री यशवंत सिन्हा : सदन की यह भावना है तो मैं कल ही बोलूंगा।

कुछ माननीय सदस्य : ठीक है ठीक है।

उपसभाध्यक्ष श्री सत्य प्रकाश मालवीय : अब सदन की कार्यवाही कल, 31 अगस्त 11 बजे तक के लिए स्थगित की जाती है।

The House then adjourned at eighteen minutes past six of the clock till eleven of the clock on Wednesday, the 31st August, 1988.