

Bill No. 231 of 2022

THE MOTOR VEHICLES (AMENDMENT) BILL, 2022

By

SHRI UNMESH BHAIYYASAHEB PATIL, M.P.

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BILL

further to amend the Motor Vehicles Act, 1988.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Motor Vehicles (Amendment) Act, 2022.

Short title and commencement.

5 (2) It shall come into force on such date, as the Central Government may, by notification in the official Gazette, appoint.

Amendment of
section 8.

2. In section 8 of the Motor Vehicle Act, 1988, in sub-section (4), after the first proviso the following proviso shall be inserted, namely:– 59 of 1988.

“Provided further that the licensing authority shall not refuse to issue a learner’s license to applicant affected by leprosy if such applicant has been certified by a registered medical practitioner as having either been cured of leprosy or having been administered with the first dose under Multi-Drug Therapy and with continuing treatment for leprosy being provided by such registered medical practitioner.” 5

STATEMENT OF OBJECTS AND REASONS

Leprosy, caused by the bacteria *Mycobacterium leprae*, primarily affects the peripheral nervous system causing skin lesions, numbness, and other deformities. As per the latest data from National Leprosy Eradication Programme (NLEP), a total of 65,147 new leprosy cases were detected during the year 2020-21 in India. India accounts for over half of the world's new leprosy patients, according to World Health Organisation.

According to the 20th Law Commission report titled "Eliminating Discrimination against Persons Affected by leprosy" as of 2014, India accounts for fifty eight per cent. of the new leprosy cases in the world, leading the list of countries that have reported high figures of leprosy infection globally. Although leprosy may cause irreversible disabilities, with advances in medicine, it is now a completely curable disease that can be rendered non-infectious early on in treatment itself, through Multi-Drug Therapy, which has cured more than fifteen million persons over two decades alone. Government of India has undertaken programs to provide free-of-cost treatment to Persons affected by leprosy. A major obstacle to uplift the status of Persons affected by leprosy is the social stigma associated with leprosy. In many spheres of life, such persons continue to be outcast from society.

The United Nations Convention on the Rights of Persons with Disabilities, 2007 ("UNCRPD") promotes, protects and ensures the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities. India has signed and ratified the UNCRPD, and is also a member of the UN General Assembly that unanimously passed the Resolution on the Elimination of Leprosy.

Despite the fact that the notable efforts have been made so far and have significantly improved the lives of many people affected by leprosy and their family members, the long-standing stigma associated with leprosy and the archaic laws that apply to them persist. Thus, in order to remove the stigma of leprosy and eliminate the discrimination that still exists in society, the laws that directly affect the individual must be revised.

In addition to the various laws that had been amended to eliminate discrimination, one such law is the Motor Vehicle Act of 1988, which does not grant license to the persons affected by leprosy. This need is to amend section 8 of the Motor Vehicle Act, 1988, as an exercise in affirmative action to accommodate the needs of people suffering from leprosy. The amendment makes the licensing authority liable to not deny a learner's license to any person affected by leprosy.

Hence this Bill.

NEW DELHI;
23 November, 2022.

UNMESH BHAIYYASAHEB PATIL

ANNEXURE

EXTRACT FROM THE MOTOR VEHICLES ACT, 1988

ACT No. 59 OF 1988

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Grant of
learner's
licence.

8. (1) Any person who is not disqualified under section 4 for driving a motor vehicle and who is not for the time being disqualified for holding or obtaining a driving licence may, subject to the provisions of section 7, apply to the licensing authority having jurisdiction in the area—

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(4) If, from the application or from the medical certificate referred to in sub-section (3), it appears that the applicant is suffering from any disease or disability which is likely to cause the driving by him of a motor vehicle of the class which he would be authorised by the learner's licence applied for to drive to be a source of danger to the public or to the passengers, the licensing authority shall refuse to issue the learner's licence:

Provided that a learner's licence limited to driving an invalid carriage may be issued to the applicant, if the licensing authority is satisfied that he is fit to drive such a carriage.

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further to amend the Motor Vehicles Act, 1988.

(Shri Unmesh Bhaiyyasaheb Patil, M.P.)