

AS INTRODUCED IN LOK SABHA

Bill No. 4 of 2021

THE PROMOTION OF CYCLING BILL, 2021

By

SHRI RAVNEET SINGH, M.P.

A

BILL

to provide for establishment of a Bicycle Promotion Council for the promotion of cycling by giving incentives to the bicycle industry; providing subsidy on purchase of bicycles to the general public; mandating investment on non-motorised Transport for projects that seek to develop non-motorised and public transport infrastructure and for matters connected therewith.

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

1. (1) This Act may be called the Promotion of Cycling Act, 2021.

(2) It extends to the whole of India.

Short title,
extent and
commencement

(3) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different—

(a) provisions of this Act;

(b) areas; and

(c) roads or highways.

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Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases the Central Government;

(b) "Council" means the Bicycle Promotion Council constituted under section 4; and

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(c) "prescribed" means prescribed by rules made under this Act.

Appropriate Government to promote cycling.

3. (1) Notwithstanding anything contained in any other law for the time being in force, it shall be the duty of the appropriate Government to promote eco-friendly and healthy practice of cycling through its territorial jurisdiction in such manner as may be prescribed.

(2) Without prejudice to the generality of the provisions contained in sub-section (1), the appropriate Government shall for the purposes of this Act,—

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(a) provide subsidy to the general public for purchasing bicycles;

(b) give incentives and attractive cycle allowance to its employees for using bicycles while commuting to office and back home;

(c) consider and take such steps, as it may deem necessary, for reducing GST component on bicycles from twelve per cent. to five per cent. to promote cycling;

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(d) consider mandating investment on Non-motorised Transport for projects that seek to develop non-motorised and public transport infrastructure;

(e) focus on the bicycle as a preferred mode of transport;

(f) make provision for dedicated cycle lanes along all major roads including flyovers; and

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(g) make such other provisions as it may deem necessary and expedient for the purposes of this Act.

Constitution of a Bicycle Promotion Council.

4. (1) The Central Government shall, by notification, in the Official Gazette constitute a Council to be known as the Bicycle Promotion Council for the promotion of use of bicycles in the country.

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(2) The Council shall consist of a Chairperson and atleast fifteen members to be appointed by the Central Government in such manner as may be prescribed:

Provided that atleast eight members of the Council shall be from amongst persons directly associated with the bicycle industry, including industrialists and domain experts.

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(3) The headquarter of the Council shall be at Ludhiana in the State of Punjab.

(4) The Salary and allowances payable to, and other terms and conditions of service of the Chairperson and members of the Council shall be such as may be prescribed.

Functions of the Council

5. The Council shall carry out studies and make recommendations to the Central Government on the following matters namely:—

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(a) construction of safe and adequate cycling infrastructure;

(b) creating a National Cycling Plan, strategies and laws to promote cycling;

(c) concessions, especially for the low-income individuals, to buy bicycles;

(d) creating national awareness about the benefits of cycling;

(e) addressing the grievances of the bicycle industry;

(f) cost-benefit analysis of investment in cycling;

5 (g) market analysis for improving bicycle industry competitiveness;

(h) study and help to implement the best internationally accepted methodologies for promotion of cycling and development of bicycle industries; and

(i) bridging the technological gap for production of premium bicycles.

10 6. It shall be the duty of the Central Government to implement, in consultation with the concerned State Government, the recommendations of the Council:

Provided that where it is felt that any recommendation may not be implemented due to any reason, the Central Government may, for the reasons to be recorded in writing, inform the Council accordingly.

15 7. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

8. **The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the State Governments for implementing the provisions of this Act.**

20 9. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

25 (2) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Cycling has been a major source of transportation in India. Bicycles play an important role in enabling livelihoods of the urban poor by providing them a cost-effective option. Our country is the second largest producer of bicycles and produces around 1.5 crore bicycles every year. The Indian bicycle manufacturing and bicycle components industry is widely recognized for its distinct standards and variety in global market.

The pollution level in the country has reached such extreme level that the judiciary has often observed that we are living in a Gas Chamber. Due to the catastrophic consequences of this environmental pollution which is endangering the very existence of human life, cycling has the potential to emerge as the favoured mode of transportation among the people of the country. Cycling provides immense benefits in the form of zero dependence on energy sources, zero pollution and improved health.

The entire bicycle industry is badly handicapped by unfriendly environment and infrastructure for cycling in our cities. Consequently, in order to mitigate pollution and enhance the share of cycling, the Government needs to play a very pro-active role by providing large scale cycling infrastructure, subsidies/tax exemptions and micro-financing options especially for low-income households. There is also a need for the creation of a dedicated body consisting of experts from bicycle industry for targeted efforts to bring about positive change in the bicycle industry and to develop it as an effective alternative mode of urban transport.

Bicycle is a sustainable, affordable and eco-friendly mode of transportation and requires active national level intervention by the Central Government for its successful promotion.

Hence this Bill.

NEW DELHI;

RAVNEET SINGH

February 12, 2020.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for giving subsidy to general public for purchasing bicycles as well as incentives to employees for commuting by bicycles. Clause 4 provides for establishment of Bicycle Promotion Council for promotion of bicycles in the country. It also provides for appointment of Chairperson and members to the Council. Clause 8 makes it mandatory for the Central Government to provide adequate funds to the States and Union territories for implementing the provisions of the Bill. The Bill, therefore, if enacted will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees one thousand crore will be involved as recurring expenditure per annum for the Consolidated Fund of India.

A non-recurring expenditure of rupees five hundred crore is also likely to be involved from the Consolidated Fund of India.

MEMORANDUM OF DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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