

AS INTRODUCED IN THE RAJYA SABHA
ON THE 26TH FEBRUARY, 2016

Bill No. VIII of 2016

THE PROMOTION OF CYCLING AND PROVISION OF COMPULSORY
DEDICATED CYCLE CORRIDOR ALONG MAJOR ROADS AND
HIGHWAYS BILL, 2016

A

BILL

to provide for the promotion of cycling by way of giving incentives to the employees by employers including Government, providing subsidy on purchase of bicycles to the general public and for the provision of compulsory dedicated cycle corridor along major public roads and highways in the country and for matters connected therewith and incidental thereto.

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

1. (1) This Act may be called the Promotion of Cycling and Provision of Dedicated Cycle Corridor along Major Roads and Highways Bill, 2016.

Short title,
extent and
commencement.

5 (2) It extends to the whole of India.

(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;
- (c) roads or highways.

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Definitions.

2. Unless the context otherwise requires,—

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

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

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Appropriate Government to promote cycling and provide dedicated cycle corridors.

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 in a big way and also provide dedicated cycle corridors along major roads and highways passing 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 may 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 commuting to office and back home;**

(c) **consider giving tax exemptions to promote cycling;**

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(d) **provide and construct dedicated cycle tracks along arterial streets, main roads and highways;**

(e) **make provision for compulsory cycle lanes along all major roads including flyovers;**

(f) **prepare and implement bicycle master plans for major cities and urban areas;**

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(g) **focus on the bicycle as a mode of transport;**

(h) **ensure that cycle tracks are not taken over for unauthorised parking by motor vehicles or to become dumps for waste; and**

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

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Power to remove difficulties.

4. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of the difficulty and any such order shall be final and binding.

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Act to supplement other laws.

5. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force regulating any of the matters dealt with in this Act.

Central Government to provide funds.

6. **The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the States and Union Territories for implementing the provisions of this Act.**

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Power to make rules.

7. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

These days environmental pollution is the hot topic of debates on television channels, newspapers, magazines and other fora. The National Capital and National Capital Region (NCR) have been dubbed as one of the most polluted in the globe. The Judiciary has declared that we are living in the gas chamber. In an effort to meet the twin objectives of limiting vehicular pollution and curbing road congestion Delhi Government wants to promote cycling by giving subsidy for bicycle purchases. But unfortunately Delhi's urban culture refuses to recognize the bicycle as a mode of transport. This is mainly because there is lack of cycle readiness of the capital and NCR roads. There are only a few dedicated lanes for cycling and even they are not fit for cycling for various reasons. The streets are also dangerous for cyclists because buses and cars do not respect their rights. Cycles are not given way on main roads and they are often at risk when attempting to evade the heavy flow of traffic. This kind of situation prevails not only in the National Capital and NCR but throughout the country.

This situation exist despite the fact that our country is the second largest bicycle producing country in the world after China and this 1.5 billion dollar industry produced nearly 15.5 million bicycles in 2012-13 that is 10 percent of the total bicycles manufactured globally and employed about one million people. But despite these figures cycling as an alternative mode of urban transport has not really taken off in our country. Around half a century ago almost 60 percent or road trips in the National Capital involved bicycles but today experts reckon they constitute at best 4 percent of the city's commuters.

However, it is not the case everywhere. Some cities across the globe have made it easier to ride bicycles. Ten famous cities of the globe which have bicycle lanes, dedicated bicycle only paths and drivers who are generally more than willing to share the road are Copenhagen and Amsterdam in Demark; Utrecht and Eindhoven in Netherlands; Strasbourg, Nantes and Bordeaux in France; Malmö in Sweden; Antwerp in Belgium and Seville in Spain. Germany has recently become the first nation in the globe to start cycle highways with all the necessary facilities. There are separate lanes, each lane is 13 feet wide with provision to overtake. There are no red lights along the highways and bicycle rider can ride at high speed as he desires.

The success of odd and even car number formula in the National Capital has again proved that where there is a will there is a way. Promoting cycling to contain environmental pollution is also possible for which several steps are needed to be undertaken.

Hence this Bill.

RAJKUMAR DHOOT

FINANCIAL MEMORANDUM

Clause 3 provides for subsidy, allowance and tax exceptions for promotion of cycling.

Clause 6 of the Bill 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, if enacted will involve expenditure from the Consolidated Fund of India. It is not possible to quantify the expenditure at this juncture but it is estimated that a sum of rupees one lakh crore may be involved as recurring expenditure per annum.

A sum of rupees two lakh crore may also be involved as non recurring expenditure for creation of assets throughout the country.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill gives power to the Central Government to make rules for carrying out the purposes of the Bill. The rules will relate to matters of details only.

The delegation of legislative power is of normal character.

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(Shri Rajkumar Dhoot, M.P.)

GMGIPMRND—4603RS(S3)—26-02-2015.