

Road Transport and Highways in India

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Important Legislations related to Road Transport & National Highways in India

- Indian Tolls Act, 1864
- National Highways Act, 1956
- Motor Vehicles Act, 1988
- National Highways Authority of India Act, 1988
- Central Road Fund Act, 2000
- Control of National Highways (Land and Traffic) Act, 2002
- Carriage by Road Act, 2007



National Highways are of Critical Importance

“National Highways are not only arteries of the economy but also the backbone for cultural exchange, social equity, national unity and integrity.”

National Highways Act, 1956

Highlights-

- Declaration of highways situated in any “municipal area” as National Highways (NH)
- The Central Govt. may, by notification in the Official Gazette:
 1. declare any other highway to be a NH
 2. omit any highway from the Schedule. The highway so omitted shall cease to be a NH

- “Highways” include:
 1. all lands appurtenant thereto
 2. all tunnels, bridges, etc. constructed on or across such highways
 3. fences, trees, milestones, etc. of such highways or lands

Responsibilities of the Central Government

- Fees for services or benefits rendered on the highways

- Agreements with state governments or municipalities

The Central Govt. has the power to make rules for carrying out the purposes of this Act

Roads & Highways in India

RECENT DEVELOPMENTS & CURRENT ISSUES

National Road Transport Policy

- Participation of private sector
- Focus on environmental, technological and fiscal aspects of motorized transport

The Motor Vehicles Act, 1988

- To consolidate and amend the law relating to motor vehicles
- Extends to the whole of India
- Defines 49 related terms that include:
contract carriage, dealer, driver, driving license, educational institutional bus, fares, goods, learner's license, motor car, motor cycle, motor vehicle, etc.

- **Motor Vehicle:** Any mechanically propelled vehicle adapted for use upon roads
- **Necessity for driving license:** for driving/renting a motor vehicle, other than while receiving instructions in driving a motor vehicle

Age limits:

- Motor Vehicle- 18 years
- Motor Cycle without gear- 16 years
- Transport Vehicle- 20 years

Some of the powers of Central Govt. to make rules:

- providing for the form in which the application for learner' s and **driver's licence** may be made, the information it shall contain and the documents to be submitted with the application
- providing for the particulars regarding **test of competence** to drive
- providing for the **authority** to grant licences
- any other matter which is, or has to be, prescribed by the Central Government

Some of the powers of State Governments to make rules:

- the appointment, **jurisdiction**, control and functions of licensing authorities and other prescribed authorities
- the issue of **duplicate licences** to replace licences lost, destroyed or mutilated, the replacement of photographs which have become obsolete and the fees to be charged there for
- the duties, functions and **conduct of such persons** to whom licences to drive transport vehicles are issued

Some Issues

**IMPEDIMENTS IN THE DEVELOPMENT OF
ROAD TRANSPORT**

- Multiplicity of Agencies
- Limited Authority at the local level
- Urban transport is a marginal function for most agencies

The Solutions

WAY FORWARD

Governance and Regulatory Reforms

National Urban Transport Policy:

- Integration of land use and transport planning
- Promoting public transport
- Development of Mass Transit Systems, etc.

References

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- Ministry of Road Transport & Highways:
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- Motor Vehicles Act:
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